

TOWN PLANNING BOARD

Minutes of 656th Meeting of the Rural and New Town Planning Committee held at 2:30 p.m. on 18.9.2020

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 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

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

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

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

Secretary

Absent with Apologies

Mr Conrad T.C. Wong

In Attendance

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

Chief Town Planner/Town Planning Board
Mr Kevin C.P. Ng

Town Planner/Town Planning Board
Ms Charlotte P.S. Ng

Opening Remarks

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

Agenda Item 1

Confirmation of the Draft Minutes of the 653rd and 654th RNTPC Meeting held on 1.9.2020 and 4.9.2020

[Open Meeting]

2. The draft minutes of the 653rd and 654th RNTPC meeting held on 1.9.2020 and 4.9.2020 respectively were confirmed without amendments.

Agenda Item 2

Matter Arising

[Open Meeting]

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

Sai Kung and Islands District

Agenda Item 3

Section 12A Application

[Open Meeting (Presentation and Question Sessions only)]

Y/TKO/5 Application for Amendment to the Approved Tseung Kwan O Outline Zoning Plan No. S/TKO/26, To Rezone the Application Site from “Residential (Group C)1”, “Green Belt” and an area shown as ‘Road’ to “Residential (Group C)2” and “Green Belt”, Lot 310 in D.D. 224 and Adjoining Government Land, Hang Hau Road, Tseung Kwan O (RNTPC Paper No. Y/TKO/5C)

4. The Secretary reported that the application site was located in Tseung Kwan O and CYS Associates (Hong Kong) Limited (CYS) was one of the consultants of the applicant. The following Members had declared interests on the item:

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

Mr L.T. Kwok - being the Chief Executive of Christian Family Service Centre which had 14 social service units in Tseung Kwan O.

5. As the interests of Mr L.T. Kwok was indirect and Mr K.K. Cheung had no involvement in the application, the Committee agreed that they could stay in the meeting.

Presentation and Question Sessions

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

Ms Donna Y.P. Tam - District Planning Officer/Sai Kung and Islands (DPO/SK&I), PlanD;

Ms Kitty S.T. Lam - Senior Town Planner/Sai Kung and Islands
(STP/SK&I), PlanD; and

Lanbase Surveyors Limited

Mr C.K. Chan

Mr Roy Cheung

} Applicant's representatives.

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

8. With the aid of a PowerPoint presentation, Ms Donna Y.P. Tam, DPO/SK&I, presented the application and covered the following aspects as detailed in the Paper:

- (a) background to the application;
- (b) the proposed rezoning of the application site (the Site) from "Residential (Group C)1" ("R(C)1), "Green Belt" ("GB") and an area shown as 'Road' to "Residential (Group C)2" ("R(C)2") and "GB" on the draft Tseung Kwan O Outline Zoning Plan (OZP) No. S/TKO/27 to allow redevelopment of the private lot for house development;
- (c) departmental comments were set out in paragraph 8 of the Paper;
- (d) during the statutory publication periods, a total of 22 public comments, with two comments raising concerns from a current and a former Sai Kung District Council members, 17 opposing comments from the Kadoorie Farm & Botanic Garden Corporation, the World Wide Fund for Nature Hong Kong, the Hong Kong Bird Watching Society, one comment expressing views on procedural matters from an individual and two irrelevant comments from individuals, were received. Major views were set out in paragraph 9 of the Paper;

- (e) PlanD's views – PlanD had no in-principle objection and partially agreed to the application based on the assessments set out in paragraph 10 of the Paper. The proposed rezoning was to adjust the boundary of the “R(C)” zone to tally with the private lot boundary while increasing the building height (BH) and plot ratio (PR) within the “R(C)” zone. The proposed increase in development intensity was in line with the Government's initiative to increase housing supply. Although the proposed PR and BH were higher than other “R(C)” sites in the immediate surrounding, the proposed ‘R(C)2’ sub-area was still in line with the overall planning intention of the “R(C)” zone. As the natural landscape in the locality would not be adversely affected and the existing vegetated slope would remain natural with no structure erected, the Chief Town Planner/Urban Design and Landscape of PlanD and the Director of Agriculture, Fisheries and Conservation had no objection to/no strong view on the application from the landscape and nature conservation perspectives. The proposed rezoning of the northern and southern strips of government land (GL) from “R(C)1” to “GB” could reflect their existing conditions. Relevant government departments had no objection to or no adverse comment on the application and relevant technical assessments had been conducted to demonstrate that no adverse environmental, sewerage and geotechnical impacts would be resulted from the proposed development. Nevertheless, given the clear planning intention for future road widening, the minor portion of the Site currently shown as ‘Road’ should be maintained as an area shown as ‘Road’. Regarding the local views and public comments, comments of concerned departments and the planning assessments above were relevant

[Miss Winnie W.M. Ng and Dr Venus Y.H. Lun joined the meeting during the Presentation Session.]

9. The Chairman then invited the applicant's representatives to elaborate on the application. Mr C.K. Chan, the applicant's representative, confirmed that they had no further elaboration. As the presentation of the representative from PlanD was completed

and the applicant's representatives had no further presentation, the Chairman invited questions from Members.

10. The Chairman and some Members raised the following questions to the representatives of PlanD:

- (a) whether there was an implementation programme for the road improvement works of Hang Hau Road and whether the proposed development would affect the road improvement works;
- (b) whether there would be any development at the western part of the application site which was proposed to be rezoned from "GB" to "R(C)2" and designated as Non-Building Area (NBA);
- (c) whether the applicant could undertake site formation work at the vegetated slope that was designated as NBA;
- (d) whether the total area of the "GB" zone would be reduced upon the proposed rezoning;
- (e) whether it was an usual practice to exempt the floor area of the proposed resident's club house in the proposed development from gross floor area (GFA) calculation; and
- (f) the differences in planning circumstances between the subject rezoning application and the two similar applications for rezoning of "GB" to "R(C)2" that had been rejected by the Committee.

11. Ms Donna Y.P. Tam, DPO/SK&I, made the following main points:

- (a) with reference to Drawing Z-2 of the Paper, a minor portion at the eastern part of the application site was shown as 'Road' on the OZP to facilitate the future road improvement works of Hang Hau Road, which had no known programme or detailed design. However, given the long-term planning intention for road use at this area, PlanD did not agree to the applicant's

proposal to rezone this part of the Site from 'Road' to "R(C)2" and recommended that this 'Road' area within the Site should be maintained to reflect the planned land use under the OZP;

- (b) according to the indicative scheme provided by the applicant, two NBAs had been proposed. The first NBA was the area shown as 'Road' within the Site for which the applicant had proposed to rezone to "R(C)2" while designating it as NBA. The western portion of the Site was currently zoned as "GB" and also proposed for rezoning to "R(C)2" under the application but would be designated as NBA to retain the existing vegetated slope. The applicant had undertaken to restrict all buildings to be constructed within the area currently zoned "R(C)1" and had already been hard-paved. The applicant also proposed that the requirement of NBA could be incorporated into the land lease;
- (c) according to the information provided by the applicant, except one, all of the trees within the proposed NBA in the western part of the Site would be preserved;
- (d) with reference to Plan Z-2, the area currently zoned "GB" within the Site was about 763m², equivalent to about 18% of the total site area, was proposed to be rezoned to "R(C)2". Under the application, about 479m² area within the Site was GL and was proposed to be rezoned from "R(C)1" to "GB", resulting in the net loss of about 284m² of "GB" area;
- (e) according to the Notes of the OZP, any floor space that was constructed or intended for use solely as car park, plant room and recreational facilities for the owners or occupiers of the residential development, such uses and facilities might be disregarded when determining the maximum GFA provided that they were ancillary and directly related to the development; and
- (f) the two similar s.12A applications (No. Y/TKO/3 and Y/TKO/4) for rezoning from "GB" to "R(C)2" covered largely the same site which was located to the west of the Tseung Kwan O New Town. The Site been

paved and used for open storage uses. That applicant intended to rezone the site for residential development with a maximum PR of 0.4. Those applications were rejected by the Committee mainly on the grounds that the sites were considered as an integral part of the “GB” zone and the applicant was unable to demonstrate that the rezoning application would not cause adverse impacts on the existing landscape resources of the surrounding area. Besides, there was no similar rezoning application involving sites straddling both “GB” and “R(C)1” zones on the Tseung Kwan O OZP.

12. Regarding the preservation of trees on the vegetated slopes, Mr C.K. Chan, the applicant’s representative, supplemented that tree preservation clauses could be incorporated into the land lease during lease modification stage. Prior approval from the Director of Lands would be required for any tree felling or alteration to the approved tree preservation proposal at the Site. Nevertheless, he reaffirmed that the applicant had no intention to build over the NBA or felling of trees in the area currently zoned “GB”.

13. Some Members raised the following questions to the applicant’s representatives:

- (a) merits of the proposed rezoning scheme; and
- (b) whether a s.16 application could be submitted instead of a s.12A application to take forward the residential development in the indicative scheme as proposed by the applicant.

14. Mr. C.K. Chan, the applicant’s representative, made the following points:

- (a) inclusion of the whole lot into calculation of GFA was allowed under the lands and buildings regimes. The proposed rezoning with increased development intensity was generally in line with the Government’s policy to increase housing supply; and
- (b) although the applicant could apply for minor relaxation of the PR restriction to facilitate the proposed development, it was hard to justify a relaxation of PR restriction from 0.6 to 1 (about 66.6%) as minor. Therefore, the

applicant considered submission of a s.12A application was more appropriate.

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

Deliberation Session

16. The Chairman pointed out that the subject s.12A rezoning application was to adjust the boundary of the "R(C)" zone to tally with the lot boundary and to increase the PR from 0.6 to 1 and BH from 2 storeys over one level of carport to 4 storeys over one level of carport. The applicant also proposed to designate the western part of the Site as NBA to preserve the vegetated slope.

17. The Vice-chairman pointed out that s.16 planning permission for a 2-storey house development with PR 0.6 and the "GB" portion of the Site maintained as NBA was granted to the same applicant in 2016. The main difference of the current application was to increase the PR to 1 and BH restriction to 4 storeys.

18. A Member opined that while "GB" should be protected and the proposed rezoning could result in the reduction in the "GB" area, with the proposed designation of NBA and tree preservation clause in the lease, the vegetated slope in the area currently zoned "GB" would remain undisturbed. As such, he supported the application.

19. A Member supported the application which allowed the entire private lot to be included for PR calculation. The applicant's justification for the submission of a s.12A rezoning application instead of a s.16 application was also agreeable as a relaxation of PR restriction from 0.6 to 1 could unlikely be regarded as minor.

20. Another Member had no objection to the proposed development taking into

account the site context but was concerned that the rezoning of “GB” would set an undesirable precedent for other similar applications.

21. A Member said while the applicant’s proposal could better utilize land resources and at the same time preserve the trees in the area currently zoned “GB” within the Site, there was still a concern about the reduction in the “GB” area upon rezoning. Another Member concurred that the reduction in “GB” area resulting from the application was undesirable. Regarding the tree preservation aspect of the application, Mr Alan K.L. Lo, Assistant Director/Regional 3 of the Lands Department, advised that there would not be any control to prevent felling of trees before completion of lease modification.

22. A Member suggested that in order to facilitate the proposed residential development while preserving the “GB” area, consideration could be given to allowing the proposed increase in BH and PR for the “R(C)1” zone while keeping the zoning boundary unchanged. If the applicant would like to achieve the same GFA of 3716m² of the current application, he could apply for s.16 planning application upon rezoning.

23. The Chairman concluded that Members generally agreed to the proposed development but had divergent views on the applicant’s rezoning proposal. He then sought Members’ view on three options for rezoning: (a) to adopt PlanD’s recommendation in paragraph 11 of the Paper; (b) to agree to the application according to the applicant’s proposals; or (c) to maintain the original “GB” zone and area shown as ‘Road’ but to rezone “R(C)1” to “R(C)2” to allow an increase of PR to 1 and the maximum BH to 4 storeys over one level of carport. Most Members preferred option (c).

24. After deliberation, the Committee decided to partially agree to the application by rezoning part of the Site currently zoned “R(C)1” to a suitable sub-area of “R(C)” with a maximum PR of 1, a maximum site coverage of 30% and a maximum BH of 4 storeys over one level of carport. The relevant proposed amendments to the draft Tseung Kwan O OZP No. S/TKO/27 would be submitted to the Committee for agreement prior to gazetting under the Town Planning Ordinance.

Tuen Mun and Yuen Long West District

Agenda Item 4

Section 12A Application

[Open Meeting]

Y/TM/24 Application for Amendment to the Approved Tuen Mun Outline Zoning Plan No. S/TM/35, To rezone the application site from “Green Belt” to “Government, Institution or Community”, Lots 1744 S.D ss.1 (Part) and 1744 S.D RP (Part) in D.D. 132, Hing Fu Street, Tuen Mun (RNTPC Paper No. Y/TM/24)

25. The Committee noted that the applicant requested on 24.8.2020 and 8.9.2020 deferment of the consideration of the application for two months in order to allow time for preparation of further information to address technical issues and comments raised by relevant government departments. It was the first time that the applicant requested deferment of the application.

26. 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.

Tsuen Wan and West Kowloon District

[Mr Stephen C.Y. Chan, Senior Town Planner/Tsuen Wan and West Kowloon (STP/TWK), was invited to the meeting at this point.]

Agenda Items 5 and 6

Section 16 Applications

[Open Meeting (Presentation and Question Sessions only)]

A/I-MWI/46 Proposed House (New Territories Exempted House) in
“Comprehensive Development Area” Zone, Ma Wan Lot 326
(RNTPC Paper No. A/I-MWI/46 and 47)

A/I-MWI/47 Proposed House (New Territories Exempted House) in
“Comprehensive Development Area” Zone, Ma Wan Lot 320
(RNTPC Paper No. A/I-MWI/46 and 47)

Presentation and Question Sessions

27. Mr Stephen C.Y. Chan, STP/TWK, presented the applications and covered the following aspects as detailed in the Paper :

- (a) background to the applications;
- (b) the proposed house (New Territories Exempted House) (NTEH) at each of the sites;
- (c) departmental comments were set out in paragraph 10 of the Paper;
- (d) no public comment was received for each application 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 planning intention of the subject “Comprehensive Development Area” zone was for comprehensive development/redevelopment for low-rise, low-density recreation, commercial and/or tourism uses. The applicants

had submitted a Master Layout Plan (MLP) indicating the proposed NTEHs at the application sites (the Sites) but no technical assessments had been submitted. The proposed NTEHs under the current applications were considered not incompatible with the character of the surrounding environment. While the Sites previously formed part of the Ma Wan Park development, they were subsequently excluded from the application boundary under application No. A/I-MWI/45 due to problem of land acquisition. The proposed NTEHs would not affect the implementation of the approved Ma Wan Park and resort hotel development. Concerned departments had no adverse comment on the application and relevant approval conditions were recommended to address their technical concerns. No public comment was received during the statutory publication period.

28. A Member observed that the application sites were subject to eight previous applications for the proposed development of the Ma Wan Park (MWP) and enquired if the subject applications were part of MWP. With reference to a plan highlighting the changes in MLPs of the MWP, Mr Stephen C.Y. Chan, STP/TWK, said that while the application sites had been previously included in the MWP development, they were excised from the MWP boundary in the refined scheme due to land acquisition reason under the latest application No. A/I-MWI/45 approved in 2014. Mr Chan also pointed out that the applications were to seek planning permissions to redevelop NTEHs and the application sites were not part of the MWP development. Their neighbouring lots had already been redeveloped into holiday inns, namely the Solar Villas, which formed a part of the MWP development.

Deliberation Session

29. The Chairman remarked that the subject sites had been excluded from the MWP development in the latest approved development scheme. The Committee also noted that the subject applications were for redevelopment of NTEHs.

30. After deliberation, the TPB decided to approve the applications, on the terms of the applications as submitted to the Town Planning Board (TPB). Each of the permissions should be valid until 18.9.2024, 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. Each of the permissions was subject to the following condition :

“the submission and implementation of a detailed drainage and sewerage proposal to the satisfaction of the Director of Drainage Services or of the TPB.”

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

[The Chairman thanked Mr Stephen C.Y. Chan, STP/TWK, for his attendance to answer Members' enquiries. He left the meeting at this point.]

Sai Kung and Islands District

Agenda Item 7

Section 16 Application

[Open Meeting]

A/SK-HC/321 Proposed Public Utility Installation (Poles and Underground Cables) and Excavation and Filling of Land in “Conservation Area” Zone, Government Land in D.D. 247, Tai Lam Wu, Sai Kung
(RNTPC Paper No. A/SK-HC/321)

32. The Secretary reported that the application is submitted by CLP Power Hong Kong Limited (CLP) and Kum Shing (K.F.) Construction Company Limited (KF) was the consultant of the applicant. The following Members have declared interests on the item :

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

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

Mr Conrad T.C. Wong - having current business dealings with CLP.

33. The Committee noted that the applicant had requested deferment of consideration of the application and Mr Conrad T.C. Wong had tendered an apology for being unable to attend the meeting. As the interest of Dr Jeanne C.Y. Ng was direct, the Committee agreed that she could stay in the meeting but should refrain from participating in the discussion. As Mr K.K. Cheung had no involvement in the application, the Committee agreed that he could stay in the meeting.

34. The Committee noted that the applicant's representative requested on 4.9.2020 deferment of the consideration of the application for two months in order 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.

35. 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.

Sha Tin, Tai Po and North District

Agenda Item 8

[Open Meeting]

Further Consideration of Proposed Amendments to the Approved Ma On Shan Outline Zoning Plan No. S/MOS/22

(RNTPC Paper No. 6/20)

36. 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 Limited (B&V) was one of the consultants of the study. The following Members had declared interest on the item:

- | | |
|--|--|
| Mr Gavin C.T. Tse
<i>(as Chief Engineer
(Works), Home Affairs
Department)</i> | - 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 | - having current business dealings with HKHA; |
| Mr L.T. Kwok | - his serving organisation made a bid for funding from HKHA; and |
| Dr C.H. Hau | - currently conducting contract research projects with CEDD. |

37. The Secretary reported that Mr Conrad T.C. Wong had tendered an apology for being unable to attend the meeting. 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 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.

38. The following representatives from PlanD, CEDD 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;

The Consultants

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

39. 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) on 21.8.2020, PlanD sought the Committee's agreement to the proposed amendments to the Ma On Shan (MOS) OZP No. S/MOS/22, which were to rezone seven "Green Belt" ("GB") sites at the fringe of MOS New Town for housing developments with supporting infrastructure and community facilities;
- (b) the Committee agreed to the proposed Amendment Items A, B1, B2, C, D, E, F and H to the approved MOS OZP, but 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 MOS OZP and examples of similar rezoning proposals within "GB" zones in other areas for its consideration;

Further Information in Response to Members' Concerns

Urban Design Framework of Ma On Shan New Town

- (c) the proposed housing site under Amendment Item G, with its site formation levels between 140mPD and 190mPD and maximum building height (BH) of 250mPD, would follow the stepped height concept of MOS New Town by keeping taller buildings on the hillside and lower buildings towards the waterfront;
- (d) Site G was located at the upper end of Ma On Shan Tsuen Road and was about 500m away from Heng On Estate which was zoned "Residential (Group A)";
- (e) the site was well-connected with the town centre by the existing Ma On Shan Tsuen Road, which would be re-aligned and upgraded to a 7.3m to 7.9m wide single 2-lane carriageway with a 2.0m to 2.75m wide footpath on both sides up to Site G;

- (f) a maximum plot ratio (PR) of 3.6 was proposed for the private housing site under Amendment Item G. The proposed housing site would pose moderately adverse visual impact at some viewpoints;
- (g) the proposed development with a maximum BH of 250mPD would be lower than the existing average ridgeline of the MOS Mountain to preserve the ridgeline and would not adversely affect the integrity of the MOS ridgeline;
- (h) no insurmountable technical concern was identified under the EFS to support a maximum PR of 3.6 and BH of 250mPD private housing development at the site;

Similar Rezoning Proposals within the “GB” Zone

- (i) since 2013, the rezoning of 38 “GB” sites on OZPs for residential purpose (including 24 for private housing and 14 for public housing) had been initiated;
- (j) for the 24 “GB” sites intended for private housing, 19 of them were successfully rezoned and five sites were not agreed by the Board/Committee;
- (k) the PRs proposed for 19 successfully rezoned sites (i.e. PR of 0.6 to 6.0) were either comparable to or higher than its nearby residential developments; and
- (l) the subject site was adjacent to the MOS Country Park separated by Ma On Shan Tsuen Road. Examples of existing residential developments adjoining Country Park included the Hong Kong Parkview surrounded by the Tai Tam Country Park, the Kornhill Development adjoining Tai Tam Country Park (Quarry Bay extension), and the Shui Chuen O Estate adjacent to MOS and Lion Rock Country Parks.

40. Some Members raised the following questions:
- (a) whether the application site was government land (GL);
 - (b) clarification on the proposed development parameters at Site G; and
 - (c) whether photomontages were available, showing MOS ridgeline as the backdrop, to facilitate assessment of the visual impacts generated by Amendment Item G.
41. Ms Jessica H.F. Chu, DPO/STN, made the following responses:
- (a) the application site was GL;
 - (b) Site G was about 2.73 ha in site area and elongated in shape. According to the indicative scheme of the EFS, the proposed private housing development would have 9 residential blocks descending from south to north ranging from 18 to 27 stories and providing about 1,040 private housing units. A 150-place residential care home for the elderly was proposed to be incorporated at the northern portion of Site G. The development scheme was indicative only and would be subject to future developer's future design; and
 - (c) by referring to the photomontages in the PowerPoint presentation, the proposed housing development would pose moderately adverse visual impact at certain vantage points according to the findings of the Visual Impact Assessment (VIA). A video clip showing the bird's-eye view of MOS was also played to indicate the location of Site G in relation to the developments nearby. The proposed housing development would be partially shielded off by the existing residential developments at certain vantage points and it would still be significantly lower than the existing average ridgeline of the MOS Mountain.
42. The Vice-chairman recalled that the main concern from Members at the last

meeting was to seek justifications on why Site G which was in close proximity to the MOS Country Park was selected. As PlanD's presentation had provided supplementary information to address Members' concerns, the Vice-chairman and a Member supported the proposed rezoning for private housing development.

43. A Member opined that Hong Kong Parkview was developed long ago under different planning contexts, and some Members also said that Hong Kong Parkview it was not a desirable location for residential development from planning perspective and this type of development should not be encouraged nowadays. On the other hand, a Member considered that the Shui Chuen O Estate was acceptable in terms of site context and scale of development, but Amendment Item G had a different site context and with a smaller scale of development.

44. A Member had reservation on Amendment Item G as the site was rezoned for private housing development and considered that the site context of Amendment Item G was not entirely similar to the previous examples presented by PlanD, including Shui Chuen O Estate which was a large-scale public housing development located in close proximity to existing new town development.

45. Another Member said, and a few other Members agreed, that while there was a dire need for public housing development, the demand for private housing development should not be overlooked as the housing needs of different sectors of the community should also be catered for. A Member agreed that all housing needs should be addressed but there was a concern on when public resources were used for private housing development. In this connection, the Member raised the following questions:

- (a) assessment criteria on whether a site would be suitable for public or private housing development; and
- (b) whether Site G would only be used for private housing development after being rezoned to "R(B)6".

46. Ms. Jessica Chu, DPO/STN, made the following responses:

- (a) with a view to maximising the utilisation of land resources, public housing sites would usually have a higher PR ranging from 5 to 6.5. Given the site context and considering the potential visual impacts, a PR of 3.6 was proposed for Site G which was more suitable for a medium density private residential development; and
- (b) while three sites (Amendment Items A, B1, and D) were proposed to be reserved for public housing developments, Site G was proposed for private housing development to cater for private housing demand. However, there was no statutory restriction on the housing type under the Note of the OZP for “R(B)6” zone. There had been precedent cases where sites originally planned for private housing developments were subsequently converted into public housing development.

47. Some Members maintained their views as expressed at the last meeting and did not support Amendment Item G since it was located far from MOS New Town and close to the fringe of the MOS Country Park. By rezoning Site G to “R(B)6”, the continuity of the subject “GB” zone would be disturbed and its function as a buffer between urban development and the country park would be adversely affected. Given the site was elongated in shape and situated at mid-slope, they considered the visual impacts were significant rather than moderate.

48. Two Members observed that at Site G should be subject to lower BH restriction as the site was located on a higher altitude further up the slope while its proposed BH restriction was similar to those existing residential development at the foot of the mountain. They recognised that rezoning ‘GB’ sites for housing development was always a trade-off and considered it was not a worthwhile trade-off as Amendment Item G could only produce 1,040 housing units. If the rezoning was to go ahead, consideration could be given to enlarging Site G for a larger-scale housing development.

49. In response to these Members’ suggestion and the Chairman’s request for clarification on the site context of Site G, Mr Gabriel Woo, PTL/H, CEDD, explained that Site G was located next to Ma On Shan Tsuen Road and most of the site was sparsely covered with vegetation with some licensed houses and squatters. The site boundary was

determined to keep the potential landscape impact to a minimum. On the other hand, the area to the southwest of Site G, as proposed by Members for expansion, was densely covered with bushes/trees. In terms of visual impact, while the site was elongated in shape, it would unlikely be seen from MOS promenade and MOS New Town as the existing housing developments in MOS District would block the view to most of the future development at Site G. Therefore, the visual impact of the site was considered moderate and acceptable by the VIA. He further remarked that the layout design in the EFS was only an indicative scheme based on a PR of 3.6, the future developer for the private housing development would most likely have a different design.

50. A Member opined that compromises would have to be made in view of increasing difficulties to identify suitable site for housing development. The same Member pointed out that the proposed private housing development of medium-density was not incompatible with the overall planning framework of the MOS area while another Member opined that the proposed rezoning site was compatible with the nearby residential developments. Other Members also agreed that Site G could be rezoned for private housing development as the visual impact was not unacceptable and no insurmountable impacts would be generated to the nearby residents.

51. The Chairman concluded that while some Members still had reservation, slightly more Members considered that the proposed uses and development intensity at Site G was compatible with the overall planning framework of the MOS area and the visual impact was not unacceptable. The Chairman said that if the Committee agreed to Amendment Item G, the proposed amendments, including those that were agreed at last meeting i.e. Amendment Items A to H, to the approved Ma On Shan OZP No. S/MOS/22 would be exhibited for public inspection under section 5 of the Town Planning Ordinance.

52. In response to a Member's concern on compensatory planting works, Ms. Jessica Chu, DPO/STN, said that a preliminary tree survey had been conducted by the consultant in EFS. Based on the findings of the tree survey, a total of 246 trees were found at Site G. The top three tree species were *Dimocarpus longan* (龍眼), *Schefflera heptaphylla* (鴨腳木) and *Litchi chinensis* (荔枝) which were common woods and a *Ficus microcarpa* (細葉榕) on-site was proposed to be preserved. Relevant tree preservation clauses would be incorporated in the land lease. The tree survey report, the landscape assessment report and

the preliminary environmental study report were deposited for Members' reference and accessible to the public. Further information on preliminary compensatory planting proposal would be provided as appropriate if the subject matter was to be discussed at the hearing of representations.

53. After deliberation, the Committee decided to :

- “(a) agree to the proposed Amendment Item G to the approved Ma On Shan Outline Zoning Plan (OZP) No. S/MOS/22;

- (b) agree that the revised draft Ma On Shan OZP No. S/MOS/22A at Attachment II in F-Appendix I (to be renumbered as S/MOS/23 upon exhibition) and its Notes at Attachment III in F-Appendix I are suitable for exhibition for public inspection under section 5 of the Town Planning Ordinance; and

- (c) adopt the revised Explanatory Statements (ES) at Attachment IV in F-Appendix I for the draft Ma On Shan OZP No. S/MOS/22A (to be renumbered as S/MOS/23) as an expression of the planning intentions and objectives of the Board for various land use zonings on the OZP and the revised ES will be published together with the OZP.”

54. Members noted that, as a general practice, the Secretariat of the Board would undertake detailed checking and refinement of the draft OZP including the Notes and ES, if appropriate, before their publication under the Ordinance. Any major revision would be submitted for the Board's consideration.

[The Chairman thanked Ms Jessica H.F. Chu, DPO/STN, Ms Hannah H.N. Yick, STP/STN, Mr Adrian H.C. Lee, TP/STN, Mr Gabriel Woo, PTL/H, CEDD, Mr Patrick Cheng, SE/2, CEDD, Mr Jack Lui, E/3, CEDD, 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.]

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

Agenda Item 9

Section 16 Application

[Open Meeting]

A/NE-PK/141 Temporary Private Vehicle Park (Private Car and Light Goods Vehicle Only) for a Period of 3 Years in “Village Type Development” Zone, Lot 2338 RP in D.D. 91, Ping Kong, Sheung Shui
(RNTPC Paper No. A/NE-PK/141)

55. The Committee noted that the applicants’ representative requested on 14.9.2020 deferment of the consideration of the application for two months in order to allow time for preparation of further information to address the comments from the Transport Department. It was the first time that the applicant requested deferment of the application.

56. After deliberation, the Committee decided to defer a decision on the application as requested by the applicants pending the submission of further information from the applicant. The Committee agreed that the application should be submitted for its consideration within two months from the date of receipt of further information from the applicant. If the further information submitted by the applicants was not substantial and could be processed within a shorter time, the application could be submitted to an earlier meeting for the Committee’s consideration. The Committee also agreed to advise the 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-LT/688 Proposed Twenty Houses (New Territories Exempted Houses - Small Houses) with an Emergency Vehicular Access in “Agriculture” Zone and an area shown as ‘Road’, Various lots in D.D. 8 and adjoining Government land, Sha Pa Village, Lam Tsuen, Tai Po
(RNTPC Paper No. A/NE-LT/688)

57. The Committee noted that the applicants’ representative requested on 3.9.2020 deferment of the consideration of the application for two months in order to allow time for preparation of further information to address the comments from the Drainage Services Department, the Transport Department and the Highways Department. It was the first time that the applicant requested deferment of the application.

58. 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-FTA/198 Proposed Temporary Place of Recreation, Sports or Culture (Hobby Farm) for a Period of 3 Years in “Agriculture” Zone, Lots 481 S.A RP (Part), 558 RP (Part), 559 RP (Part), 561 RP (Part), 562 S.F (Part), 563 (Part) and 564 S.B (Part) in D.D. 89 and Adjoining Government Land, Sha Ling, Sheung Shui
(RNTPC Paper No. A/NE-FTA/198)

59. The Committee noted that the applicant’s representative requested on 4.9.2020 deferment of the consideration of the application for two months in order to allow time for preparation of further information to address the comments from the Agriculture, Fisheries and Conservation Department. It was the first time that the applicant requested deferment of the application.

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

[Mr Tim T.Y. Fung, Senior Town Planner/Shan Tin, Tai Po and North (STP/STN) was invited to the meeting at this point.]

Agenda Item 12

Section 16 Application

[Open Meeting (Presentation and Question Sessions Only)]

A/NE-LYT/731 Renewal of Planning Approval for Temporary Warehouses (excluding Dangerous Goods Godown) for a Period of 3 Years in “Residential (Group C)” and “Agriculture” Zones, Lots 755, 835 S.B ss.1, 836, 837, 838 RP, 841 RP (Part), 842 RP (Part) , 844 RP and 854 in D.D. 83, No. 31A Ma Liu Shui San Tsuen, Fanling
(RNTPC Paper No. A/NE-LYT/731)

Presentation and Question Sessions

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

- (a) background to the application;
- (b) the renewal of planning approval for temporary warehouse (excluding dangerous goods godown) for a period of three years;
- (c) departmental comments were set out in paragraph 9 of the Paper;
- (d) during the first three weeks of the statutory publication period, a total of four public comments, with one indicating no comment from the Chairman of Sheung Shui District Rural Committee (RC), two opposing comments from the First Vice-Chairman and Vice-Chairman of Fanling District RC, and one raising concern from an individual, 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 use could be tolerated for a period of three years based on the assessments set out in paragraph 11 of the Paper. Although the applied use was not in line with the planning intention of the “Residential (Group

C)” (“R(C)”) and “Agriculture” zones, the site was located at the fringe of the “R(C)” zone with no known programme for residential development on the application site (the Site) and the Director of Agriculture, Fisheries and Conservation had no strong view against the application. Approval of the application on a temporary basis would not frustrate the long-term planning intentions of the Site. The application was in line with the Town Planning Board Guidelines No. 34C in that all approval conditions under the previous application had been complied with and there was no major change in planning circumstances since the last approval. Regarding the local views and public comments, the comments of government departments and planning assessments above were relevant.

62. Members had no question on the application.

Deliberation Session

63. After deliberation, the Committee decided to approve the application on a temporary basis for a period of 3 years and be renewed from 28.10.2020 until 27.10.2023, 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 7:00 a.m., as proposed by the applicant, is allowed on the site during the planning approval period;
- (b) no operation except indoor forklift operation inside the enclosed warehouses between 7:00 p.m. to 8:00 p.m., as proposed by the applicant, is allowed on the site during the planning approval period;
- (c) no operation on Sundays and public holidays, as proposed by the applicant, is allowed on the site during the planning approval period;
- (d) a maximum of two heavy goods vehicles/container vehicles are allowed to enter the site per day, as proposed by the applicant, during the planning approval period;

- (e) all vehicles should only be allowed to use the ingress/egress at Dao Yang Road at any time during the planning approval period;
- (f) no open storage of materials shall be carried out on the site at any time during the planning approval period;
- (g) no manufacturing activities shall be carried out on the site at any time during the planning approval period;
- (h) no used electrical appliances, televisions, computer monitors, computer parts or any other types of electronic waste are allowed to be stored on the site during the planning approval period;
- (i) the maintenance of the existing trees within the site at all times during the planning approval period;
- (j) the maintenance of the existing drainage facilities within the site properly at all times during the planning approval period;
- (k) all vehicles entering and exiting the site during the planning approval period shall be restricted to non-peak hours (i.e. from 10:00 a.m. to 4:00 p.m.), as proposed by the applicant, to the satisfaction of the Commissioner for Transport or of the TPB;
- (l) the implementation of the traffic mitigation measures during the planning approval period, as proposed by the applicant, to the satisfaction of the Commissioner for Transport or of the TPB;
- (m) the submission of a condition record of the existing drainage facilities within 3 months from the commencement date of renewed planning approval to the satisfaction of the Director of Drainage Services or of the TPB by 28.1.2021;

- (n) the submission of proposals for water supplies for firefighting and fire service installations within 6 months from the date of planning approval to the satisfaction of the Director of Fire Services or of the TPB by 28.4.2021;
- (o) in relation to (n) above, the implementation of proposals for water supplies for firefighting and fire service installations within 9 months from the date of planning approval to the satisfaction of the Director of Fire Services or of the TPB by 28.7.2021;
- (p) if any of the above planning conditions (a), (b), (c), (d), (e), (f), (g), (h), (i), (j), (k) or (l), 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
- (q) if any of the above planning conditions (m), (n) or (o) 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.”

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

Agenda Item 13

Section 16 Application

[Open Meeting (Presentation and Question Sessions Only)]

A/NE-STK/18 Proposed Temporary Eating Place for a Period of 3 Years in “Recreation” Zone, Lots 356 RP (Part), 359 (Part), 360 RP, 392 S.A, 394 S.A (Part), 394 S.B ss.1 (Part), 394 S.B RP (Part) in D.D. 41 and Adjoining Government Land, Sha Tau Kok
(RNTPC Paper No. A/NE-STK/18A)

Presentation and Question Sessions

65. Mr Tim T.Y. Fung, STP/STN, presented the application and covered the

following aspects as detailed in the Paper :

- (a) background to the application;
- (b) the proposed temporary eating place for a period of three years;
- (c) departmental comments were set out in paragraph 9 of the Paper;
- (d) during the first three weeks of the statutory publication period, a total of six public comments, with one supporting comment from an individual, four opposing comments from the Sha Tau Kok District Rural Committee (RC), the Kadoorie Farm and Botanic Garden, the Indigenous Inhabitant Representative of San Tsuen and an individual, and one indicating no comment from the Chairman of Sheung Shui District RC, were received. Major views were set out in paragraph 10 of the Paper; and
- (e) the Planning Department (PlanD)'s views – PlanD did not support the application based on the assessments set out in paragraph 11 of the Paper. Although the proposed development was not entirely in line with the planning intention of the “Recreation (1)” zone, uses like the proposed eating place in support of the recreational and tourism developments might be permitted. The proposed development was considered not entirely incompatible with the surrounding environment of the application site. Nevertheless, the Commissioner for Transport did not support the application as the applicant had not provided sufficient information to substantiate the traffic generation and attraction rate and the adequacy of the proposed parking spaces. Although a similar application for temporary eating place (restaurant) with ancillary vehicle park had been approved by the Committee, it was subject to different circumstances from the current application. Regarding the local views and public comments, the comments of government departments and planning assessments above were relevant.

66. In response to a Member's enquiry on the technical requirement for sewage discharge generated from eating places locating in close proximity to the seashore, Mr Tim

T.Y. Fung, STP/STN, responded that the Environmental Protection Department had advised the applicant to discharge any sewage/wastewater arising from the operation of the proposed eating place to the public sewer. The Drainage Services Department had advised that if the application was to be approved, the applicant had to submit and implement a sewerage proposal to its satisfaction.

Deliberation Session

67. After deliberation, the Committee decided to reject the application. The reason was :

“the applicant fails to demonstrate in the submission that the proposed development would not result in adverse traffic impact on the surrounding areas.”

Agenda Item 14

Section 16 Application

[Open Meeting (Presentation and Question Sessions Only)]

A/NE-TKL/621 Proposed Temporary Open Storage of Construction Material for a Period of 3 Years in “Agriculture” Zone, Lots 1504 S.B, 1505, 1506, 1509 RP and 1510 RP in D.D. 76 and adjoining Government Land, Sha Tau Kok Road- Ma Mei Ha, Ta Kwu Ling
(RNTPC Paper No. A/NE-TKL/621C)

68. The Secretary reported that the application site was located in Ta Kwu Ling and Mr Conrad T.C. Wong had declared an interest on the item for being the director of Yau Lee Construction Company Limited which owned a piece of land in Ta Kwu Ling. The Committee noted that Mr Conrad T.C. Wong had tendered an apology for being unable to attend the meeting.

Presentation and Question Sessions

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

- (a) background to the application;
- (b) the proposed temporary open storage of construction material for a period of three years;
- (c) 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 the World Wide Fund For Nature Hong Kong, two individuals and one villager of Hung Leng Village opposing 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 considered that the temporary use could be tolerated for a period of 3 years based on the assessment set out in paragraph 12 of the Paper. Although the applied use was not in line with the planning intention of the “Agriculture” (“AGR”) zone and the Director of Agriculture, Fisheries and Conservation (DAFC) did not support the application from agricultural development point of view, the proposed development was considered not entirely incompatible with the surrounding land uses. Whilst the Director of Environmental Protection (DEP) did not support the application, relevant approval conditions restricting the operation hours and operation days were recommended to address DEP's concerns. Other concerned government departments had no objection to or no adverse comments on the application. The applied use was in line with the Town Planning Board Guidelines No. 13F (TPB PG-No. 13F) in that the site fell within Category 2 areas, and the technical concerns of relevant government departments could be properly addressed through the implementation of relevant approval conditions. A previous application and similar applications had been approved by the Committee and approval of the 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.

70. A Member noted that the application site fell within Category 2 areas under the TPB PG-No. 13F, in which planning permission could be granted subject to no adverse departmental comments. As both DAFC and DEP did not support the application, the Member asked if consideration had been given to those adverse departmental comments. In response, Mr Tim T.Y. Fung, STP/STN, said while adverse departmental comments had been received from DAFC and DEP, the proposed temporary development was considered not entirely incompatible with the surrounding land uses, and DEP's comments could be addressed through the implementation of relevant approval conditions. Besides, the application site was the subject of a previously approved application for the same applied use with relevant approval conditions being imposed.

Deliberation Session

71. The Committee noted that the TPB PG-No. 13F was relevant in assessing the subject application. Even though adverse departmental comments were received, approval of the application on a temporary basis would not frustrate the long-term planning intention for the "AGR" zone.

72. After deliberation, the Committee decided to approve the application on a temporary basis for a period of 3 years until 18.9.2023, on the terms of the application as submitted to the Town Planning Board (TPB) and subject to the following conditions :

- “(a) no operation between 6:00 p.m. and 9:00 a.m. from Mondays to Fridays, as proposed by the applicants, is allowed on the site during the planning approval period;
- (b) no operation between 12:00 p.m. and 9:00 a.m. on Saturdays, and no operation on Sundays and public holidays, as proposed by the applicants, is allowed on the site during the planning approval period;

- (c) no container tractor/trailer as defined in the Road Traffic Ordinance is allowed to be parked/stored on or enter/exit the site at any time during the planning approval period;
- (d) no vehicle is allowed to queue back to or reverse onto/from public road at any time during the planning approval period;
- (e) the submission of a drainage proposal within 3 months from the date of planning approval to the satisfaction of the Director of Drainage Services or of the TPB by 18.12.2020;
- (f) in relation to (e) above, the provision of drainage facilities within 6 months from the date of planning approval to the satisfaction of the Director of Drainage Services or of the TPB by 18.3.2021;
- (g) the provision of fire extinguisher(s) within 6 weeks from the date of planning approval to the satisfaction of the Director of Fire Services or of the TPB by 30.10.2020;
- (h) the submission of proposals for water supplies for fire-fighting and fire service installations within 3 months from the date of planning approval to the satisfaction of the Director of Fire Services or of the TPB by 18.12.2020;
- (i) in relation to (h) above, the provision of water supplies for fire-fighting and fire service installations within 6 months from the date of planning approval to the satisfaction of the Director of Fire Services or of the TPB by 18.3.2021;
- (j) the submission of traffic management measures, as proposed by the applicants, within 3 months from the date of planning approval to the satisfaction of the Commissioner for Transport or of the TPB by 18.12.2020;

- (k) in relation to (j) above, the implementation of traffic improvement measures identified therein within 6 months from the date of planning approval to the satisfaction of the Commissioner for Transport or of the TPB by 18.3.2021;
- (l) if any of the above planning conditions (a), (b), (c) or (d) is not complied with during the planning approval period, the approval hereby given shall cease to have effect and shall be revoked immediately without further notice;
- (m) if any of the above planning conditions (e), (f), (g), (h), (i), (j) or (k) is not complied with by the specified date, the approval hereby given shall cease to have effect and shall on the same date be revoked without further notice; and
- (n) upon the expiry of the planning permission, the reinstatement of the site to an amenity area to the satisfaction of the Director of Planning or of the TPB.”

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

Agenda Item 15

Section 16 Application

[Open Meeting (Presentation and Question Sessions Only)]

A/NE-TKL/643 Renewal of Planning Approval for Temporary Social Welfare Facility (Residential Care Home for Persons with Disabilities) for a Period of 3 Years in “Agriculture” and “Government, Institution or Community” Zones, Lot 1267 in D.D. 84 and Adjoining Government Land, Tai Po Tin, Ta Kwu Ling
(RNTPC Paper No. A/NE-TKL/643)

74. The Secretary reported that the application site was located in Ta Kwu Ling and Mr Conrad T.C. Wong had declared an interest on the item for being the director of Yau Lee Construction Company Limited which owned a piece of land in Ta Kwu Ling. The Committee noted that Mr Conrad T.C. Wong had tendered an apology for being unable to attend the meeting.

Presentation and Question Sessions

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

- (a) background to the application;
- (b) the renewal of planning approval for temporary social welfare facility (residential care home for persons with disabilities) (RCHD) for a period of three years;
- (c) departmental comments were set out in paragraph 9 of the Paper;
- (d) during the first three weeks of the statutory publication period, two comments, with one indicating no comment from the Chairman of Sheung Shui District Rural Committee and one supporting comment from an individual, 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 use could be tolerated for a period of three years based on the assessments set out in paragraph 11 of the Paper. While the RCHD was not in line with the planning intention of “Agriculture” zone, the Director of Agriculture, Fisheries and Conservation had no strong view against the renewal application. The application was in line with the Town Planning Board Guidelines No. 34C in that all approval conditions under the previous application had been complied with and there was no major change in planning circumstances since the last approval. Regarding the

local views and public comments received, the comments of government departments and the planning assessments above were relevant.

76. Members had no question on the application.

Deliberation Session

77. 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 until 22.9.2023, on the terms of the application as submitted to the Town Planning Board (TPB) and subject to the following conditions :

- “(a) the existing drainage facilities implemented under Application No. A/NE-TKL/565 on the site shall be maintained properly at all times during the planning approval period;
- (b) the existing fire service installations implemented on the site should be maintained in efficient working order at all times during the planning approval period;
- (c) the submission of a condition record of the existing drainage facilities within 3 months from the date of commencement of the renewed planning approval to the satisfaction of the Director of Drainage Services or of the TPB by 23.12.2020;
- (d) if any of the above planning conditions (a) or (b) is not complied with during the planning approval period, the approval hereby given shall cease to have effect and shall be revoked immediately without further notice; and
- (e) if the above planning condition (c) is not complied with by the specified date, the approval hereby given shall cease to have effect and shall be revoked without further notice.”

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

set out at Appendix IV of the Paper.

Agenda Item 16

Section 16 Application

[Open Meeting]

A/NE-TKLN/36 Proposed Temporary Shop and Services (Convenient Store) with Ancillary Site Office and Public Vehicle Park (Private Car) for a Period of 3 Years in “Village Type Development” and “Recreation” Zones, Lots 377, 380 S.A, 380 S.B, 380 S.C and 380 RP in D.D. 78 and Lot 61 S.B RP in D.D. 80, Lin Ma Hang Road, Ta Kwu Ling North
(RNTPC Paper No. A/NE-TKLN/36)

79. The Committee noted that the applicant’s representative requested on 9.9.2020 deferment of the consideration of the application for two months in order to allow time for preparation of further information to address the comments from the Highways Department and the Transport Department. It was the first time that the applicant requested deferment of the application.

80. 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 Tim T.Y. Fung, STP/STN for his attendance to answer Members’ enquiries. He left the meeting at this point.]

Fanling, Sheung Shui and Yuen Long East District

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

Agenda Item 17

Section 16 Application

[Open Meeting]

A/KTN/69 Proposed Minor Relaxation of Maximum Plot Ratio and Building Height Restrictions for Permitted Residential Development in “Residential (Group B)” Zone, Lots 856 (Part), 858 RP (Part), 861 (Part), 865, 866 RP (Part), 867, 868 RP (Part), 869 (Part), 870 (Part), 871 (Part), 872 (Part), 873 (Part) and 889 (Part) in D.D. 95 and Adjoining Government Land, Kwu Tung North
(RNTPC Paper No. A/KTN/69A)

81. The Secretary reported that the application was located in Kwu Tong North and was submitted by Hilder Company Limited, which was a subsidiary of CK Hutchison Holdings Limited (CKHH). Mott MacDonald Hong Kong Limited (MMHK) was one of the consultants of the applicant. The following Members had declared interests on the item:

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

Dr C.H. Hau - owning a property in Kwu Tung North area.

82. 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 and the property of Dr. C.H. Hau had no direct view of the application site, the Committee agreed

that they could stay in the meeting.

83. The Committee noted that the applicant requested on 2.9.2020 deferment of consideration of the application for a period of two months so as to allow time to prepare responses to the various 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.

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

Agenda Item 18

Section 16 Application

[Open Meeting]

A/KTN/70	Proposed Minor Relaxation of Maximum Plot Ratio Restriction for Permitted Residential Development in "Residential (Group B)" Zone, Lots 1009 (Part), 1010 (Part), 1011 (Part), 1012 (Part), 1013 (Part), 1014 (Part) and 1015 (Part) in D.D. 95 and Adjoining Government Land, Kwu Tung North (RNTPC Paper No. A/KTN/70A)
----------	--

85. The Secretary reported that the application was located in Kwu Tong North and was submitted by Hilder Company Limited, which was a subsidiary of CK Hutchison

Holdings Limited (CKHH). Mott MacDonald Hong Kong Limited (MMHK) was one of the consultants of the applicant. The following Members had declared interests on the item:

- Mr K.K. Cheung - his firm having current business dealings with CKHH and MMHK; and
- Dr C.H. Hau - owning a property in Kwu Tung North area.

86. 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 and the property of Dr. C.H. Hau had no direct view of the application site, the Committee agreed that they could stay in the meeting.

87. The Committee noted that the applicant requested on 2.9.2020 deferment of consideration of the application for a period of two months so as to allow time to prepare responses to the various 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.

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

Agenda Item 19

Section 16 Application

[Open Meeting (Presentation and Question Sessions Only)]

A/NE-KTS/485 Proposed House (Redevelopment) in “Village Type Development”
Zone, Lot 2598 RP in D.D. 92, Kam Tsin, Kwu Tung South
(RNTPC Paper No. A/NE-KTS/485A)

89. The Secretary reported that the application site was in Kwu Tung South. Dr Lawrence K.C. Li had declared an interest on the item for being a member of the Hong Kong Golf Club which was located to the south of the site. As the interest of Dr. Lawrence K.C. Li in relation to Hong Kong Golf Club was indirect, the Committee agreed that he should be allowed to stay in the meeting.

Presentation and Question Sessions

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

- (a) background to the application;
- (b) the proposed house (redevelopment);
- (c) 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, with one expressing view and one indicating no comment, were received. Major views were set out in paragraph 10 of the Paper; and
- (e) the Planning Department (PlanD)’s views – PlanD had no objection to the application based on the assessments set out in paragraph 11 of the Paper. Although the proposed development was not entirely in line with the planning intention of “Village Type Development” zone, the application

was for redevelopment of the existing house on a house lot owned by the applicants. The District Lands Officer/North of the Lands Department advised that there was no Small House application on the application site and he had no comment on the application. Other concerned government departments had no adverse comment on the application and the proposed development would unlikely cause adverse traffic, environmental, sewerage, drainage, visual and landscape impacts on the surrounding areas. Two previous applications for house use at the application site were approved by the Committee and there had been no material change in the planning circumstances of the areas since the approval of the last application. Regarding the public comment, comments of concerned departments and the planning assessments above were relevant.

91. Members had no question on the application.

Deliberation Session

92. 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 18.9.2024, 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 drainage proposal to the satisfaction of the Director of Drainage Services or of the TPB; and
- (b) the provision of water supplies for firefighting and fire service installations to the satisfaction of the Director of Fire Services or of the TPB.”

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

Agenda Item 20

Section 16 Application

[Open Meeting (Presentation and Question Sessions Only)]

A/FLN/23 Renewal of Planning Approval for Temporary “Vehicle Park for Rehabuses” for a Period of 3 Years in “Open Space” Zone and area shown as ‘Road’, Government Land in D.D. 51, Tin Ping Shan, Sheung Shui

(RNTPC Paper No. A/FLN/23)

94. The Secretary reported that the application was submitted by the Hong Kong Society for Rehabilitation (HKSR) and Mr K.K. Cheung had declared an interest on the item as his firm having current business with HKSR. As Mr K.K. Cheung had no involvement in the application, the Committee agreed that he could stay in the meeting.

Presentation and Question Sessions

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

- (a) background to the application;
- (b) the renewal of planning approval for temporary vehicle park for rehabuses for a period of three years;
- (c) 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, with one having no comment and another one expressing views, were received. Major views were set out in paragraph 11 of the Paper; and
- (e) the Planning Department (PlanD)’s views – PlanD had no objection to the application on a temporary basis for a period of three years based on the

assessment set out in paragraph 12 of the Paper. Although the applied use was not in line with the planning intention of the “Open Space” zone and it fell within the boundary of the Remaining Works Phase of the Kwu Tung North/Fanling North New Development Area development, the Project Manager (North) of the Civil Engineering and Development Department and the Chief Estate Surveyor/New Development Area of the Lands Department had no adverse comment to the temporary use for a period of three years at the application site. The application was generally in line with Town Planning Board Guidelines No. 34C in that the temporary planning approval would not pre-empt the long-term development of the area, there was no major change in planning circumstance since the last approval and all approval conditions under the previous approval had been complied with. Regarding the local views and public comments received, comments of concerned departments and the planning assessments above were relevant.

96. Members had no question on the application.

Deliberation Session

97. After deliberation, the Committee decided to approve the application on a temporary basis for a period of 3 years and be renewed from 1.11.2020 to 31.10.2023, on the terms of the application as submitted to the Town Planning Board (TPB) and subject to the following conditions :

- “(a) no vehicle other than private light buses/private buses are allowed to be parked on the site at any time during the planning approval period;
- (b) no operation between 11:00 pm to 6:00 am, as proposed by the applicant, is allowed on the site during the planning approval period;
- (c) ‘No honning’ signs would be provided on the site at all times during the planning approval period;

- (d) no vehicle repairing, car washing, fueling and dismantling activities should be carried out on the site at any time during planning approval period;
- (e) the submission of a drainage proposal within 6 months from the date of commencement of renewed planning approval to the satisfaction of the Director of Drainage Services or of the TPB by 1.5.2021;
- (f) in relation to (e) above, the implementation of the drainage proposal with 9 months from the date of commencement of renewed planning approval to the satisfaction of the Director of Drainage Services or of the TPB by 1.8.2021;
- (g) in relation to (f) above, the implemented drainage facilities on the site shall be maintained at all times during the planning approval period;
- (h) the existing fire service installations implemented on the site shall be maintained in efficient working order at all times during the planning approval period;
- (i) if any of the above planning condition (a), (b), (c), (d), (g) or (h) is not complied with during the planning approval period, the approval hereby given shall cease to have effect and shall be revoked immediately without further notice; and
- (j) if any of the above planning condition (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.”

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

Agenda Item 21

Section 16 Application

[Open Meeting (Presentation and Question Sessions Only)]

A/YL-SK/285 Proposed Temporary Place of Recreation, Sports or Culture (Hobby Farm) for a Period of 3 Years in “Residential (Group D)” and “Conservation Area” Zones, Lot 1515 (Part) in D.D.114, Lui Kung Tin, Route Twisk, Shek Kong, Yuen Long
(RNTPC Paper No. A/YL-SK/285)

Presentation and Question Sessions

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

- (a) background to the application;
- (b) the proposed temporary place of recreation, sports or culture (hobby farm) for a period of three years;
- (c) departmental comments were set out in paragraph 9 of the Paper;
- (d) during the first three weeks of the statutory publication period, a total of 50 public comments objecting to the application were received from a Yuen Long District Council Member, the Pat Heung Rural Committee, 43 local residents of Lui Kung Tin Tsuen (all in standard letter format), the World Wild Fund for Nature Hong Kong, the Hong Kong Bird Watching Society, the Kadoorie Farm & Botanic Garden Corporation, Designing Hong Kong Limited and an individual. 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 applicant had not provided strong planning justifications in the

submission to merit a departure from the planning intentions of “Conservation Area” (“CA”) and “Residential (Group D)” zones, even on a temporary basis. The Director of Environmental Protection stated that the applicant failed to demonstrate that the proposed development would not generate adverse impacts on the existing stream and other watercourses. The Chief Town Planner/Urban Design and Landscape of PlanD and the Commissioner for Transport had reservation on the application. The surrounding areas were subject to potential environmental, traffic and landscape impacts arising from the applied use. The proposed development would set an undesirable precedent for similar applications within the “CA” zone and the cumulative impact would result in a general degradation rural environment of the area. The application site was subject to two active planning enforcement cases against unauthorised developments involving filling of land at part of the site. One previous application for proposed temporary barbecue use with ancillary site office, shroff and car park submitted by the same applicant was rejected and the rejection of the subject application was in line with the Committee’s previous decision. Regarding the local views and public comments, the comments of government departments and planning assessments above were relevant.

[Dr Lawrence K.C. Li left the meeting during the Presentation Session.]

Deliberation Session

100. A Member shared the experiences in consideration of hobby farm use in Taiwan that more than 90% of the site should be used for agricultural purposes. The Chairman said that one of the considerations that the Committee had taken into account in assessing hobby farm application was the percentage of the site used for farming and non-farming purposes, and Members were welcome to share any overseas experiences with PlanD.

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

- “(a) the proposed development is not in line with the planning intentions of the “Conservation Area” (“CA”) and “Residential (Group D)” (“R(D)”) zones, which are primarily to protect and retain the existing natural landscape, ecological or topographical features of the area for conservation, educational and research purposes and to separate sensitive natural environment such as Country Park from the adverse effects of development; and for improvement and upgrading of existing temporary structures within the rural areas through redevelopment of existing temporary structures into permanent buildings respectively. There are no strong planning justifications in the submission to merit a departure from the planning intentions of “CA” and “R(D)” zones, even on a temporary basis;
- (b) the applicant fails to demonstrate that the proposed development would not cause adverse environmental, traffic and landscape impacts on the surrounding area; and
- (c) the approval of the application would set an undesirable precedent for similar applications within the “CA” zone. The cumulative effect of approving such applications would result in a general degradation of the rural environment of the area.”

Agenda Item 22

Section 16 Application

[Open Meeting]

A/YL-KTN/688 Proposed Temporary Shop and Services (Retail of Construction Materials) for a Period of 3 Years in “Agriculture” Zone, Lot 1648 in D.D. 107, Fung Kat Heung, Yuen Long
(RNTPC Paper No. A/YL-KTN/688B)

102. The Committee noted that the applicant’s representative requested on 7.9.2020 deferment of the consideration of the application for a period of two months so as to allow time for preparation of further information in response to further comments of the Drainage

Services Department. It was the third time that the applicant requested deferment of the application. Since the last deferment, the applicant had submitted further information including a revised drainage proposal to address departmental comments.

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. Since it was the third deferment and a total of six months had been allowed for preparation of submission of further information as requested by the applicant, no further deferment would be granted unless under very special circumstances.

Agenda Item 23

Section 16 Application

[Open Meeting]

A/YL-KTN/689 Proposed Temporary Shop and Services (Sale of Truck Mounted Crane and Miniature Excavator) for a Period of 3 Years in "Agriculture" Zone, Lots 1640 (Part), 1644 (Part), 1645 S.A (Part), 1645 RP (Part) and 1647 (Part) in D.D.107, Fung Kat Heung, Yuen Long
(RNTPC Paper No. A/YL-KTN/689B)

104. The Committee noted that the applicant's representative requested on 7.9.2020 deferment of the consideration of the application for a period of two months so as to allow time for preparation of further information in response to further comments of the Drainage Services Department. It was the third time that the applicant requested deferment of the application. Since the last deferment, the applicant had submitted further information including a revised drainage proposal to address departmental comments.

105. After deliberation, the Committee decided to defer a decision on the application as requested by the applicant pending the submission of further information from the applicant. The Committee agreed that the application should be submitted for its consideration within two months from the date of receipt of further information from the applicant. If the further information submitted by the applicant was not substantial and could be processed within a shorter time, the application could be submitted to an earlier meeting for the Committee's consideration. The Committee also agreed to advise the applicant that two months were allowed for preparation of the submission of the further information. Since it was the third deferment and a total of six months had been allowed for preparation of submission of further information as requested by the applicant, 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/YL-KTN/698 Proposed Flat with Minor Relaxation of Maximum Plot Ratio and Building Height Restrictions in "Residential (Group E)" Zone, Lots 215 S.C, 242 S.B RP, 264 S.B RP, 266 S.A, 266 RP, 267, 268, 269 S.B RP, 269 S.B ss.2 RP, 270, 271, 272, 275, 277 (part), 295 (part) and 296 S.B RP (part) in D.D.103 and Adjoining Government Land, Ha Ko Po Tsuen, Kam Tin, Yuen Long
(RNTPC Paper No. A/YL-KTN/698B)

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

Miss Winnie W.M. Ng - being a Director of the Kowloon Motor Bus Company (1933) Limited (KMB) and SHK was one of the shareholders of KMB;

- Mr K.K. Cheung - his firm having current business dealings with SHK, Archiplus and B&V;
- Mr Conrad T.C. Wong - having current business dealings with SHK; and
- Mr Ricky W.Y. Yu - having past business dealings with LD.

107. The Committee noted that Mr Conrad T.C. Wong had tendered an apology for being unable to attend the meeting and agreed that Miss Winnie W.M. Ng should not participate in the Q&A and deliberation sessions as her interest was direct. As Messrs K.K. Cheung and Ricky W.Y. Yu had no involvement in the application, the Committee agreed that they could stay in the meeting.

[The Vice-chairman, Mr Philip S.L. Kan and Dr C.H. Hau left the meeting at this point.]

Presentation and Question Sessions

108. With the aid of a PowerPoint presentation, Ms Ivy C.W. Wong, STP/FSYLE, presented the application and covered the following aspects as detailed in the Paper:

- (a) background to the application;
- (b) the proposed flat with minor relaxation of maximum plot ratio (PR) and building height (BH) restrictions;
- (c) departmental comments – departmental comments were set out in paragraph 9 of the Paper;
- (d) a total of 47 public comments, with 26 supporting comments from the residents in the New Territories and individuals and 21 objecting comments from the owners and residents of the Riva and individuals, were received and no local objection/view was received by the District Officer. Major views were set out in paragraph 10 of the Paper; and

- (e) the Planning Department (PlanD)'s views – PlanD had no objection to the application based on the assessments set out in paragraph 11 of the Paper. The current application sought to revise the approved scheme (application No. A/YL-KTN/647) with higher PR and BH. The proposed residential development was considered in line with the planning intention of the “Residential (Group E)” zone and it was considered not incompatible with the nearby residential developments in terms of land use and development intensity. The applicant had submitted relevant technical assessments and concerned governmental departments had no objection to or no adverse comment on the application. Whilst the Chief Building Surveyor/New Territories West of the Buildings Department had reservation to the development parameters, his comment under the Buildings Ordinance could be dealt with at the building plan submission stage. Regarding the public comments, comments of concerned departments and the planning assessments above were relevant.

[Miss Winnie W.M. Ng left the meeting temporarily at this point.]

109. In response to a Member's enquiry and by referring to the information provided by the applicant, Ms Ivy C.W. Wong, STP/FSYLE, clarified that the building disposition under the approved scheme in the previous application No. A/YL-KTN/647 was almost in parallel to the building blocks in the Riva, which was a residential development located to the north of the application site. On the contrary, a perpendicular disposition of the building blocks had been adopted under the current application which would minimise air ventilation and visual impacts on the nearby development.

Deliberation Session

110. 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 18.9.2024, 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 landscape proposal to the satisfaction of the Director of Planning or of the TPB;
- (b) the submission of a consolidated Traffic Impact Assessment to the satisfaction of the Commissioner for Transport or of the TPB;
- (c) the design and provision of vehicular access to the satisfaction of the Commissioner for Transport and the Director of Highways or of the TPB;
- (d) the design and provision of car parking and loading/unloading facilities for the proposed development to the satisfaction of the Commissioner for Transport or of the TPB;
- (e) the design and provision of public transport facilities to the satisfaction of the Commissioner for Transport and the Director of Highways or of the TPB;
- (f) the submission of an updated Noise Impact Assessment and the implementation of mitigation measures identified therein to the satisfaction of the Director of Environmental Protection or of the TPB;
- (g) the submission of an updated Sewerage Impact Assessment for connections to the public sewers and implementation of the sewerage improvement measures identified therein to the satisfaction of the Director of Environmental Protection and the Director of Drainage Services or of the TPB;
- (h) the submission of an updated drainage impact assessment and implementation of the drainage proposal identified therein to the satisfaction of the Director of Drainage Services or of the TPB; and
- (i) the design and provision of water supply for fire-fighting and fire service

installations to the satisfaction of the Director of Fire Services or of the TPB.”

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

Agenda Item 25

Section 16 Application

[Open Meeting]

A/YL-KTN/722 Proposed Temporary Animal Boarding Establishment (Dog Kennel) for a Period of 3 Years in “Agriculture” Zone, Lots 207 S.A (Part), 207 S.B (Part) & 218 (Part) in D.D. 110, Tai Kong Po, Kam Tin, Yuen Long
(RNTPC Paper No. A/YL-KTN/722)

112. The Committee noted that the applicant’s representative requested on 7.9.2020 deferment of the consideration of the application for two months in order 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.

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

Agenda Item 26

Section 16 Application

[Open Meeting]

A/YL-KTS/840 Temporary Open Storage of Construction Materials and Machinery, Office, Staff Rest Room and Store Room for a Period of 3 Years in “Agriculture” Zone, Lot 133 RP (Part) in D.D. 113 and Adjoining Government Land, Kam Tin, Yuen Long
(RNTPC Paper No. A/YL-KTS/840A)

114. The Committee noted that the applicant requested on 9.9.2020 deferment of consideration of the application for a period of two months so as to allow time for preparation of further information to address comments of the Transport Department. It was the second time that the applicant requested deferment of the application. Since the last deferment, the applicant had submitted further information to address departmental comments.

115. After deliberation, the Committee decided to defer a decision on the application as requested by the applicant pending the submission of further information from the applicant. The Committee agreed that the application should be submitted for its consideration within two months from the date of receipt of further information from the applicant. If the further information submitted by the applicant was not substantial and could be processed within a shorter time, the application could be submitted to an earlier meeting for the Committee’s consideration. The Committee also agreed to advise the applicant that two months were allowed for preparation of the submission of the further information. Since it was the second deferment and a total of four months had been allowed for preparation of submission of further information as requested by the applicant, 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-PH/851 Renewal of Planning Approval for Temporary Shop and Services
 (Motor-vehicle Showroom) for a Period of 3 Years in “Agriculture”
 Zone, Lot 303 (Part) in D.D. 110, Pat Heung, Yuen Long
 (RNTPC Paper No. A/YL-PH/851)

Presentation and Question Sessions

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

- (a) background to the application;
- (b) the renewal of planning approval for temporary shop and services (motor-vehicle showroom) for a period of three years;
- (c) 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 was received. Major views were set out in paragraph 11 of the Paper; and
- (e) the Planning Department (PlanD)’s views – PlanD considered that the temporary use could be tolerated for a period of three years based on the assessments set out in paragraph 12 of the Paper. Although the applied use was not in line with the planning intention for the “Agriculture” (“AGR”) zone, the Director of Agriculture, Fisheries and Conservation had no strong view against the application. Approval of the application on a temporary basis would not frustrate the long-term planning intention for the “AGR” zone. The application was in line with the Town Planning Board Guidelines No. 34C in that there was no major change in planning

circumstance since the last approval and all approval conditions under the previous approval had been complied with. Regarding the public comment received, the comments of government departments and the planning assessments above were relevant.

117. Members had no question on the application.

Deliberation Session

118. 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 between 6:00 p.m. and 9:00 a.m., as proposed by the applicant, is allowed on the site during the planning approval period;
- (b) no operation on Sundays and public holidays, as proposed by the applicant, is allowed on the site during the planning approval period;
- (c) no medium or heavy goods vehicles exceeding 5.5 tonnes, including container tractors/trailers, as defined in the Road Traffic Ordinance are allowed to be parked/stored on or enter/exit the site at any time during the planning approval period;
- (d) no vehicle is allowed to queue back to or reverse onto/from public road at any time during the planning approval period;
- (e) the existing drainage facilities on the site shall be maintained at all times during the planning approval period;
- (f) the submission of a record of the existing drainage facilities on the site within 3 months from the date of commencement of the renewal planning approval to the satisfaction of the Director of Drainage Services or of the

TPB by 23.12.2020;

- (g) the existing trees and landscape plantings within the site shall be maintained at all times during the planning approval period;
- (h) the existing fire service installations implemented on the site shall be maintained in efficient working order at all times during the planning approval period;
- (i) if any of the above planning condition (a), (b), (c), (d), (e), (g) or (h) is not complied with during the planning approval period, the approval hereby given shall cease to have effect and shall be revoked immediately without further notice;
- (j) if the above planning condition (f) is not complied with by the specified date, the approval hereby given shall cease to have effect and shall on the same date be revoked without further notice; and
- (k) upon the expiry of the planning permission, the reinstatement of the Site to an amenity area to the satisfaction of the Director of Planning or of the TPB.”

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

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

Agenda Item 28

Section 16 Application

[Open Meeting (Presentation and Question Sessions Only)]

A/YL-PH/852 Proposed Temporary Private Vehicle Park (Private Cars Only) for a Period of 3 Years in “Residential (Group D)” Zone, Lots 163 (Part), 164 (Part) and 166 (Part) in D.D. 108, Fan Kam Road, Pat Heung, Yuen Long
(RNTPC Paper No. A/YL-PH/852)

Presentation and Question Sessions

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

- (a) background to the application;
- (b) the proposed temporary private vehicle park (private cars only) for a period of three years;
- (c) 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 objecting to the application from individuals were received. Major objection grounds were set out in paragraph 11 of the Paper; and
- (e) the Planning Department (PlanD)’s views – PlanD considered that the temporary use could be tolerated for a period of three years based on the assessments set out in paragraph 11 of the Paper. Although the proposed use was not in line with the planning intention of the “Residential (Group D)” (“R(D)”) zone, the approval of the application on a temporary basis would not frustrate the long-term planning intention of “R(D)” zone as there was no known programme for permanent development at this part of the “R(D)” zone and the proposed use was not incompatible with the

surrounding area. Concerned government departments had no adverse comment on the application and relevant approval conditions were recommended to address their technical concerns. Similar applications within the same “R(D)” zone had been approved by the Committee and approval of the current application was in line with the Committee’s previous decision. Regarding the adverse public comments, the comments of relevant government departments and the planning assessments above were relevant.

121. Members had no question on the application.

Deliberation Session

122. After deliberation, the Committee decided to approve the application on a temporary basis for a period of 3 years until 18.9.2023, on the terms of the application as submitted to the Town Planning Board (TPB) and subject to the following conditions :

- “(a) no medium or heavy goods vehicles exceeding 5.5 tonnes, including container tractors/trailers, as defined in the Road Traffic Ordinance are allowed to be parked/stored on or enter/exit the site at any time during the planning approval period;
- (b) no vehicles without valid licences issued under the Road Traffic (Registration and Licensing of Vehicles) Regulations are allowed to be parked/stored on the site at any time during the planning approval period;
- (c) a notice should be posted at a prominent location of the site to indicate that no medium or heavy goods vehicles exceeding 5.5 tonnes, including container tractors/trailers, as defined in the Road Traffic Ordinance, are allowed to be parked/stored on or enter/exit the site at all times during the planning approval period;
- (d) no vehicle is allowed to queue back to or reverse onto/from public road at any time during the planning approval period;

- (e) the submission of drainage proposal within 6 months from the date of planning approval to the satisfaction of the Director of Drainage Services or of the TPB by 18.3.2021;
- (f) in relation to (e) above, the implementation of drainage proposal within 9 months from the date of planning approval to the satisfaction of the Director of Drainage Services or of the TPB by 18.6.2021;
- (g) in relation to (f) above, the implemented drainage facilities on the site shall be maintained at all times during the planning approval period;
- (h) the submission of a 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 18.3.2021;
- (i) in relation to (h) above, the implementation of the fire service installations proposal within 9 months from the date of planning approval to the satisfaction of the Director of Fire Services or of the TPB by 18.6.2021;
- (j) if any of the above planning condition (a), (b), (c), (d) or (g) is not complied with during the planning approval period, the approval hereby given shall cease to have effect and shall be revoked immediately without further notice; and
- (k) if any of the above planning condition (e), (f), (h) or (i) is not complied with by the specified date, the approval hereby given shall cease to have effect and shall on the same date be revoked without further notice.”

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

Agenda Item 29

Section 16 Application

[Open Meeting]

A/YL-NSW/270 Proposed House cum Wetland Restoration Area (for Aquaculture Research and Teaching), Field Study/Education/Visitor Centre and Excavation of Land with Minor Relaxation of Plot Ratio and Building Height Restrictions (for “Residential (Group D)” Zone only) in “Other Specified Uses” annotated “Comprehensive Development to include Wetland Restoration Area” and “Residential (Group D)” Zones, Lots 3719 S.C RP and 3681 in D.D. 104 and Adjoining Government Land, Kam Pok Road, Nam Sang Wai, Yuen Long
(RNTPC Paper No. A/YL-NSW/270C)

124. The Committee noted that a replacement page (p.2 of the Paper) had been tabled/issued for Members’ reference.

125. The Committee noted that the applicant’s representative requested on 11.9.2020. deferment of the consideration of the application for two months in order to allow time for the applicant to await departmental comments and prepare further information to address further comment. It was the fourth time that the applicant requested deferment of the application. Since the last deferment, the applicant had submitted further information in response to departmental comments.

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

further deferment would be granted.

Agenda Item 30

Section 16 Application

[Open Meeting (Presentation and Question Sessions Only)]

A/YL-NTM/402 Proposed Temporary Container Vehicle Repair Yard and Warehouse for a Period of 3 Years in “Open Storage” Zone, Lots 445 S.B and 451 RP in D.D. 96 and adjoining Government Land, Ngau Tam Mei, Yuen Long
(RNTPC Paper No. A/YL-NTM/402A)

Presentation and Question Sessions

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

- (a) background to the application;
- (b) the proposed temporary container vehicle repair yard and warehouse for a period of three years;
- (c) 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 objecting to the application from the San Tin Rural Committee and a villager of Pun Uk Tsuen 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 on a temporary basis for a period of three years based on the assessment set out in paragraph 12 of the Paper. The proposed use was generally in line with the planning intention of the “Open Storage” (“OS”) zone and was considered not incompatible with the surrounding land uses.

The application was in line with the Town Planning Board Guidelines No. 13F in that the application site fell within Category 1 areas and there was no adverse departmental comment, except the Director of Environmental Protection (DEP). However, there was no substantiated environmental complaint concerning the site in the past three years. To address the concern of DEP on the possible nuisance generated by the applied use and the technical requirements of concerned departments, relevant approval conditions were recommended. Previous applications for the similar uses at the site and similar applications for temporary container vehicle repair yard and related uses within the same “OS” zone had been approved by the Committee. Approval of the application was in line with the Committee’s previous decisions. Regarding the local views and public comments, the comments of government departments and the planning assessments above were relevant.

128. Members had no question on the application.

Deliberation Session

129. After deliberation, the Committee decided to approve the application on a temporary basis for a period of 3 years until 18.9.2023, on the terms of the application as submitted to the Town Planning Board (TPB) and subject to the following conditions :

- “(a) no operation between 7:00 p.m. and 7:00 a.m., as proposed by the applicant, is allowed on the site during the planning approval period;
- (b) no operation on Sundays and public holidays, as proposed by the applicant, is allowed on the site during the planning approval period;
- (c) no vehicle is allowed to queue back to or reverse onto/from the site at any time during the planning approval period;
- (d) the provision of boundary fencing on the site within 6 months from the date of planning approval to the satisfaction of the Director of Planning or of the

TPB by 18.3.2021;

- (e) the submission of a drainage proposal within 6 months from the date of planning approval to the satisfaction of the Director of Drainage Services or of the TPB by 18.3.2021;
- (f) in relation to (e) above, the implementation of the drainage proposal within 9 months from the date of planning approval to the satisfaction of the Director of Drainage Services or of the TPB by 18.6.2021;
- (g) in relation to (f) above, the implemented drainage facilities on the site shall be maintained at all times during the planning approval period;
- (h) the submission of 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 18.3.2021;
- (i) in relation to (h) above, the provision of fire service installations within 9 months from the date of planning approval to the satisfaction of the Director of Fire Services or of the TPB by 18.6.2021;
- (j) if any of the above planning condition (a), (b), (c), or (g) is not complied with during the planning approval period, the approval hereby given shall cease to have effect and shall be revoked immediately without further notice; and
- (k) if any of the above planning condition (d), (e), (f), (h) or (i) is not complied with by the specified date, the approval hereby given shall cease to have effect and shall on the same date be revoked without further notice.”

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

Agenda Item 31

Section 16 Application

[Open Meeting]

A/YL-NTM/403 Proposed House in “Green Belt” Zone, Lot 864 (Part) in D.D. 105,
Ngau Tam Mei, Yuen Long
(RNTPC Paper No. A/YL-NTM/403A)

131. The Committee noted that the applicant’s agent requested on 9.9.2020 deferment of consideration of the application for a period of two months so as to allow time for preparation of further information to address departmental comments. It was the second time that the applicant requested deferment of the application. Since the last deferment, the applicant had submitted further information providing responses to departmental comments and background information.

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

Agenda Item 32

Section 16 Application

[Open Meeting (Presentation and Question Sessions Only)]

A/YL-ST/577 Renewal of Planning Approval for Temporary Vehicle Repair Workshop with Office for a Period of 3 Years in “Residential (Group D)” Zone, Lots 341 S.B RP (Part), 353 (Part), 354 (Part) and 210 (Part) in D.D. 105 and Adjoining Government Land, San Tin, Yuen Long (RNTPC Paper No. A/YL-ST/577)

Presentation and Question Sessions

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

- (a) background to the application;
- (b) the renewal of planning approval for temporary vehicle repair workshop with office for a period of three years;
- (c) 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 objecting to the application from the registered owner of part of the Site (Lot No. 353 in D.D. 105), the San Tin Rural Committee and two individuals were received. Major objection grounds were set out in paragraph 11 of the Paper; and
- (e) the Planning Department (PlanD)’s views – PlanD considered that the temporary use could be tolerated for a further period of three years based on the assessments set out in paragraph 12 of the Paper. Although the applied use was not in line with the planning intention of the “Residential (Group D)” (“R(D)”) zone, approval of the application on a temporary basis would not frustrate the long-term planning intention of “R(D)” zone as there was

no known development proposal of the application site (the Site). The application was in line with the Town Planning Board Guidelines No. 34C in that there was no major change in planning circumstance since the last approval, concerned departments had no adverse comment on the application and all approval conditions under the previous approval had been complied with. Regarding the adverse local view and public comments, the comments of government departments and planning assessments above were relevant.

134. In response to a Member's concern on the adverse public comment raised by one of the registered owners at the Site as he had not given his consent to the application, Ms Emily P.W. Tong explained that the applicant had satisfied the 'owner's consent/notification' requirements as stipulated under the Town Planning Board Guidelines No. 31A (TPB PG-No. 31A) by sending a notice to San Tin Rural Committee (RC) and posting a site notice at the Site. The Secretary supplemented that all applicants were required to satisfy the 'owner's consent/notification' requirements when submitting planning applications. Other than obtaining the consent directly from the land owners, the applicant could fulfil the said requirements by notifying the land owners through registered mail, posting site notice, sending a notice to RC or other concerned parties as set out in the TPB PG-No. 31A, or publishing a notice in newspapers, where applicable. In response to the Member's further enquiry, the Secretary said that should the application be approved, the applicant would also be advised to comply with all statutory requirements and other requirements of concerned government departments.

Deliberation Session

135. Regarding the adverse public comments, the Committee noted that the applicant had fulfilled the 'owner's consent/notification' requirement as set out in TPB PG-No. 31A.

136. After deliberation, the Committee decided to approve the application on a temporary basis for a period of 3 years, and be renewed from 1.11.2020 until 31.10.2023, 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 9:30 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 site at any time during the planning approval period;
- (d) the paving and boundary fencing on the site shall be maintained at all times during the planning approval period;
- (e) the existing fire service installations implemented on the site shall be maintained in efficient working order at all times during the planning approval period;
- (f) the existing drainage facilities on the site shall be maintained at all times during the planning approval period;
- (g) the submission of an as-built drainage plan and photographic records of the existing drainage facilities within 3 months from the date of commencement of the renewed planning approval to the satisfaction of the Director of Drainage Services or of the TPB by 1.2.2021;
- (h) if any of the above planning condition (a), (b), (c), (d), (e) or (f) is not complied with during the planning approval period, the approval hereby given shall cease to have effect and shall be revoked immediately without further notice; and
- (i) if the above planning condition (g) is not complied with by the specified date, the approval hereby given shall cease to have effect and shall on the same date be revoked without further notice.”

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

set out at Appendix V of the Paper.

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

Tuen Mun and Yuen Long West District

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

Agenda Item 33

Section 16 Application

[Open Meeting (Presentation and Question Sessions Only)]

A/HSK/245 Temporary Logistics Centre for a Period of 3 Years in "Open Space",
"Residential (Group B) 1" Zones and area shown as 'Road', Various
Lots in D.D. 129, Ha Tsuen, Yuen Long
(RNTPC Paper No. A/HSK/245)

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) the temporary logistics centre for a period of three years;
- (c) 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 a Yuen Long District Councillor and two individuals raising concerns or 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 use could be tolerated for a period of three years based on the assessments set out in paragraph 12 of the Paper. Although the proposed use was not in line with the planning intentions of the “Residential (Group B) 1” and “Open Space” zones, the implementation programme for this part of Hung Shui Kiu/Ha Tsuen New Development Area (HSK/HT NDA) was still being formulated, and the Project Manager (West) of the Civil Engineering and Development Department and the Director of Leisure and Cultural Services had no objection to the temporary use for a period of 3 years at the application site. The applied use was not incompatible with the surrounding land uses. The application was generally in line with Town Planning Board Guidelines No. 13F in that the site fell within HSK/HT NDA and a previous approval had been granted and there was no adverse departmental comment, except from the Director of Environmental Protection (DEP). However, there was no substantiated environmental complaint concerning the site in the past three years. To address the concern of DEP on the possible nuisance generated by the applied use and technical requirements of concerned departments, relevant approval conditions were recommended. A previous application at the application site and similar applications for logistic centre use within the same “R(B)1” and “O” zones had been approved by the Committee. Approval of the application was in line with the Committee's previous decisions. Regarding the adverse public comments received, the planning assessments above were relevant.

139. Members had no question on the application.

140. After deliberation, the Committee decided to approve the application on a temporary basis for a period of 3 years until 18.9.2023, on the terms of the application as submitted to the Town Planning Board (TPB) and subject to the following conditions :

- “(a) no operation 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 recycling, cleaning, repairing, dismantling work nor workshop activity, as proposed by the applicant, is allowed on the site at any time during the planning approval period;
- (d) no vehicle is allowed to queue back to or reverse onto/from the public road at any time during the planning approval period;
- (e) the existing fencing within the site shall be maintained at all times during the planning approval period;
- (f) all existing trees within the site shall be maintained in good condition at all times during the planning approval period;
- (g) the existing drainage facilities shall be maintained at all times during the planning approval period;
- (h) 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 18.12.2020;
- (i) the submission of a fire service installations proposal within 3 months from the date of planning approval to the satisfaction of the Director of Fire Services or of the TPB by 18.12.2020;

- (j) in relation to (i) above, the implementation of the fire service installations proposal within 6 months from the date of planning approval to the satisfaction of the Director of Fire Services or of the TPB by 18.3.2021;
- (k) if any of the above planning conditions (a), (b), (c), (d), (e), (f) or (g) 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
- (l) if any of the above planning conditions (h), (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.”

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

Agenda Items 34 and 35

Section 16 Applications

[Open Meeting]

A/TM-LTY Y/377 Proposed House (New Territories Exempted House - Small House) in “Residential (Group E)” Zone, Lot 225 S.B in D.D. 130, San Hing Tsuen, Lam Tei, Tuen Mun
(RNTPC Paper No. A/TM-LTY Y/377C and 378C)

A/TM-LTY Y/378 Proposed House (New Territories Exempted House - Small House) in “Residential (Group E)” Zone, Lot 225 S.C in D.D. 130, San Hing Tsuen, Lam Tei, Tuen Mun
(RNTPC Paper No. A/TM-LTY Y/377C and 378C)

142. The Committee noted that the applicants’ representative requested on 31.8.2020 deferment of the consideration of the applications for two months in order to allow time for

preparation of further information to address departmental comments. It was the fourth time that the applicants requested deferment of the applications. Since the last deferment, the applicants had submitted further information providing responses to comments of the Environmental Protection Department.

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

Agenda Item 36

Section 16 Application

[Open Meeting]

A/TM-LTY Y/386 Proposed Temporary Public Vehicle Park (excluding Container Vehicle) for a Period of 5 Years in "Green Belt" Zone, Lot 883 RP in D.D. 130, Lam Tei, Tuen Mun
(RNTPC Paper No. A/TM-LTY Y/386C)

144. The Committee noted that the applicants' representative requested on 2.9.2020 deferment of the consideration of the application for two months in order to allow time for preparation of further information to address departmental comments. It was the fourth time that the applicant requested deferment of the application. Since the last deferment, the applicant had submitted further information providing response to comments of the Drainage Services Department.

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

Agenda Item 37

Section 16 Application

[Open Meeting]

A/YL-HTF/1108 Temporary Plastic Recycling Centre with Workshop and Ancillary Office for a Period of 3 Years in "Residential (Group D)" Zone, Lot 136 (Part) in D.D.128, Fung Kong Tsuen, Ha Tsuen, Yuen Long (RNTPC Paper No. A/YL-HTF/1108)

146. The Committee noted that the applicant's representative requested on 9.9.2020 deferment of the consideration of the application for two months in order to allow time for preparation of further information to address the concerns raised by the public. It was the first time that the applicant requested deferment of the application.

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

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

Agenda Item 38

Section 16 Application

[Open Meeting (Presentation and Question Sessions Only)]

A/YL-LFS/351 Proposed Temporary Vehicle Park and Open Storage (Dump Truck and Skip Truck) for a period of 3 years in “Recreation” Zone, Lots 1796, 1798, 1802, 1803, 1804, 1805 and 1806 in D.D. 129, Lau Fau Shan, Yuen Long
(RNTPC Paper No. A/YL-LFS/351B)

Presentation and Question Sessions

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

- (a) background to the application;
- (b) the proposed temporary vehicle park and open storage (dump truck and skip truck) for a period of three years;
- (c) departmental comments were set out in paragraph 10 of the Paper;
- (d) during the statutory publication periods, 64 public comments objecting to the application were received from the Hong Kong Bird Watching Society, the World Wide Fund for Nature Hong Kong, village representative and villagers from Sha Kong Wai and individuals (among which 50 were in standard letter). 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 applied use was not in line with the planning intention of the "Recreation" ("REC") zone and was incompatible with the surrounding environment. There was no strong planning justification to merit a departure from the planning intention, even on a temporary basis. The application did not meet the Town Planning Board Guidelines No. 13F in that the site fell within Category 3 areas. The site was not subject to any previous planning approval and there were adverse departmental comments. The Environmental Protection Department, Transport Department, Drainage Services Department and Urban Design and Landscape Unit of PlanD did not support/had reservation on the application as the applicant failed to demonstrate that the applied use would not have adverse environmental, traffic, drainage and landscape impacts. Seven similar applications within the same "REC" zone were rejected, and the circumstances of the current application were similar to those rejected applications. Rejection 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.

149. Members had no question on the application.

Deliberation Session

150. 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 "Recreation" zone which is intended primarily for recreational developments for the use of the general public and encourages the development of active and/or passive recreation and tourism/eco-tourism. There is no strong planning justification in the submission for a departure from such planning intention, even on a temporary basis; and

- (b) the development is not in line with the Town Planning Board Guidelines No. 13F for Application for Open Storage and Port Back-up Uses in that no previous approval had been granted for the Site and there are adverse departmental comments and local objections to the application.”

Agenda Item 39

Section 16 Application

[Open Meeting]

A/YL-LFS/369 Temporary Public Vehicle Park (Private Cars) for a Period of 3 Years in “Village Type Development” Zone, Lots 2816 and 2876 RP (Part) in D.D. 129 and Adjoining Government Land, Sha Kong Wai, Yuen Long (RNTPC Paper No. A/YL-LFS/369)

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

Agenda Item 40

Section 16 Application

[Open Meeting (Presentation and Question Sessions Only)]

A/YL-TT/492 Proposed Temporary Public Vehicle Park (Private Cars) for a Period of 3 Years in “Residential (Group D)” and “Village Type Development” Zones, Lots 5155 (Part), 5157 (Part), 5161 (Part) and 5162 (Part) in D.D. 116, Shui Tsiu San Tsuen, Yuen Long (RNTPC Paper No. A/YL-TT/492A)

Presentation and Question Sessions

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

- (a) background to the application;

- (b) the proposed temporary public vehicle park (private cars) for a period of three years;
- (c) departmental comments were set out in paragraph 9 of the Paper;
- (d) during the first three weeks of the statutory publication period, one public comment providing views from an individual was 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 on a temporary basis for a period of three years based on the assessment set out in paragraph 11 of the Paper. Although the proposed use was not entirely in line with the planning intentions of the "Residential (Group D)" ("R(D)") and "Village Type Development" ("V") zones, the proposal could provide parking spaces to meet any such demand in the area. The District Lands Officer/Yuen Long of the Lands Department advised that there was currently no Small House application approved or under processing at the application site. The approval of the application on a temporary basis of three years would not frustrate the long-term planning intentions of the area. The proposed development was considered not incompatible with the surrounding area. Concerned government departments had no adverse comment on the application and relevant approval conditions were recommended to address their technical concerns. Similar applications within the subject "R(D)" and "V" zones had been approved by the Committee. Approval of the application was considered in line with the Committee's previous decisions. Regarding the public comment, the comments of government departments and planning assessments above were relevant.

153. Members had no question on the application.

Deliberation Session

154. After deliberation, the Committee decided to approve the application on a temporary basis for a period of 3 years until 18.9.2023, on the terms of the application as submitted to the Town Planning Board (TPB) and subject to the following conditions :

- “(a) only private cars, as defined in the Road Traffic Ordinance, are allowed to enter/be parked on the site, as proposed by the applicant, at any time during the planning approval period;
- (b) a notice should be posted at a prominent location of the site at all times to indicate that only private cars, as defined in the Road Traffic Ordinance, are allowed to be parked/stored on the Site, as proposed by the applicant, during the planning approval period;
- (c) 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;
- (d) no vehicle repairing, dismantling or other workshop activities, as proposed by the applicant, are allowed on the site at any time during the planning approval period;
- (e) no vehicle is allowed to queue back to or reverse onto/from public road at any time during the planning approval period;
- (f) the provision of boundary fencing on the site within 6 months from the date of planning approval to the satisfaction of the Director of Planning or of the TPB by 18.3.2021;
- (g) the submission of a run-in/out proposal within 6 months from the date of the planning approval to the satisfaction of the Director of Highways or of the TPB by 18.3.2021;
- (h) in relation to (g) above, the implementation of the run-in/out proposal within 9 months from the date of planning approval to the satisfaction of

the Director of Highways or of the TPB by 18.6.2021;

- (i) the implementation of the accepted drainage proposal within 6 months from the date of the planning approval to the satisfaction of the Director of Drainage Services or of the TPB by 18.3.2021;
- (j) the implemented drainage facilities on the site shall be maintained at all times during the planning approval period;
- (k) the submission of a fire service installations proposal within 6 months from the date of planning approval to the satisfaction of the Director of Fire Services or of the TPB by 18.3.2021;
- (l) in relation to (k) above, the implementation of the fire service installations proposal within 9 months from the date of planning approval to the satisfaction of the Director of Fire Services or of the TPB by 18.6.2021;
- (m) if any of the above planning conditions (a), (b), (c), (d), (e) or (j) is not complied with during the planning approval period, the approval hereby given shall cease to have effect and shall be revoked immediately without further notice; and
- (n) if any of the above planning conditions (f), (g), (h), (i), (k) or (l) is not complied with by the specified date, the approval hereby given shall cease to have effect and shall on the same date be revoked without further notice.”

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

Agenda Item 41

Section 16 Application

[Open Meeting]

A/YL-TT/504 Proposed Temporary Shop and Services (Car Beauty Services) for a Period of 3 Years in “Open Space” Zone, Lot 3131 RP in D.D. 116 and Adjoining Government Land, Tai Tong, Yuen Long
(RNTPC Paper No. A/YL-TT/504)

156. The Committee noted that the applicant’s representative requested on 26.8.2020 deferment of the consideration of the application for two months in order to allow time to address departmental comments. It was the first time that the applicant requested deferment of the application.

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

Agenda Item 42

Section 16 Application

[Open Meeting]

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

158. The Committee noted that the applicant’s representative requested on 9.9.2020 deferment of the consideration of the application for a period of two months so as to allow time to address departmental comments. It was the third time that the applicant requested deferment of the application. Since the last deferment, the applicant had submitted further information to address departmental comments.

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

Agenda Item 43

Section 16 Application

[Open Meeting (Presentation and Question Sessions Only)]

A/YL-TYST/1018 Proposed Temporary Public Vehicle Park for Private Cars and Light Goods Vehicles for a Period of 3 Years in “Village Type Development” Zone, Lots 2461 (Part), 2462 RP (Part) and 2464 RP in D.D. 120 and Adjoining Government Land, Lam Hau Tsuen, Yuen Long
(RNTPC Paper No. A/YL-TYST/1018A)

Presentation and Question Sessions

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

- (a) background to the application;
- (b) the proposed temporary public vehicle park for private cars and light goods vehicles for a period of three years;
- (c) departmental comments were set out in paragraph 9 of the Paper;
- (d) during the statutory publication periods, a total of five public comments, with two supporting comments from village representatives of Lam Hau Tsuen, two opposing comments from individuals, and one providing views from an individual, were received. Major views were set out in paragraph 10 of the Paper; and
- (e) the Planning Department (PlanD)’s views – PlanD had no objection to the application on a temporary basis for a period of three years based on the assessment set out in paragraph 11 of the Paper. Although the proposed use was not entirely in line with the planning intention of the “Village Type Development” (“V”) zone, the proposal could provide parking spaces to

meet any such demand in the area. Whilst a narrow strip of the application site fell within the proposed Yuen Long South Development – Stage 2, the Project Manager (West) of the Civil Engineering and Development Department had no objection to the proposed temporary use for three years. Temporary approval of the application would not frustrate the long-term planning intention of the “V” zone. The proposed development was generally not incompatible with the surrounding uses. Concerned departments had no adverse comment on the application and relevant approval conditions were recommended to address their technical concerns. Similar applications in the subject “V” zone had been approved by the Committee. Approval of the application was considered in line with the Committee’s previous decisions. Regarding the public comments, the comments of government departments and planning assessments above were relevant.

161. Members had no question on the application.

Deliberation Session

162. After deliberation, the Committee decided to approve the application on a temporary basis for a period of 3 years until 18.9.2023, on the terms of the application as submitted to the Town Planning Board (TPB) and subject to the following conditions :

- “(a) 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;
- (b) 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;
- (c) a notice should be posted at a prominent location of the site to indicate that medium and heavy goods vehicles, as defined in the Road Traffic

Ordinance, are not allowed to enter/exit the site, as proposed by the applicant, at any time during the planning approval period;

- (d) no vehicle repairing or other workshop activities, as proposed by the applicant, shall be carried out on the site at any time during the planning approval period;
- (e) no vehicle is allowed to queue back to or reverse onto/from public road at any time during the planning approval period;
- (f) the provision of boundary fence on the site within 6 months from the date of planning approval to the satisfaction of the Director of Planning or of the TPB by 18.3.2021;
- (g) the implementation of the accepted drainage proposal within 6 months from the date of planning approval to the satisfaction of the Director of Drainage Services or of the TPB by 18.3.2021;
- (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 18.3.2021;
- (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 18.6.2021;
- (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.”

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

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

Agenda Item 44

Any Other Business

164. There being no other business, the meeting was closed at 6:05 p.m..