

## **TOWN PLANNING BOARD**

### **Minutes of 658<sup>th</sup> Meeting of the Rural and New Town Planning Committee held at 2:30 p.m. on 23.10.2020**

#### **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 K.W. Leung

Dr Jeanne C.Y. Ng

Dr Venus Y.H. Lun

Dr Conrad T.C. Wong

Mr Y.S. Wong

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

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

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

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

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

Secretary

**Absent with Apologies**

Mr L.T. Kwok

Mr Ricky W.Y. Yu

**In Attendance**

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

Chief Town Planner/Town Planning Board  
Ms W.H. Ho

Town Planner/Town Planning Board  
Mr Gary T.L. Lam

### **Opening Remarks**

1. The Chairman said that the meeting would be conducted with video conferencing arrangement.
2. The Chairman and Members congratulated Dr Conrad T.C. Wong on his achievement of obtaining a Doctorate degree in October 2020.

### **Agenda Item 1**

Confirmation of the Draft Minutes of the 657<sup>th</sup> RNTPC Meeting held on 9.10.2020

[Open Meeting]

3. The draft minutes of the 657<sup>th</sup> RNTPC meeting held on 9.10.2020 were confirmed without amendments.

### **Agenda Item 2**

Matter Arising

[Open Meeting]

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

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

**Agenda Item 3**

Section 12A Application

[Open Meeting]

Y/NE-STK/2                      Application for Amendment to the Approved Sha Tau Kok Outline Zoning Plan No. S/NE-STK/2, To rezone the application site from “Village Type Development” and “Recreation” to “Other Specified Uses” annotated “Columbarium”, Lots 1420 (Part), 1421 (Part), 1422 S.B (Part), 1423 S.B (Part) and 1423 S.C (Part) in D.D. 41, Tong To, Sha Tau Kok  
  
(RNTPC Paper No. Y/NE-STK/2)

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5.                      The Secretary reported that the application was for regularising an existing columbarium development. Mr K.K. Cheung had declared an interest on the item as his firm was the legal advisor of the Private Columbaria Licensing Board (PCLB). The Committee noted that the applicant had requested deferment of consideration of the application. As the interest of Mr K.K. Cheung in relation to PCLB was indirect, the Committee agreed that he could stay in the meeting.

6.                      The Committee noted that the applicant’s representative requested on 8.10.2020 deferment of consideration of the application for two months in order to allow more time for preparation of further information to address departmental comments. It was the first time that the applicant requested deferment of the application.

7.                      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.

[Dr C.H. Hau joined the meeting at this point.]

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

**Agenda Item 4**

**Section 12A Application**

[Open Meeting (Presentation and Question Sessions only)]

Y/YL-KTN/2            Application for Amendment to the Approved Kam Tin North Outline Zoning Plan No. S/YL-KTN/9, To rezone the application site from “Agriculture” to “Residential (Group C) 2”, Lots 153 S.B, 153 RP, 236 S.A ss.1, 236 S.A ss.2, 236 S.A ss.3 and 236 S.A RP in D.D.110 and Adjoining Government Land, Southwest of Tsat Sing Kong Village, Kam Tin North, Yuen Long  
(RNTPC Paper No. Y/YL-KTN/2B)

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

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

PlanD’s Representatives

- |                    |   |   |
|--------------------|---|---|
| Ms Winnie B.Y. Lau | - | District Planning Officer/Fanling, Sheung Shui and Yuen Long East (DPO/FSYLE) |
| Ms Ivy C.W. Wong   | - | Senior Town Planner/Fanling, Sheung Shui and Yuen Long East (STP/FSYLE)       |

Applicant's Representatives

Mr Ng Yuen Kwong	]	
Ms Jaby Wai Kuen Chan	]	Applicant's representatives
Mr Chan Kim On	]	
Miss Wong Kit Chuk	]	

Presentation and Question Sessions

10. The Chairman invited PlanD's representative to brief Members on the background of the application.

11. 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 amendment to the approved Kam Tin North Outline Zoning Plan (OZP) to rezone the application site (the Site) from "Agriculture" ("AGR") to "Residential (Group C)2" ("R(C)2");
- (c) departmental comments were set out in paragraph 9 of the Paper;
- (d) during the first three weeks of the statutory publication periods, a total of 22 public comments were received, including six supporting comments from individuals and 16 objecting comments from World Wide Fund for Nature (Hong Kong), the Hong Kong Bird Watching Society, Kadoorie Farm and Botanic Garden Corporation, Designing Hong Kong Limited and individuals. Major views were set out in paragraph 10 of the Paper; and
- (e) the PlanD's views – PlanD did not support the application based on the assessments set out in paragraph 11 of the Paper. The Site fell within a large area zoned "AGR" which was segregated from the Kam Tin rural

township by Kam Tai Road/Drainage Reserve. The Director of Agriculture, Fisheries and Conservation (DAFC) did not support the application from agricultural point of view noting that the Site possessed potential for agricultural rehabilitation and agricultural activities in the vicinity were active. The Site was mainly surrounded by agricultural land, scattered residential dwellings/structures and vacant/unused land. Existing or planned low-density residential development in the area were in the vicinity of Kam Tin Road and San Tin Highway. Rezoning of the Site would result in piecemeal housing development away from the main roads and create haphazard development pattern. The Chief Town Planner/Urban Design & Landscape (CTP/UD&L), PlanD considered that the proposed development was not entirely compatible with the landscape setting in proximity. Approval of the rezoning application would set an undesirable precedent for similar rezoning applications in the “AGR” zone. The cumulative effect of approving such similar applications would lead to piecemeal housing development in the agricultural land and undermine the integrity of the “AGR” zone. Regarding the public comments received, the comments of government departments and planning assessments above were relevant.

12. The Chairman then invited the applicant’s representatives to elaborate on the application. With the aid of a PowerPoint presentation, Mr Chan Kim On, the applicant’s representative, made the following main points:

- (a) since 1980s, there was a transition of land uses from agricultural use to brownfield activities including open-air car parking, warehouses and open storage uses in the Kam Tin North area. With the improvement of infrastructures in the area, including drainage channels and roads, more developments were found in the area. There were only three small pieces of active farmland near the Site in the subject “AGR” zone. The Site, which was located at the south-eastern fringe of the “AGR” zone with a majority of the surrounding area being used for various developments and brownfield activities, did not possess high potential for agricultural activities. It was more suitable for residential development;

- (b) approval of the application could increase housing supply which was in line with the Long Term Housing Strategy of the Government, and would encourage the phasing out of brownfield activities in the area;
- (c) regarding the comments of the DAFC, it should be noted that the amount of active farmland in the territory was decreasing throughout the years and the Site accounted for only 0.01% of all of the active farmland. Besides, the proposed Agricultural Park in Kwu Tung South and technology-based agricultural production in industrial buildings as encouraged by the Agriculture, Fisheries and Conservation Department would facilitate the consolidation of agricultural activities in better locations for more efficient use of land resources;
- (d) regarding the comments of CTP/UD&L, PlanD that the proposed development would result in piecemeal development, it should be noted that the size of the Site (about 3,853m<sup>2</sup>) was comparable to some medium-size land sale sites. As such, approval of the current application would not set an undesirable precedent for similar rezoning applications. As the land in the surrounding area was mainly occupied by brownfield activities with very few active agricultural activities, the proposed development would not undermine the integrity of the existing “AGR” zone; and
- (e) the Site was accessible and was only 150m from the existing Kam Tai Road. The Transport Department had no adverse comment on the application.

13. As the presentation of PlanD’s representative and the applicant’s representative were completed, the Chairman invited questions from Members.

14. In response to a Member’s enquiry on land ownership of the Site, Mr Ng Yuen Kwong, the applicant’s representative, said that the applicant was the current land owner of the Site.

15. In response to a Member's enquiry on the vehicular access arrangement for the proposed development, Mr Chan Kim On, the applicant's representative, explained that the Site was connected to Kam Tai Road via a village track and then connected to Kam Tin Road. While the existing roads would be used as access to the Site, the applicant proposed to widen a section of Kam Tai Road to facilitate traffic flow. Ms Winnie B.Y. Lau, DPO/FSYLE, supplemented that the Site was served by a village track connecting to Kam Tai Road, which was a single-lane two-way road, before it was connected to Kam Tin Road. The applicant proposed to widen a small section of Kam Tai Road at the junction of Kam Tai Road and the village track from 3.1m to 7.3m.

16. In response to a Member's enquiry, Mr Chan Kim On, the applicant's representative, said that due to a proposed plot ratio of 0.4, the proposed development could only provide six houses with an estimated population of 26.

17. As the applicant's representative had no further point to raise and there was no further question 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 from PlanD and the applicant for attending the meeting. They left the meeting at this point.

#### Deliberation Session

18. Some Members considered that as the Site was small and only six houses could be provided, the proposed development could not alleviate the housing shortage. As the Site was surrounded by agricultural land, scattered residential dwellings/structures and vacant/unused land, the proposed development would result in piecemeal residential development and encroach onto the "AGR" zone. Besides, the Site was served by a village track which was undesirable for the proposed development. Members generally considered that the applicant had failed to provide strong planning justification for the proposed rezoning and the application should not be approved.

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

“the application site is situated within a large “Agriculture” (“AGR”) zone away from the main road and agricultural uses are found in the surrounding area. Approval of the application would result in piecemeal residential development, encroaching onto “AGR” zone as well as setting an undesirable precedent for similar applications. There is no strong planning justification in the submission for the proposed rezoning.”

### **Agenda Item 5**

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

[Open Meeting]

Y/YL-KTS/7                      Application for Amendment to the Approved Kam Tin South Outline Zoning Plan No. S/YL-KTS/15, To rezone the application site from “Agriculture” to “Other Specified Uses” annotated “Columbarium”, Lots 2 (Part), 4, 5 (Part), 6 (Part), 7 RP (Part), 8 (Part), 9 (Part), 10 (Part), 11 (Part), 37, 42 (Part) and 43 in D.D. 113, and Adjoining Government Land, Tai Lam, Yuen Long  
(RNTPC Paper No. Y/YL-KTS/7)

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20.            The Secretary reported that the application was for columbarium development and BMT Hong Kong Limited (BMT) was one of the consultants of the applicant. Mr K.K. Cheung had declared an interest on the item as his firm had current business dealings with BMT and was the legal advisor of the Private Columbaria Licensing Board (PCLB). The Committee noted that the applicant had requested deferment of consideration of the application. As the interest of Mr K.K. Cheung in relation to PCLB was indirect and he had no involvement in the application, the Committee agreed that he could stay in the meeting.

21.            The Committee noted that the applicant’s representative requested on 28.9.2020 deferment of consideration of the application for two months in order to allow more time for preparation of further information to address departmental comments. It was the first time that the applicant requested deferment of the application.

22.            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.

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

#### **Agenda Item 6**

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

[Open Meeting]

Y/TM/23                      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.A, 1744 S.B, 1744 S.C, 1744 S.F, 1744 S.G, 1744 S.H and 1744 S.I in D.D. 132, Hing Fu Street, Tuen Mun  
(RNTPC Paper No. Y/TM/23B)

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23.            The Secretary reported that the application was for regularising an existing columbarium development. Mr K.K. Cheung had declared an interest on the item as his firm was the legal advisor of the Private Columbaria Licensing Board (PCLB). The Committee noted that the applicant had requested deferment of consideration of the application. As the interest of Mr K.K. Cheung in relation to PCLB was indirect, the Committee agreed that he could stay in the meeting.

24.            The Committee noted that the applicant's representative requested on 16.9.2020 deferment of consideration of the application for two months in order to allow more time for preparation of further information to address departmental and public comments. It was the third time that the applicant requested deferment of the application.

Since the last deferment, the applicant had submitted further information on 24.7.2020 to address departmental comments.

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

### **Agenda Item 7**

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

[Open Meeting]

Y/TM/25                      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", Lot 1724 RP ss.14 in D.D. 132, Hing Fu Street, Tuen Mun  
(RNTPC Paper No. Y/TM/25)

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26. The Secretary reported that the application was for columbarium development. Mr K.K. Cheung had declared an interest on the item as his firm was the legal advisor of the Private Columbaria Licensing Board (PCLB). The Committee noted that the applicant had requested deferment of consideration of the application. As the interest of Mr K.K. Cheung in relation to PCLB was indirect, the Committee agreed that he could stay in the meeting.

27. The Committee noted that the applicant's representative requested on 24.9.2020 deferment of consideration of the application for two months in order to allow more time for preparation of further information to address departmental comments. It was

the first time that the applicant requested deferment of the application.

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

### **Sai Kung and Islands District**

[Ms Jane W.L. Kwan and Ms Kitty S.T. Lam, Senior Town Planners/Sai Kung and Islands (STPs/SKIs), were invited to the meeting at this point.]

#### **Agenda Item 8**

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

[Open Meeting (Presentation and Question Sessions only)]

A/SK-TMT/66      Proposed House (New Territories Exempted House - Small House) in  
"Green Belt" Zone, Lot 33 RP in D.D. 256, Tai Po Tsai Village, Tai  
Mong Tsai, Sai Kung  
(RNTPC Paper No. A/SK-TMT/66)

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

29. Ms Jane W.L. Kwan, STP/SKIs, presented the application and covered the following aspects as detailed in the Paper:

- (a) background to the application;

- (b) the proposed house (New Territories Exempted House (NTEH) – Small House);
- (c) departmental comments were set out in paragraph 10 of the Paper;
- (d) during the first three weeks of the statutory publication period, six public comments from a Sai Kung District Council member, Kadoorie Farm and Botanic Garden Corporation, Designing Hong Kong Limited, World Wide Fund for Nature Hong Kong and two individuals 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 did not support the application based on the assessments set out in paragraph 12 of the Paper. The proposed development was not in line with the planning intention of the “Green Belt” (“GB”) zone. While land available within the “Village Type Development” (“V”) zone was insufficient to meet the future Small House demand, land was available within the “V” zone to meet the 18 outstanding Small House applications. Given the adoption of a more cautious approach in considering applications for Small House development in recent years, it was considered more appropriate to concentrate the proposed Small House developments within the “V” zone for more orderly development pattern, efficient use of land and provision of infrastructure and services. The application site also fell within the Lower Indirect Water Gathering Ground (WGG) where no public sewer was available. The Chief Engineer/Construction, Water Supplies Department and the Director of Environmental Protection did not support the application as there was no information in the application to indicate that the proposed house could be connected to the public sewerage system in the area, the proposed use of septic tank and soakaway system for treating wastewater was not acceptable and the applicant failed to demonstrate that the proposed development within WGG would not have adverse impact on water quality in the area. The application did not comply with the Interim Criteria for Consideration of Application for NTEH/Small House in New

Territories. The Head of the Geotechnical Engineering Office, Civil Engineering and Development Department had an in-principle objection to the proposed development unless the applicant was prepared to undertake a Natural Terrain Hazard Study. The Chief Town Planner/Urban Design & Landscape, PlanD had reservation on the application as the proposed development was not entirely compatible with the landscape setting in proximity and potential landscape impact arising from the proposed development to the existing landscape resources could not be reasonably ascertained. The proposed development was not in line with Town Planning Board Guidelines No. 10 in that it would involve vegetation clearance and adverse landscape impact was anticipated. The approval of the application would also set an undesirable precedent for other similar applications in the “GB” zone, and the cumulative effect of approving such application would result in a general degradation of the environment and bring about adverse landscape impact and impact on water quality in the area. Regarding the public comments received, the comments from concerned government departments and the planning assessments above were relevant.

30. In response to the Chairman’s enquiry, Ms Jane W.L. Kwan, STP/SKIs, said that the latest previous application (No. A/SK-TMT/57) at the application site was rejected upon review by the Town Planning Board in 2018.

#### Deliberation Session

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

- “(a) the proposed Small House development is not in line with the planning intention of the “Green Belt” (“GB”) zone which is primarily for defining the limits of urban and sub-urban development areas by natural features and to contain urban sprawl as well as to provide passive recreational outlets. There is a general presumption against development within this zone. There are no exceptional circumstances or strong planning grounds in the

submission for a departure from the planning intention;

- (b) land is still available within the “Village Type Development” (“V”) zone of Tai Po Tsai where land is primarily intended for Small House development. It is considered more appropriate to concentrate the proposed Small House development within the “V” zone for more orderly development pattern, efficient use of land and provision of infrastructures and services;
- (c) the proposed development is not in line with the Interim Criteria for Assessing Planning Application for New Territories Exempted House/Small House development in the New Territories in that the application site falls within Lower Indirect Water Gathering Ground (WGG) and there is no public sewerage connection available in the vicinity. The applicant fails to demonstrate that the proposed development located within WGG would not have adverse impact on water quality in the area;
- (d) the proposed development is not in line with Town Planning Board Guidelines No. 10 in that it would involve vegetation clearance and adverse landscape impact is anticipated. The applicant fails to demonstrate that the proposed development would have no adverse landscape impact on the application site and surrounding areas; and
- (e) approval of the application will set an undesirable precedent for other similar applications within the “GB” zone. The cumulative effect of approving such similar applications will result in a general degradation of the environment and bring about cumulative adverse impact on the water quality and landscape of the area.”

**Agenda Item 9**

**Section 16 Application**

[Open Meeting (Presentation and Question Sessions only)]

A/TKO/121                      Proposed Public Utility Installation (Solar Farm) in “Open Space (2)”  
Zone, South East New Territories Landfill, Area 101, Tseung Kwan O  
(RNTPC Paper No. A/TKO/121)

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32.            The Secretary reported that the application was submitted by Green Valley Landfill, Limited (GVL) and AECOM Asia Company Limited (AECOM) 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 GVL; and
- Dr C.H. Hau                              -    having past business dealings with AECOM.

33.            As Mr. K.K. Cheung and Dr C.H. Hau had no involvement in the application, the Committee agreed that they could stay in the meeting.

**Presentation and Question Sessions**

34.            Ms Kitty S.T. Lam, STP/SKIs, presented the application and covered the following aspects as detailed in the Paper:

- (a)    background to the application;
- (b)    the proposed public utility installation (solar farm);
- (c)    departmental comments were set out in paragraph 10 of the Paper;
- (d)    during the first three weeks of the statutory publication periods, five public comments from a Sai Kung District Council member and an individual objecting to/raised concern on the application were received.    Major views were set out in paragraph 11 of the Paper; and

- (e) the Planning Department (PlanD)'s views – PlanD had no objection to the application based on the assessments set out in paragraph 12 of the Paper. Although the proposed development was not entirely in line with the planning intention of the “Open Space(2)” (“O(2)”) zone, the proposed development was intended to be decommissioned before the completion of the 30-year aftercare programme of the Southeast New Territories (SENT) Landfill in the 2050s, and the long-term planning intention of the “O(2)” zone would not be jeopardised. The proposed development was in line with the Policy Address 2018. The Secretary for Environment strongly supported the application and suggested that the proposed solar farm at the SENT Landfill would help gather operational information as well as test the renewable energy technology for the planning of large-scale solar photovoltaic (SPV) systems at other restored landfills in Hong Kong. The applicant had obtained a letter from CLP Power Hong Kong Limited which demonstrated the technical feasibility of the proposed development. The proposed use was in line with the assessment criteria for considering applications for SPV system promulgated by the Town Planning Board on 21.7.2020. Concerned government departments had no objection to or adverse comment on the application. Regarding the public comments received, the comments of government departments and planning assessments above were relevant. The applicant also indicated that the project would be self-financed for the purposes of testing the renewable energy technology and mode of operation in landfill, and they would explore the potential to incorporate visitor facility at SENT Landfill for raising environmental awareness.

35. In response to the Chairman's enquiry on the public concern regarding possible adverse visual impacts, Ms Kitty S.T. Lam, STP/SKIs, said that the location of the proposed solar farm was relatively remote and had a distance of about 1.5km from the nearest residential development with a ridge in between. Besides, as the reflection rate of the proposed solar panels would not exceed 5%, adverse glare impact on the nearby residents was not anticipated.

36. In response to a Member's enquiry on the recommended validity period of four years for the application, Ms Kitty S.T. Lam, STP/SKIs, clarified that the applicant was applying for a planning permission for permanent development, and it was a general practice for the planning permission granted to have a time period of four years for the commencement of development. The permission should cease to have effect unless before the specified date the development permitted was commenced or the permission was renewed.

#### Deliberation Session

37. The Chairman remarked that, as a general practice, the permitted development should commence within a period of four years from the date of granting the planning permission, so as to ensure its timely implementation.

38. Members noted that the whole SENT Landfill would be handed back to the Government for use as open space upon completion of the 30-year aftercare programme in 2053, and the proposed solar farm was intended to be decommissioned before the handing-back of the Landfill. Members also noted that the "Renewable Energy Feed-in Tariff Scheme" (FiT Scheme) was offered for electricity generated by the renewable energy system throughout the project life of the system or until 2033, and the arrangement of the FiT Scheme beyond 2033 was subject to the policy in the future.

39. Mr Terence S.W. Tsang, Assistant Director (Environmental Assessment), Environmental Protection Department said that the proposed solar farm was a pilot project to demonstrate a large scale FiT Scheme in Hong Kong and could have positive impact on the long-term direction of reducing carbon emission.

40. 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 23.10.2024, and after the said date, the permission should cease to have effect unless before the said date, the development permitted was commenced or the permission was renewed. The permission was subject to the following condition:

“the provision of fire service installations and water supplies for firefighting to

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

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

[The Chairman thanked Ms Jane W.L. Kwan and Ms Kitty S.T. Lam, STPs/SKIs, for their attendance to answer Members’ enquiries. They left the meeting at this point.]

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

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

#### **Agenda Item 10**

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

[Open Meeting]

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

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42. The Committee noted that the applicant requested on 25.9.2020 deferment of consideration of the application for two months in order to allow more time to liaise with the CLP Power Hong Kong Limited and to provide responses to departmental comments. It was the second time that the applicant requested deferment of the application. Since the last deferment, the applicant had submitted further information to address departmental comments.

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

could be processed within a shorter time, the application could be submitted to an earlier meeting for the Committee's consideration. The Committee also agreed to advise the applicant that two months were allowed for preparation of the submission of the further information. 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 11**

#### **Section 16 Application**

[Open Meeting]

A/NE-KLH/583      Proposed 5 Houses (New Territories Exempted Houses) in "Agriculture" Zone, Lots 643B S.A RP, 643B S.B, 643B RP, 644 S.A, 644 S.B and 644 RP in D.D. 9, Yuen Leng Village, Tai Po  
(RNTPC Paper No. A/NE-KLH/583B)

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44.            The Secretary reported that Spence Robinson Limited (SRL) was one of the consultants of the applicant. Mr K.K. Cheung had declared an interest on the item as his firm had current business dealings with SRL. The Committee noted that the applicant had requested deferment of consideration of the application. As Mr K.K. Cheung had no involvement in the application, the Committee agreed that he could stay in the meeting.

45.            The Committee noted that the applicant's representative requested on 5.10.2020 deferment of consideration of the application for two months in order to allow more time to finalise the Noise Impact Assessment for addressing comments from the Environmental Protection Department. It was the third time that the applicant requested deferment of the application. Since the last deferment, the applicant had submitted further information providing responses to departmental comments including a revised master layout plan and revised swept path for light goods vehicles.

46.            After deliberation, the Committee decided to defer a decision on the application as requested by the applicant pending the submission of further information from the applicant. The Committee agreed that the application should be submitted for its consideration within two months from the date of receipt of further information from the

applicant. If the further information submitted by the applicant was not substantial and could be processed within a shorter time, the application could be submitted to an earlier meeting for the Committee's consideration. The Committee also agreed to advise the applicant that two months were allowed for preparation of the submission of the further information. Since it was the third deferment and a total of six months had been allowed for preparation of submission of further information, no further deferment would be granted unless under very special circumstances.

## **Agenda Item 12**

### **Section 16 Application**

[Open Meeting]

A/NE-KLH/585      Temporary Activity Centre for a Period of 3 Years in "Green Belt" Zone, Lot 477 RP in D.D. 9, Nam Wa Po, Tai Po  
(RNTPC Paper No. A/NE-KLH/585A)

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47.            The Committee noted that the applicant's representative requested on 25.9.2020 deferment of consideration of the application for two months in order to allow more 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 to provide responses to departmental comments and to clarify the background and operation details of the applied use.

48.            After deliberation, the Committee decided to defer a decision on the application as requested by the applicant pending the submission of further information from the applicant. The Committee agreed that the application should be submitted for its consideration within two months from the date of receipt of further information from the applicant. If the further information submitted by the applicant was not substantial and could be processed within a shorter time, the application could be submitted to an earlier meeting for the Committee's consideration. The Committee also agreed to advise the applicant that two months were allowed for preparation of the submission of the further information. 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 13**

**Section 16 Application**

[Open Meeting (Presentation and Question Sessions Only)]

A/NE-KLH/590      Proposed House (New Territories Exempted House - Small House) in  
“Agriculture” and “Village Type Development” Zones, Lot 9 S.A RP  
in D.D. 7, Tai Hang Village, Tai Po  
(RNTPC Paper No. A/NE-KLH/590)

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**Presentation and Question Sessions**

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

- (a)    background to the application;
- (b)    the proposed house (New Territories Exempted House (NTEH) – Small House);
- (c)    departmental comments were set out in paragraph 9 of the Paper;
- (d)    during the first three weeks of the statutory publication period, two public comments from World Wide Fund for Nature Hong Kong and an individual objecting to the application were received. Major views were set out in paragraph 10 of the Paper; and
- (e)    the Planning Department (PlanD)’s views – PlanD did not support the application based on the assessments set out in paragraph 11 of the Paper. The proposed development was not in line with the planning intention of the “Agriculture” (“AGR”) zone, and the Director of Agriculture, Fisheries and Conservation did not support the application as the application site possessed potential for agricultural rehabilitation. There was no strong planning justification in the submission for a departure from the planning intention. District Lands Officer/Tai Po, Lands Department objected to

the application as the proposed Small House footprint fell entirely outside the village 'environ' ('VE') of the concerned village. The application site was within the upper indirect Water Gathering Ground, and the Chief Engineer/Construction, Water Supplies Department objected to the application as there would be less than 50% of the proposed Small House footprint within the "Village Type Development" ("V") zone and 100% of that outside the 'VE' of Tai Hang, and the applicant failed to demonstrate that the proposed development would not cause adverse impact on the water quality in the area. The application did not comply with the Interim Criteria for Consideration of Application for NTEH/Small House in New Territories in that more than 50% of the proposed Small House footprint fell outside both the 'VE' and the "V" zone of Tai Hang and there was no general shortage of land in meeting the demand for Small House development in the concerned "V" zone. There was a previous rejected application at the application site. As there was no change in the planning circumstance, rejection of the application was in line with the Committee's previous decision. Regarding the public comments received, the comments from concerned government departments and the planning assessments above were relevant.

50. Members had no question on the application.

#### Deliberation Session

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

- “(a) the proposed development is not in line with the planning intention of the “Agriculture” zone, which is primarily to retain and safeguard good quality agricultural land/farm/fish ponds for agricultural purposes. It is also intended to retain fallow arable land with good potential for rehabilitation for cultivation and other agricultural purposes. There is no strong planning justification in the submission for a departure from the planning intention;

- (b) the proposed development does not comply with the Interim Criteria for Consideration of Application for New Territories Exempted House/Small House in New Territories in that more than 50% of the footprint of the proposed Small House falls outside the “Village Type Development” (“V”) zone and the village ‘environs’ of Tai Hang; and there is no general shortage of land in meeting the demand for Small House development in the “V” zone of Tai Hang; and
- (c) the applicant fails to demonstrate that the proposed development would not cause adverse impact on the water quality in the area.”

**Agenda Items 14 to 16**

**Section 16 Applications**

[Open Meeting (Presentation and Question Sessions Only)]

A/NE-LT/689            Proposed House (New Territories Exempted House - Small House) in  
“Agriculture” Zone, Lots 158 S.B, 159 S.A and 161 S.A ss.2 in D.D.  
19, Tong Min Tsuen, Lam Tsuen, Tai Po  
(RNTPC Paper No. A/NE-LT/689, 690 and 691)

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A/NE-LT/690            Proposed House (New Territories Exempted House - Small House) in  
“Agriculture” Zone, Lots 158 RP, 159 RP, 161 S.A ss.3 and 162 S.A  
ss.3 in D.D.19, Tong Min Tsuen, Lam Tsuen, Tai Po  
(RNTPC Paper No. A/NE-LT/689, 690 and 691)

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A/NE-LT/691            Proposed House (New Territories Exempted House - Small House) in  
“Agriculture” Zone, Lots 161 S.A ss.4 and 162 S.A ss.1 in D.D.19,  
Tong Min Tsuen, Lam Tsuen, Tai Po  
(RNTPC Paper No. A/NE-LT/689, 690 and 691)

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52.            The Committee agreed that as the three section 16 applications for proposed house (New Territories Exempted House (NTEH) - Small House) were similar in nature and the application sites were located in close proximity to one another within the same

“Agriculture” (“AGR”) zone, they could be considered together.

Presentation and Question Sessions

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

- (a) background to the applications;
- (b) the proposed house (NTEH – Small House);
- (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 Designing Hong Kong Limited and an individual objecting to each of the applications 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 applications based on the assessments set out in paragraph 11 of the Paper. Although the proposed developments were not in line with the planning intention of the “AGR” zone and the Director of Agriculture, Fisheries and Conservation did not support the applications from agricultural development point of view as the application sites possessed potential for agricultural rehabilitation, the proposed developments were not incompatible with the surrounding area. The Commissioner for Transport considered that the applications only involving the development of three Small Houses could be tolerated on traffic grounds. Other concerned government departments had no objection to or no adverse comment on the applications. Regarding the Interim Criteria for Consideration of Application for NTEH/Small House in New Territories, more than 50% of the proposed Small Houses footprints fell within the village ‘environ’ of Tong Min Tsuen and the proposed developments located within water gathering grounds would be able to be connected to public sewerage system.

Land available within the “Village Type Development” (“V”) zone was capable to meet the 17 outstanding Small House applications, but insufficient to fully meet the future Small House demand. Nevertheless, the application sites were the subject of previous approved applications (No. A/NE-LT/478, 479 and 480) for Small House developments submitted by the same applicants, and the processing of the Small House grant applications by Lands Department was at an advance stage. Sympathetic consideration could be given to the current applications. Regarding the public comments received, the comments from concerned government departments and the planning assessments above were relevant.

54. Members had no question on the application.

#### Deliberation Session

55. 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 23.10.2024, and after the said date, the permissions should cease to have effect unless before the said date, the developments permitted was commenced or the permissions were renewed. Each of the permissions was subject to the following conditions :

- “(a) the submission and implementation of a drainage proposal to the satisfaction of the Director of Drainage Services or of the TPB;
- (b) the connection of the foul water drainage system to the public sewers to the satisfaction of the Director of Water Supplies or of the TPB; and
- (c) the provision of protective measures to ensure no pollution or siltation occurs to the water gathering grounds to the satisfaction of the Director of Water Supplies or of the TPB.”

56. The Committee also agreed to advise each of the applicants to note the advisory clauses as set out at Appendix VII of the Paper.

**Agenda Item 17**

**Section 16 Application**

[Open Meeting (Presentation and Question Sessions Only)]

A/MOS/125            Proposed School with Recreational Area in “Other Specified Uses” annotated “Educational and Recreational Development” Zone, Various lots in D.D.167 and Adjoining Government Land, Nai Chung, Ma On Shan  
  
(RNTPC Paper No. A/MOS/125C)

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57.            The Secretary reported that the application was submitted by Prolong Limited, which was a subsidiary of Sun Hung Kai Properties Limited (SHK). Llewelyn-Davies Hong Kong Limited (LD), AECOM Asia Company Limited (AECOM) and Archiplus International (HK) Limited (Archiplus) 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; |
| Dr Conrad T.C. Wong | - | having current business dealings with SHK;   |
| Mr K.K. Cheung      | - | his firm having current business dealings with SHK and Archiplus;  |
| Dr C.H. Hau         | - | having past business dealings with AECOM; and  |
| Mr Ricky W.Y. Yu    | - | having past business dealings with LD.   |

58.            The Committee noted that Mr Ricky W.Y. Yu had tendered an apology for being unable to attend the meeting. As the interests of Miss Winnie W.M. Ng and Dr Conrad T.C. Wong were direct, the Committee agreed that they should be invited to leave the meeting temporarily for the item. As Mr. K.K. Cheung and Dr C.H. Hau had no involvement in the application, the Committee agreed that they could stay in the meeting. The Committee also agreed that Ms Winnie W.M. Ng could stay in the meeting as an observer for the presentation and question sessions.

59. The Committee noted that four replacement pages (p.3 of Appendix III and p.9, 18 and 19 of the Paper) to provide clarification of the Transport Department's comments and the relevant approval condition had been tabled/issued for Members' reference.

[Dr Conrad T.C. Wong left the meeting temporarily at this point.]

#### Presentation and Question Sessions

60. With the aid of a PowerPoint presentation, Ms Hannah H.N. Yick, STP/STN, presented the application and covered the following aspects as detailed in the Paper :

- (a) background to the application;
- (b) the proposed school with recreational area;
- (c) departmental comments were set out in paragraph 9 of the Paper;
- (d) during the first three weeks of the statutory publication periods, a total of 120 public comments were received from a Tai Po District Council member and individuals, with 83 comments supporting the application and 37 comments objecting to the application. Major views were set out in paragraph 10 of the Paper; and
- (e) the Planning Department (PlanD)'s views – PlanD had no objection to the application based on the assessments set out in paragraph 11 of the Paper. The proposed private/international school with recreational area were in line with the planning intention of the “Other Specified Uses” annotated “Educational and Recreational Development” (“OU(ERD)”) zone. The proposed development complied with the development restrictions of the “OU(ERD)” zone and its built-form was considered relatively compatible with the surrounding uses and natural topographical settings. Concerned government departments had no objection to or no adverse comment on the

application with the provision of a recreational area, compensatory trees and a compensated woodland, and it was unlikely to have direct adverse ecological impacts on the Nai Chung Site of Special Scientific Interest (SSSI). To address the technical concerns, relevant approval conditions on fire safety, slope safety, sewerage and traffic were suggested to be imposed. Regarding the public comments received, the comments from concerned government departments and the planning assessments above were relevant.

61. Some Members raised the following questions:

- (a) location and area of the proposed recreational area;
- (b) details of the proposed compensated woodland;
- (c) whether the students and general public could have access to the proposed compensated woodland and whether there was fencing along the northern boundary of the woodland adjoining the “Green Belt” (“GB”) zone;
- (d) the future management of the proposed school; and
- (e) the current and future arrangement for the public to access to the waterfront to the north of the application site (the Site).

62. In response, Ms Hannah H.N. Yick, STP/STN, made the following main points:

- (a) a recreational area of 1800m<sup>2</sup> was proposed in the north-eastern portion of the Site to provide active and passive recreational facilities for public use. It would be connected with the existing footpath along the waterfront of the Site that was currently maintained by the Home Affairs Department. The location of the proposed recreational area was shown in Drawing A-1 of the Paper;
- (b) a woodland of about 1,490m<sup>2</sup> with 90 native trees was proposed at the

western part of the Site to compensate for the loss of woodland habitat. The layout of the compensated woodland was shown in the Conceptual Landscape Master Plan at Appendix Ic of the Paper;

- (c) according to the Conceptual Landscape Master Plan, no footpath was proposed in the compensated woodland and it might not be easily accessible by the students and the general public. No information had been provided by the applicant regarding whether fencing would be provided along the northern boundary of the woodland adjoining the “GB” zone;
- (d) no details had been provided by the applicant on future management of the proposed school. Under the prevailing policy, a school should be registered as an international school before it might be named as an international school and currently the proposed international school had not been registered; and
- (e) the waterfront area and the pier to the north of the Site could be accessed by the public from the Nai Chung public transport terminus via a footpath and an access from Nin Ming Road along the south-eastern boundary of the Site both at present and in the future.

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

### Deliberation Session

63. Members noted that 90 native trees would be planted in the compensated woodland at the western part of the Site and 352 heavy standard sized trees were also proposed for compensation at the remaining parts of the Site. A Member considered that compensation of trees in the form of a woodland was better than a landscape area, such that a natural habitat for different wildlife could be created. To facilitate an integration between the compensated woodland and the “GB” zone and the Nai Chung SSSI to the north of the Site, the applicant should be advised to avoid the provision of fencing along the northern

boundary of the compensated woodland. Even if fencing was considered necessary, they should be kept to the minimum scale with permeable design. Besides, human disturbance to the compensated woodland should be avoided as far as possible. The Chairman suggested and Members agreed that an advisory clause should be added to advise the applicant to liaise with the Agriculture, Fisheries and Conservation Department on the details regarding the design and implementation of the proposed compensated woodland.

64. A Member considered that a low-rise and permeable fencing between the proposed recreational area and the existing footpath along the waterfront area should be provided so as to facilitate a better integration of the recreation facilities at the Site and the waterfront area.

65. 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 23.10.2024, and after the said date, the permission should cease to have effect unless before the said date, the development permitted was commenced or the permission was renewed. The permission was subject to the following conditions :

- “(a) the submission and implementation of a revised Layout Plan taking into account approval conditions (b), (e) to (h) below to the satisfaction of the Director of Planning or of the TPB;
- (b) the provision of a recreational area with an area of not less than 1,800m<sup>2</sup> within the site, as proposed by the applicant;
- (c) the recreational area should be open for public enjoyment from 7:00 a.m. to 8:00 p.m. daily, as proposed by the applicant;
- (d) the provision of water supply for fire-fighting and fire service installations to the satisfaction of the Director of Fire Services or of the TPB;
- (e) the submission of a Natural Terrain Hazard Study report and implementation of the mitigation measures recommended therein to the satisfaction of Head of the Geotechnical Engineering Office of the Civil

Engineering and Development Department or of the TPB;

- (f) the submission of an updated Sewerage Impact Assessment to the satisfaction of the Director of Environmental Protection or of the TPB;
- (g) the implementation of the local sewerage upgrading/sewerage connection works identified in the updated Sewerage Impact Assessment in approval condition (f) above to the satisfaction of the Director of Drainage Services or of the TPB; and
- (h) the submission and implementation of all proposed traffic measures as identified in the Traffic Impact Assessment to the satisfaction of the Commissioner for Transport or of the TPB.”

66. The Committee also agreed to advise the applicant to note the advisory clauses as set out at Appendix III of the Paper with the addition of the following clause:

“to liaise with the Agriculture, Fisheries and Conservation Department on the design and implementation of the proposed compensated woodland.”

### **Agenda Item 18**

#### **Section 16 Application**

[Open Meeting]

A/ST/988                      Proposed Office, Eating Place (Canteen) and Shop and Services in  
“Industrial (1)” Zone, No. 2 Yuen Shun Circuit, Yuen Chau Kok, Sha  
Tin  
(RNTPC Paper No. A/ST/988)

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67. The Committee noted that the applicant’s representative requested on 14.10.2020 deferment of consideration of the application for two months in order to allow more time for preparation of further information to address the Transport Department’s comments. It was the first time that the applicant requested deferment of the application.

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

### **Agenda Item 19**

#### **Section 16 Application**

[Open Meeting]

A/NE-FTA/199 Temporary Cargo Handling and Forwarding Facility (Logistics Centre) for a Period of 3 Years in "Agriculture" Zone, Lots 40 RP (Part), 404 S.A (Part), 408 S.A RP (Part), 408 S.B RP (Part), 409, 410 (Part), 413 (Part), 414 (Part), 416 (Part), 417 RP (Part), 435, 436, 437 RP in D.D. 89 and Adjoining Government Land, Fu Tei Au, Sheung Shui  
(RNTPC Paper No. A/NE-FTA/199)

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69. The Committee noted that the applicant's representative requested on 9.10.2020 deferment of consideration of the application for two months in order to allow more 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.

70. 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 20**

**Section 16 Application**

[Open Meeting (Presentation and Question Sessions Only)]

A/NE-LK/131            Proposed House (New Territories Exempted House - Small House) in  
                                 “Recreation” Zone, Lot 2078 S.B in D.D. 39, Yim Tso Ha Tsuen, Sha  
                                 Tau Kok  
                                 (RNTPC Paper No. A/NE-LK/131)

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**Presentation and Question Sessions**

71.            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 house (New Territories Exempted House (NTEH) – Small House);
- (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 were received, including five objecting comments from Kadoorie Farm and Botanic Garden Corporation, the Hong Kong Bird Watching Society, Designing Hong Kong Limited, World Wide Fund For Nature Hong Kong and an individual, and one comment from the Chairman of Sheung Shui District Rural Committee indicating no comment on the application. Major views were set out in paragraph 10 of the Paper; and
- (e) the Planning Department (PlanD)’s views – PlanD did not support the

application based on the assessments set out in paragraph 11 of the Paper. The proposed development was not in line with the planning intention of the “Recreation” (“REC”) zone, and there was no strong planning justification in the submission for a departure from the planning intention. The Chief Town Planner/Urban Design & Landscape, PlanD had some reservations from landscape planning perspective as the cumulative impact of approval of the application would degrade the landscape quality of the surrounding environment and potential landscape impact arising from the construction of access to the application site (the Site) could not be ascertained. The Director of Agriculture, Fisheries and Conservation also indicated that the Site and the surrounding area had become a wetland, and the applicant should provide information on transportation of construction materials and whether additional area would be cleared as footpath/access to the Site. While land available within the “Village Type Development” (“V”) zone was insufficient to meet the total Small House demand, land was available within the “V” zone to meet the 10 outstanding Small House applications. Given the adoption of a more cautious approach in considering applications for Small House development in recent years, it was considered more appropriate to concentrate the proposed Small House developments within the “V” zone for more orderly development pattern, efficient use of land and provision of infrastructure and services. There were four similar rejected applications within the same “REC” zone and the circumstances of the current application were similar to those rejected applications. Regarding the public comments received, the comments from concerned government departments and the planning assessments above were relevant.

72. Members had no question on the application.

#### Deliberation Session

73. A Member considered that the application should be rejected as the Site was located within an ecological sensitive area in which the wetlands were mostly undisturbed. Small House development in the area should be concentrated within the “V” zone for a more

orderly development.

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

- “(a) the proposed development is not in line with the planning intention of the “Recreation” (“REC”) zone in the Luk Keng and Wo Hang area which is 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 the planning intention;
- (b) land is still available within the “Village Type Development” (“V”) zone of Yim Tso Ha Village for Small House development. It is considered more appropriate to concentrate the proposed Small House within “V” zone for orderly development pattern, efficient use of land and provision of infrastructures and services; and
- (c) the approval of the application would set an undesirable precedent for similar applications in the “REC” zone. The cumulative effect of approving such similar applications would result in a general degradation of the environment of the area.”

[Dr Conrad T.C. Wong returned to join the meeting at this point.]

### **Agenda Item 21**

#### **Section 16 Application**

[Open Meeting (Presentation and Question Sessions Only)]

A/NE-LYT/723 Temporary Eating Place (Canteen) for a Period of 3 Years in “Agriculture” Zone, Lot 926 (Part) in D.D. 83, Lung Ma Road, Fanling  
(RNTPC Paper No. A/NE-LYT/723B)

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75. The Committee noted that four replacement pages (p.1, 4, 11 and 13 of the Paper)

rectifying the name of site layout plan had been dispatched to Members before the meeting.

### Presentation and Question Sessions

76. 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 temporary eating place (canteen) for a period of three years;
- (c) departmental comments were set out in paragraph 8 of the Paper;
- (d) during the first three weeks of the statutory publication period, one public comment was received from a North District Council Member, who indicated no comment on the application; 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 10 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 did not support the application from agricultural point of view, given that the applied use was small in scale, mainly to serve the workers of nearby construction site and was temporary in nature, it was considered that the approval of the application on a temporary basis would not frustrate the long-term planning intention of the “AGR” zone. Other concerned government departments had no objection to or no adverse comment on the application. There was a previous approved application (No. A/NE-LYT/72) at the application site for the same use submitted by a different applicant, and there were only insignificant changes in the proposed layout and total gross floor area in the subject application. As the previous application was revoked due to non-compliance of approval conditions, the applicant of the current application had submitted

proposals/information to demonstrate his efforts in compliance with the relevant approval conditions. Regarding the local views conveyed by the District Officer (North) of the Home Affairs Department and public comments received, the comments from concerned government departments and the planning assessments above were relevant.

77. Members had no question on the application.

#### Deliberation Session

78. After deliberation, the Committee decided to approve the application on a temporary basis for a period of 3 years until 23.10.2023, on the terms of the application as submitted to the Town Planning Board (TPB) and subject to the following conditions :

- “(a) no operation between 5:00 p.m. and 11:00 a.m., as proposed by the applicant, is allowed on the site during the planning approval period;
- (b) no operation on Sundays and public holidays, as proposed by the applicant, is allowed on the site during the planning approval period;
- (c) the submission of a drainage proposal within 6 months from the date of planning approval to the satisfaction of the Director of Drainage Services or of the TPB by 23.4.2021;
- (d) in relation to (c) above, the provision of drainage facilities within 9 months from the date of planning approval to the satisfaction of the Director of Drainage Services or of the TPB by 23.7.2021;
- (e) the submission of proposals for fire service installations and water supplies for firefighting within 6 months from the date of planning approval to the satisfaction of the Director of Fire Services or of the TPB by 23.4.2021;
- (f) in relation to (e) above, the implementation of the proposals for fire service installations and water supplies for firefighting within 9 months from the

date of planning approval to the satisfaction of the Director of Fire Services or of the TPB by 23.7.2021;

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

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

### **Agenda Items 22 to 27**

#### **Section 16 Applications**

[Open Meeting (Presentation and Question Sessions Only)]

A/NE-LYT/732 Proposed House (New Territories Exempted House - Small House) in “Agriculture” Zone, Lot 702 S.I in D.D.83, Kwan Tei, Fanling  
(RNTPC Paper No. A/NE-LYT/732 to 737)

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A/NE-LYT/733 Proposed House (New Territories Exempted House - Small House) in “Agriculture” Zone, Lot 702 S.H in D.D.83, Kwan Tei, Fanling  
(RNTPC Paper No. A/NE-LYT/732 to 737)

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A/NE-LYT/734 Proposed House (New Territories Exempted House - Small House) in “Agriculture” Zone, Lots 702 S.J and 703 S.U in D.D.83, Kwan Tei, Fanling  
(RNTPC Paper No. A/NE-LYT/732 to 737)

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A/NE-LYT/735 Proposed House (New Territories Exempted House - Small House) in “Agriculture” Zone, Lot 703 S.T in D.D.83, Kwan Tei, Fanling  
(RNTPC Paper No. A/NE-LYT/732 to 737)

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A/NE-LYT/736 Proposed House (New Territories Exempted House - Small House) in “Agriculture” Zone, Lot 703 S.V in D.D.83, Kwan Tei, Fanling  
(RNTPC Paper No. A/NE-LYT/732 to 737)

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A/NE-LYT/737 Proposed House (New Territories Exempted House - Small House) in “Agriculture” and “Village Type Development” Zones, Lot 703 S.S in D.D.83, Kwan Tei, Fanling  
(RNTPC Paper No. A/NE-LYT/732 to 737)

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80. The Committee agreed that as the six section 16 applications for proposed house (New Territories Exempted House- Small House) were similar in nature and the application sites (the Sites) were located in close proximity to one another mainly within the same “Agriculture” zone, they could be considered together.

#### Presentation and Question Sessions

81. Mr Tim T.Y. Fung, STP/STN, 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) – Small House);
- (c) departmental comments were set out in paragraph 9 of the Paper;
- (d) during the first three weeks of the statutory publication periods, three public comments were received for each of the applications, including two objecting comments from Designing Hong Kong Limited and an individual, and one comment from Sheung Shui District Rural Committee indicating

no comment on the applications. 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 applications based on the assessments set out in paragraph 11 of the Paper. While the proposed developments were not in line with the planning intention of the “Agriculture” (“AGR”) zone and the Director of Agriculture, Fisheries and Conservation did not support the applications from agricultural development point of view, they were compatible with the surrounding rural landscape character. The Commissioner for Transport considered that the applications only involving the development of six Small Houses could be tolerated. Other concerned government departments had no objection to or no adverse comment on the applications. Land available within the “Village Type Development” (“V”) zone was capable to meet the 45 outstanding Small House applications, but insufficient to fully meet the future Small House demand. Nevertheless, the application sites were the subject of previous approved applications (No. A/NE-LYT/562 to 567) for Small House development submitted by the same applicants, and the implementation of those approved Small Houses was forming a new village cluster in the locality. Sympathetic consideration could be given to the current applications. There were four similar approved applications for Small House development in the vicinity and the planning circumstances of the current applications were similar to the latest similar approved application (No. A/NE-LYT/632). Regarding the local objections conveyed by the District Officer (North) of the Home Affairs Department and public comments received, the comments from concerned government departments and the planning assessments above were relevant.

82. In response to the Chairman's enquiry, Mr Tim T.Y. Fung, STP/STN, confirmed that Lands Department (LandsD) was currently processing the Small House applications at the Sites.

83. In response to a Member's enquiry on the identity of the applicants, Mr Tim T.Y.

Fung, STP/STN, responded that the applicants claimed that they were indigenous villagers of other villages, except one who claimed that he was an indigenous villager of Kwan Tei Village.

84. In response to a Member's enquiry on whether the zoning boundary of the concerned "V" and "AGR" zones would be reviewed, Mr Tim T.Y. Fung, STP/STN, responded that as most of the village 'environ' ('VE') of Kwan Tei Village overlapped with the "V" zone and a number of Small House applications between the boundary of the "V" zone and 'VE' had been approved, further expansion of the "V" zone might not be necessary.

#### Deliberation Session

85. Members noted that LandsD would handle the Small House applications in accordance with the prevailing policy, including verifying the eligibility status of the applicants.

86. After deliberation, the Committee decided to approve the applications, on the terms of the applications as submitted to the Town Planning Board (TPB). Each of the permissions should be valid until 23.10.2024, 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 conditions :

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

87. The Committee also agreed to advise each of the applicants to note the advisory clauses as set out at Appendix VII of the Paper.

**Agenda Item 28**

**Section 16 Application**

[Open Meeting]

A/NE-MUP/154 Proposed Temporary Shop and Services (Selling of Agricultural Products) for a Period of 3 Years in “Agriculture” Zone, Lots 813, 823 S.B RP (Part) and 824 S.B RP (Part) in D.D. 46 and Adjoining Government Land, Sha Tau Kok  
(RNTPC Paper No. A/NE-MUP/154)

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88. The Secretary reported that after the issuance of the Paper, the applicant’s representative requested on 20.10.2020 deferment of consideration of the application for two months so as to allow time for preparation of further information in response to the comments of the Transport Department and the Agriculture, Fisheries and Conservation Department. The Committee noted that the deferment letter had been tabled and issued for Members’ reference. It was the first time that the applicant requested deferment of the application.

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

**Agenda Item 29**

**Section 16 Application**

[Open Meeting (Presentation and Question Sessions Only)]

A/NE-WKS/16      Proposed Temporary Public Vehicle Park (Private Cars Only) and Filling of Land for a Period of 3 Years in “Green Belt” Zone, Lot 1268 RP (Part) in D.D. 79, Wo Keng Shan  
(RNTPC Paper No. A/NE-WKS/16)

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**Presentation and Question Sessions**

90.      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 public vehicle park (private cars only) and filling of land 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, a total of six public comments were received, including five objecting comments from Kadoorie Farm and Botanic Garden Corporation, the Hong Kong Bird Watching Society, World Wide Fund For Nature Hong Kong, Designing Hong Kong Limited and an individual, and one comment from the Chairman of Sheung Shui District Rural Committee indicating no comment on the application. Major views were set out in paragraph 11 of the Paper; and
- (e) the Planning Department (PlanD)’s views – PlanD did not support the application based on the assessments set out in paragraph 12 of the Paper. The proposed development was not in line with the planning intention of the “Green Belt” (“GB”) zone and there was no strong planning justification in the submission for a departure from the planning intention,

even on a temporary basis. The Chief Town Planner/Urban Design & Landscape, PlanD had reservations from landscape planning perspective as the existing natural landscape on the application site had been affected and the application did not comply with the Town Planning Board Guidelines No. 10. The cumulative impact of approval of the application would degrade the landscape quality of the surrounding environment within the “GB” zone. The Commissioner for Transport did not support the application from traffic engineering viewpoint as the applicant failed to demonstrate that the temporary public vehicle park would not cause adverse traffic impact and his comments were not satisfactorily addressed. The northern part of the application site had been paved and was currently subject to planning enforcement action against unauthorised development involving filling of land. There was a similar rejected application and the circumstances of the current application were similar to the rejected application. Regarding the local objection conveyed by the District Officer (North) of the Home Affairs Department and public comments received, the comments from concerned government 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 reject the application. The reasons were :

- “(a) the proposed development is not in line with the planning intention of the “Green Belt” (“GB”) zone, which is primarily for defining the limits of urban and sub-urban development areas by natural features and to contain urban sprawl as well as to provide passive recreational outlets. There is a general presumption against development within this zone. There is no strong justification in the submission for a departure from such planning intention, even on a temporary basis;

- (b) the proposed development is not in line with the Town Planning Board Guidelines No. 10 for ‘Application for Development within “GB” zone under section 16 of the Town Planning Ordinance’ in that the existing natural landscape has been affected;
- (c) the applicant fails to demonstrate that the proposed development would not cause adverse traffic impact on the surrounding areas; and
- (d) the approval of the application will set an undesirable precedent for similar applications within the “GB” zone. The cumulative effect of approving such similar applications would result in a general degradation of the environment of the area.”

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

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

**Agenda Item 30**

**Section 16 Application**

[Open Meeting]

A/KTN/72

Temporary Shop and Services and Open Storage (for Storage and Sale of Construction Materials including Ancillary Office and Staff Accommodation) for a Period of 3 Years in “Other Specified Uses” annotated “Business and Technology Park” Zone and area shown as ‘Road’, Government Land at D.D. 95, Kwu Tung North  
(RNTPC Paper No. A/KTN/72)

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93. The Secretary reported that the application site was located in Kwu Tung North. Dr C.H. Hau had declared an interest on the item for owning a property in Kwu Tung North. The Committee noted that the applicant had requested deferment of consideration of the application. As the property of Dr C.H. Hau had no direct view of the application site, the

Committee agreed that he could stay in the meeting.

94. The Committee noted that the applicant requested on 29.9.2020 deferment of consideration of the application for two months in order to allow more time for preparation of further information to address departmental comments. It was the first time that the applicant requested deferment of the application.

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

[Ms Winnie B.Y. Lau, District Planning Officer/Fanling, Sheung Shui and Yuen Long East (DPO/FSYLE), Ms S.H. Lam, Mr Patrick M.Y. Fung and Ms Ivy C.W. Wong, Senior Town Planners/Fanling, Sheung Shui and Yuen Long East (STPs/FSYLE), and Ms Alice Y.Y. Cheung and Ms Cherry C.H. Yuen, Town Planners/Fanling, Sheung Shui and Yuen Long East (TPs/FSYLE), were invited to the meeting at this point.]

**Agenda Item 31**

**Section 16 Application**

[Open Meeting (Presentation and Question Sessions Only)]

A/NE-KTS/489      Proposed 6 Houses (New Territories Exempted Houses - Small Houses) in “Residential (Group D)” and “Village Type Development” Zones, Lots 409 RP (Part), 409 S.AC to 409 S.AJ, 409 S.AK (Part), 409 S.AX (Part), 409 S.AY (Part), 409 S.AZ (Part), 409 S.BA (Part), 409 S.BB (Part), 409 S.BC (Part), 409 S.BD (Part), 409 S.BE (Part), 409 S.BF (Part), 409 S.BG (Part), 409 S.BH (Part), 409 S.BI to 409 S.BP, 409 S.BQ (Part), 409 S.BS (Part), 409 S.BT (Part), 409 S.R (Part) and 409 S.S (Part) in D.D. 94, Kwu Tung South, Sheung Shui  
(RNTPC Paper No. A/NE-KTS/489)

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96.            The Secretary reported that the application site (the Site) was located 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 east of the Site. The Committee noted that the applicant had requested deferment of consideration of the application. As the interest of Dr Lawrence K.C. Li was indirect, the Committee agreed that he could stay in the meeting.

**Presentation and Question Sessions**

97.            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 six houses (New Territories Exempted Houses (NTEH) – Small Houses);
- (c) departmental comments were set out in paragraph 10 of the Paper;
- (d) during the first three weeks of the statutory publication period, five public comments from individuals 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 did not support the application based on the assessments set out in paragraph 12 of the Paper. The proposed development was generally in line with the planning intention of the “Residential (Group D)” (“R(D)”) zone. The Commissioner for Transport considered that the applications only involving the development of six Small Houses could be tolerated. While land available within the “Village Type Development” (“V”) zone was insufficient to meet the total Small House demand, land was still available within the “V” zone to meet the 51 outstanding Small House applications. Given the adoption of a more cautious approach in considering applications for Small House development in recent years, it was considered more appropriate to concentrate the proposed Small House developments within the “V” zone for more orderly development pattern, efficient use of land and provision of infrastructure and services. There were two previous rejected applications at the Site. It was very likely that approval of the subject application would set a precedent for similar applications for Small House in the “R(D)” zone, the cumulative effect of approving such similar applications would lead to adverse traffic impact on the surrounding areas. Regarding the local views conveyed by the District Officer (North) of the Home Affairs Department and public comments received, the comments from concerned government departments and the planning assessments above were relevant.

98. In response to a Member's enquiry, Ms S.H. Lam, STP/FSYLE, said that the subject application was submitted by six persons who claimed themselves as indigenous villagers of Hang Tau Village. According to the Lands Department (LandsD), their eligibilities for Small House concessionary grant had yet to be ascertained. The District Lands Officer/North, LandsD also advised that two Small House applications were submitted by two of the six persons.

99. A Member enquired whether the application was recommended for rejection on the consideration that the application was for Small House developments, and whether

different planning considerations would be given if the proposed developments were not for Small House. In response, Ms S.H. Lam, STP/FSYLE, said that as the application was for Small House developments, the Interim Criteria for Consideration of Application for NTEH/Small House in New Territories (Interim Criteria) was applicable to the consideration of the application, which was recommended for rejection based on the assessments in the Paper. If the application was for proposed houses, it would not be considered based on the Interim Criteria but its individual merits including the potential impacts on the surrounding area. It should be noted that as the proposed Small Houses had a total plot ratio (PR) of about 0.48, which had exceeded the PR restriction of the “R(D)” zone, application for minor relaxation of PR would be required if the application was submitted for residential development other than NTEH. In response to another question from the same Member, Ms S.H. Lam, said that the proposed Small Houses were considered generally in line with the planning intention of the “R(D)” zone.

100. A Member enquired whether Small House development within the “R(D)” zone was not encouraged. In response, Ms S.H. Lam, STP/FSYLE, said that it was considered more appropriate to concentrate the proposed Small House developments within the “V” zone for more orderly development pattern, efficient use of land and provision of infrastructures and services. In general, applications for Small House development outside the “V” zone was not encouraged unless the land available within the “V” zone was not adequate to meet the outstanding Small House applications. The concerned “R(D)” zone was rezoned from “Recreation” in 2017 and the planning intention was primarily for improvement and upgrading of existing temporary structures within the rural areas through redevelopment of existing temporary structures into permanent buildings. As the ownership pattern of the Site was not too fragmented, there was opportunity to phase out the existing brownfield uses by residential developments to improve the environment.

#### Deliberation Session

101. Members noted that a small part of the Site was the subject of two previous applications, each for one Small House. Both applications were rejected by the Town Planning Board on review in 2019.

102. After deliberation, the Committee decided to reject the application. The reason

was :

“land is still available within the “Village Type Development” zone of Hang Tau Village which is primarily intended for Small House development. It is considered more appropriate to concentrate the proposed Small House development close to the existing village cluster for more orderly development pattern, efficient use of land and provision of infrastructures and services.”

### **Agenda Item 32**

#### **Section 16 Application**

[Open Meeting]

A/FLN/22

Proposed Temporary Shop and Services, Place of Entertainment, Place of Recreation, Sports or Culture (Barbecue Site) and Public Vehicle Park (excluding container vehicle) for a Period of 3 Years in “Agriculture”, “Government, Institution or Community”, “Open Space”, “Other Specified Uses” annotated “Sewage Pumping Station”, “Other Specified Uses” annotated “Amenity Area” Zones and area shown as ‘Road’, Lots 517 RP, 518 RP, 521 RP, 522, 523 RP, 524 RP, 525, 526, 527 RP, 532 RP (Part), 533 RP (Part), 534 RP (Part), 539 (Part), 540 (Part), 541 (Part), 542 (Part), 543 (Part), 544, 545, 547 (Part), 548 (Part), 551 (Part), 552 and 553 in D.D. 51 and Adjoining Government Land, Sheung Shui  
(RNTPC Paper No. A/FLN/22A)

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103. The Committee noted that the applicant’s representative requested on 6.10.2020 deferment of consideration of the application for two months in order to allow more time for preparation of further information to address the comments from the Transport Department (TD). It was the second time that the applicant requested deferment of the application. Since the last deferment, the applicant had been liaising with TD for the submission of further information.

104. 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. Since it was the second deferment and a total of three months had been allowed for preparation of submission of further information, no further deferment would be granted unless under very special circumstances.

### **Agenda Item 33**

#### **Section 16 Application**

[Open Meeting (Presentation and Question Sessions Only)]

A/YL-SK/284            Temporary Shop and Services (Motor-vehicle Showroom) for a Period  
of 3 Years in "Village Type Development" Zone, Lot 616 S.B RP  
(Part) in D.D. 114, Yuen Long  
(RNTPC Paper No. A/YL-SK/284A)

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

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

- (a) background to the application;
- (b) the temporary shop and services (motor-vehicle showroom) for a period of three years;
- (c) departmental comments were set out in paragraph 9 of the Paper;
- (d) no public comment was received during the first three weeks of the statutory publication period; and

- (e) the Planning Department (PlanD)'s views – PlanD had no objection to the application based on the assessments set out in paragraph 11 of the Paper. Although the applied use was not entirely in line with the planning intention of the “Village Type Development” (“V”) zone, there was currently no Small House application approved or under processing at the application site and approval of the application on a temporary basis for a period of three years would not frustrate the long-term planning intention of the “V” zone. Concerned government departments had no objection to or no adverse comment on the application. To minimise the possible environmental nuisance and address the technical requirements of concerned government departments, appropriate approval conditions were recommended. There were 10 previous applications for various temporary uses at the application site and nine of them were approved by the Committee. The last approved application (No. A/YL-SK/228) for the same use submitted by the same applicant was revoked due to non-compliance with approval conditions, and shorter compliance periods were recommended for close monitoring of the progress on compliance with approval conditions.

106. Members had no question on the application.

#### Deliberation Session

107. After deliberation, the Committee decided to approve the application on a temporary basis for a period of 3 years until 23.10.2023, on the terms of the application as submitted to the Town Planning Board (TPB) and subject to the following conditions :

- “(a) no operation between 7:00 p.m. to 9:00 a.m., as proposed by the applicant, is allowed on the site during the planning approval period;
- (b) no dismantling, maintenance, repairing, cleansing, paint spraying or other workshop activities shall be carried out at the site during the planning approval period;

- (c) no medium or heavy goods vehicles exceeding 5.5 tonnes, including container tractors/trailers, as defined in the Road Traffic Ordinance are allowed to be parked/stored on or enter/exit the site at any time during the planning approval period;
- (d) no vehicle is allowed to queue back to or reverse onto/from public road at any time during the planning approval period;
- (e) the submission of a revised drainage proposal within 3 months from the date of planning approval to the satisfaction of the Director of Drainage Services or of the TPB by 23.1.2021;
- (f) in relation to (e) above, the implementation of the drainage proposal within 6 months from the date of planning approval to the satisfaction of the Director of Drainage Services or of the TPB by 23.4.2021;
- (g) in relation to (f) above, the implemented drainage facilities on the application site shall be maintained at all times during the planning approval period;
- (h) the implementation of the accepted fire service installations proposal within 6 months from the date of planning approval to the satisfaction of the Director of Fire Services or of the TPB by 23.4.2021;
- (i) if any of the above planning conditions (a), (b), (c), (d) or (g) is not complied with during the planning approval period, the approval hereby given shall cease to have effect and shall be revoked immediately without further notice; and
- (j) if any of the above planning conditions (e), (f) or (h) is not complied with by the specified date, the approval hereby given shall cease to have effect and shall on the same date be revoked without further notice.”

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

**Agenda Item 34**

Section 16 Application

[Open Meeting (Presentation and Question Sessions Only)]

A/YL-SK/287 Temporary Shop and Services (Real Estate Agency) with Ancillary Office for a Period of 3 Years in “Residential (Group D)” Zone, Lot 291 S.B in D.D. 112 and Adjoining Government Land, Kam Sheung Road, Yuen Long  
(RNTPC Paper No. A/YL-SK/287)

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Presentation and Question Sessions

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

- (a) background to the application;
- (b) the temporary shop and services (real estate agency) with ancillary office 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 from an individual objecting to the application was received; and
- (e) the Planning Department (PlanD)’s views – PlanD had no objection to the application based on the assessments set out in paragraph 11 of the Paper. Although the applied use was not entirely in line with the planning intention of the “Residential (Group D)” (“R(D)”) zone, there was no known permanent development for the application site and approval of the application on a temporary basis for a period of three years would not

frustrate the long-term planning intention of the “R(D)” zone. The applied use was considered not incompatible with the surrounding areas. Concerned government departments had no objection to or no adverse comment on the application. To minimise the possible environmental nuisance and address the technical requirements of concerned government departments, appropriate approval conditions were recommended. Regarding the public comment received, the comments of government departments and planning assessments above were relevant.

110. Members had no question on the application.

#### Deliberation Session

111. After deliberation, the Committee decided to approve the application on a temporary basis for a period of 3 years until 23.10.2023, 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 9:00 a.m., as proposed by the applicant, is allowed on the site during the planning approval period;
- (b) no medium or heavy goods vehicles exceeding 5.5 tonnes, including container tractors/trailers, as defined in the Road Traffic Ordinance are allowed to be parked/stored on or enter/exit the site at any time during the planning approval period;
- (c) no vehicle is allowed to queue back to or reverse onto/from public road at any time during the planning approval period;
- (d) the submission of a fire services installations proposal within 6 months from the date of planning approval to the satisfaction of the Director of Fire Services or of the TPB by 23.4.2021;
- (e) in relation to (d) above, the provision of fire services installations within 9 months from the date of planning approval to the satisfaction of the

Director of Fire Services or of the TPB by 23.7.2021;

- (f) 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 23.4.2021;
- (g) in relation to (f) above, the implemented drainage facilities on the site shall be maintained at all times during the planning approval period;
- (h) if any of the above planning conditions (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
- (i) if any of the above planning conditions (d), (e), or (f) is not complied with by the specified date, the approval hereby given shall cease to have effect and shall on the same date be revoked without further notice.”

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

**Agenda Item 35**

Section 16 Application

[Open Meeting]

A/YL-SK/288            Temporary Public Car Park (Private Cars, Light Goods Vehicles and Medium Goods Vehicles Only) for a Period of 3 Years in “Village Type Development” Zone, Lot 782 (Part) in D.D. 114 and Adjoining Government Land, Kam Sheung Road, Yuen Long  
(RNTPC Paper No. A/YL-SK/288)

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

**Agenda Item 36**

**Section 16 Application**

[Open Meeting (Presentation and Question Sessions Only)]

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

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114.      The Secretary reported that Stephen Cheng Consulting Engineers Limited (SCCEL) was one of the consultants of the applicant. Mr Peter K.T. Yuen had declared an interest on the item as being a personal friend with the Director of the SCCEL. As Mr Peter K.T. Yuen had no involvement in the application, the Committee agreed that he could stay in the meeting.

**Presentation and Question Sessions**

115.      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 houses (New Territories Exempted Houses (NTEH));
- (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 objecting to the application was received. Major views were set out in paragraph 11 of the Paper; and
- (e) the Planning Department (PlanD)’s views – PlanD had no objection to the application based on the assessments set out in paragraph 12 of the Paper. The proposed development was in line with the planning intention of the “Residential (Group D)” (“R(D)”) zone, and was considered compatible with the surrounding land uses which were predominantly residential

dwellings/structures and vacant/unused land. The application was generally in line with the Interim Criteria for Consideration of Application for NTEH/Small House in New Territories in that the proposed development was in line with the planning intention of the “R(D)” zone, it was not incompatible with the surrounding area in terms of land use, scale, design and layout, and it would unlikely cause adverse traffic, environmental, landscape, drainage, sewerage and geotechnical impacts on the surroundings. Concerned government departments had no objection to or no adverse comment on the application. Regarding comments of the District Lands Officer/Yuen Long, Lands Department (DLO/YL, LandsD) that only non-NTEH scheme would be processed by his office, it was a land administrative matter to be dealt with in the land grant stage. There were two similar approved applications in the vicinity in the same “R(D)” zone and approval of the subject application was in line with the previous decisions of the Committee. Regarding the public comment received, the comments from concerned government departments and the planning assessments above were relevant.

116. In response to a Member’s enquiry on the comments of DLO/YL, LandsD as set out in paragraph 10.1.1(e) of the Paper, Ms Ivy C.W. Wong, STP/FSYLE, clarified the comment of the DLO/YL, LandsD that as the application was not for Small House development, his office would process lease modification/land exchange application for houses (non-NTEHs) on the application site.

#### Deliberation Session

117. In response to a Member’s enquiry, Mr Alan K.L. Lo, Assistant Director/Regional 3, LandsD clarified that it was a general principle that land transactions permitting developments exempted from the Buildings Ordinance i.e. NTEH development, outside the New Territories Small House Policy, would not be considered by LandsD. However, under the prevailing policies, LandsD could process land transaction application for those non-NTEH developments, which would be administered under the Buildings Ordinance regime.

118. 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 23.10.2024, and after the said date, the permission should cease to have effect unless before the said date, the development permitted was commenced or the permission was renewed. The permission was subject to the following condition :

“the implementation of the accepted drainage proposal to the satisfaction of the Director of Drainage Services 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.

### **Agenda Item 37**

#### **Section 16 Application**

[Open Meeting (Presentation and Question Sessions Only)]

A/YL-KTN/723 Proposed Temporary Animal Boarding Establishment for a Period of 3 Years and Filling of Land in “Agriculture” and “Village Type Development” Zones, Lot 1070 RP (Part) in D.D. 109, Kam Tin North, Yuen Long  
(RNTPC Paper No. A/YL-KTN/723)

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#### **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 animal boarding establishment 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 seven public comments were received, including one supporting comment from an individual and six objecting comments from Kadoorie Farm and Botanic Garden Corporation, the Hong Kong Bird Watching Society, Designing Hong Kong Limited, the manager of Lot 1070RP D.D.109, a local villager and an individual. Major views were set out in paragraph 10 of the Paper; and
- (e) the Planning Department (PlanD)'s views – PlanD had no objection to the application based on the assessments set out in paragraph 11 of the Paper. Although the proposed use was not entirely in line with the planning intention of the “Agriculture” (“AGR”) zone and the Director of Agriculture, Fisheries and Conservation did not support the application from agricultural development point of view, the approval of the application on a temporary basis for three years would not frustrate the long-term planning intention of the “AGR” zone. The proposed development was considered not incompatible with the surrounding areas. Concerned government departments had no objection to or no adverse comment on the application. To minimise the possible environmental nuisance and address the technical requirements of concerned government departments, appropriate approval conditions were recommended. There were 32 similar applications for temporary animal boarding establishment and only one was rejected. Two similar applications involving filling of land for temporary uses within the same “AGR” zone were approved. The circumstance of the only rejected application was different from the current application. Regarding the public comments received, the comments from concerned 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 23.10.2023, 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 9:00 a.m. (except for overnight animal boarding), as proposed by the applicant, is allowed on the site during the planning approval period;
- (b) all animals shall be kept inside the enclosed structures on the site between 6:00pm and 9:00am, as proposed by the applicant, during the planning approval period;
- (c) no public announcement system, portable loud speaker, any form of audio amplification system or whistle blowing is allowed to be used on the site at any time during the planning approval period;
- (d) no vehicle is allowed to queue back to or reverse onto/from public road at any time during the planning approval period;
- (e) the submission of 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 23.4.2021;
- (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 23.7.2021;
- (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 the planning approval to the satisfaction of the Director of Fire Services or of the TPB by 23.4.2021;
- (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 23.7.2021;

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

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

### **Agenda Item 38**

#### **Section 16 Application**

[Open Meeting (Presentation and Question Sessions Only)]

A/YL-KTN/724      Temporary Animal Boarding Establishment with Ancillary Facilities for a Period of 3 Years in “Agriculture” Zone, Lots 1486 (Part), 1489 (Part), 1493 (Part) and House Lot Block (Part) in D.D.107 and Adjoining Government Land, Kam Tin, Yuen Long  
(RNTPC Paper No. A/YL-KTN/724)

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

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

- (a) background to the application;
- (b) the temporary animal boarding establishment with ancillary facilities 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 three public comments were received, including one supporting comment and two objecting comments, all from individuals. 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 use was not entirely in line with the planning intention of the “Agriculture” (“AGR”) zone and the Director of Agriculture, Fisheries and Conservation did not support the application from agricultural development point of view, the approval of the application on a temporary basis for three years would not frustrate the long-term planning intention of the “AGR” zone. The proposed development was considered not incompatible with the surrounding areas. Concerned government departments had no objection to or no adverse comment on the application. To minimise the possible environmental nuisance and address the technical requirements of concerned government departments, appropriate approval conditions were recommended. There were seven previous approved applications for animal boarding establishment use and approval of the application was in line with the Committee's previous decisions. Regarding the public comments received, the comments from concerned government departments and the planning assessments above were relevant.

125. Members had no question on the application.

Deliberation Session

126. After deliberation, the Committee decided to approve the application on a temporary basis for a period of 3 years until 23.10.2023, on the terms of the application as submitted to the Town Planning Board (TPB) and subject to the following conditions :

- “(a) no operation between 7:00 p.m. and 9:00 a.m. (except for the overnight kennel), as proposed by the applicant, is allowed on the site during the planning approval period;
- (b) all dogs shall be kept inside the enclosed animal boarding establishments on the site between 7:00 p.m. and 9:00 a.m., as proposed by the applicant, at all times during the planning approval period;
- (c) no public announcement system, portable loud speaker, any form of audio amplification system or whistle blowing is allowed to be used on the site at any time during the planning approval period;
- (d) no vehicle is allowed to queue back to or reverse onto/from public road at any time during the planning approval period;
- (e) the existing trees within the site shall be maintained at all times during the planning approval period;
- (f) the implemented drainage facilities on the site shall be maintained at all times during the planning approval period;
- (g) the submission of records of the existing drainage facilities on the site within 3 months from the date of planning approval to the satisfaction of the Director of Drainage Services or of the TPB by 23.1.2021;
- (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 21.4.2021;

- (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 21.7.2021;
- (j) if any of the above planning conditions (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;
- (k) if any of the above planning conditions (g), (h) or (i) is not complied with by the specified date, the approval hereby given shall cease to have effect and shall on the same date be revoked without further notice; and
- (l) upon the expiry of the planning permission, the reinstatement of the site to an amenity area to the satisfaction of the Director of Planning or of the TPB.”

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

### **Agenda Item 39**

#### **Section 16 Application**

[Open Meeting (Presentation and Question Sessions Only)]

A/YL-KTS/850      Proposed House in “Residential (Group D)” Zone, Lot 1285 RP in  
D.D. 106, Kam Tin, Yuen Long  
(RNTPC Paper No. A/YL-KTS/850A)

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

128. 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 house;
- (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 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 had no objection to the application based on the assessments set out in paragraph 12 of the Paper. The proposed house development was in line with the planning intention of the “Residential (Group D)” (“R(D)”) zone and compatible with the surrounding land uses. The development intensity of the proposed house also conformed to the development restrictions of the “R(D)” zone. Concerned government departments had no objection to or no adverse comment on the application. There were four similar approved applications in the same “R(D)” zone and approval of the application was in line with the previous decisions of the Committee. Regarding the public comments received, the comments from concerned government departments and the planning assessments above were relevant.

129. Members had no question on the application.

#### Deliberation Session

130. After deliberation, the Committee decided to approve the application, on the terms of the application as submitted to the Town Planning Board (TPB). The permission should be valid until 23.10.2024, 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 drainage proposal to the

satisfaction of the Director of Drainage Services or of the TPB; and

- (b) 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.”

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

#### **Agenda Item 40**

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

[Open Meeting (Presentation and Question Sessions Only)]

A/YL-KTS/858      Renewal of Planning Approval for Temporary Open Storage of Vehicles (Pending Repair and Insurance Compensation) and Spare Parts for a Period of 3 Years in “Agriculture” Zone, Lot 467 RP in D.D. 106, Kam Sheung Road, Kam Tin, Yuen Long  
(RNTPC Paper No. A/YL-KTS/858)

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

132. 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 open storage of vehicles (pending repair and insurance compensation) and spare parts 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 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 further period of three years based on the assessments set out in paragraph 12 of the Paper. The proposed development was considered not incompatible with the surrounding areas. Concerned government departments had no objection to or no adverse comment on the application. The application was generally in line with the Town Planning Board Guidelines No. 13F and No. 34C. There was no change in planning circumstances since the last approval and sympathetic consideration could be given to the current application. To minimise the possible environmental nuisance and address the technical requirements of concerned government departments, appropriate approval conditions were recommended. Regarding the public comments received, the comments from concerned government departments and the planning assessments above were relevant.

133. Members had no question on the application.

#### Deliberation Session

134. After deliberation, the Committee decided to approve the application on a temporary basis for a period of 3 years 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 operation between 6:00 p.m. and 9:00 a.m., as proposed by the applicants, is allowed on the site during the planning approval period;
- (b) no operation on Sundays and public holidays, as proposed by the applicants, is allowed on the site during the planning approval period;
- (c) no medium or heavy goods vehicle exceeding 5.5 tonnes, including container tractors/trailers, as defined in the Road Traffic Ordinance, are

allowed to be stored/parked at or enter/exit the site at any time during the planning approval period;

- (d) no dismantling, maintenance, repairing, cleansing, paint spraying or other workshop activities are allowed on the site at any time during the planning approval period;
- (e) no vehicle is allowed to queue back to or reverse onto/from public road at any time during the planning approval period;
- (f) the stacking height of vehicles and vehicle parts should not exceed the height of the peripheral fence of the site at any time during the planning approval period;
- (g) the existing trees and landscape plantings on the site shall be maintained at all times during the planning approval period;
- (h) the existing drainage facilities on the site shall be maintained at all times during the planning approval period;
- (i) the submission of a record of the existing drainage facilities on the site within 3 months from the date of commencement of the renewed planning approval to the satisfaction of the Director of Drainage Services or of the TPB by 1.2.2021;
- (j) the existing fire service installations implemented on the site shall be maintained in efficient working order at all times during the planning approval period;
- (k) if any of the above planning condition (a), (b), (c), (d), (e), (f), (g), (h) or (j) is not complied with during the planning approval period, the approval hereby given shall cease to have effect and shall be revoked immediately without further notice;

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

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

### **Agenda Item 41**

#### **Section 16 Application**

[Open Meeting (Presentation and Question Sessions Only)]

A/YL-MP/299            Renewal of Planning Approval for Temporary Restaurant for a Period of 3 Years in “Open Space” Zone, Lots 5, 6, 7A, 7 RP, 8 RP, 9 RP and 10 in D.D. 101, Mai Po, Yuen Long  
(RNTPC Paper No. A/YL-MP/299)

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

136. Ms Alice Y.Y. Cheung, TP/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 restaurant 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 objecting to/raising concern on the application were received. Major views were set out in paragraph 11 of the Paper; and

- (e) the Planning Department (PlanD)'s views – PlanD considered that the temporary use could be tolerated for a further period of three years based on the assessments set out in paragraph 12 of the Paper. The temporary restaurant was considered not incompatible with the surrounding land uses and could provide catering services to the nearby residents and workers. The application was in line with the Town Planning Board Guidelines No. 34C. There was no major change in planning circumstances since the last approval. Concerned government departments had no objection to or no adverse comment on the application. To mitigate any potential environmental impacts and address the technical requirements of concerned government departments, appropriate approval conditions were recommended. Regarding the public comments received, the comments from concerned government departments and the planning assessments above were relevant.

137. Members had no question on the application.

#### Deliberation Session

138. After deliberation, the Committee decided to approve the application on a temporary basis for a period of 3 years, and be renewed from 8.11.2020 to 7.11.2023, on the terms of the application as submitted to the Town Planning Board (TPB) and subject to the following conditions :

- “(a) no operation between 12:00 a.m. and 7:00 a.m., as proposed by the applicant, is allowed on the site during the planning approval period;
- (b) no vehicle without valid licence issued under the Road Traffic Ordinance is allowed to be parked/stored on the site at any time during the planning approval period;
- (c) no medium or heavy goods vehicle (i.e. exceeding 5.5 tonnes) including container trailer/tractor as defined in the Road Traffic Ordinance is allowed

to be parked/stored on the site at any time during the planning approval period;

- (d) no vehicle is allowed to queue back to or reverse onto/from the site at any time during the planning approval period;
- (e) the paving and boundary fencing on the site shall be maintained at all times during the planning approval period;
- (f) the existing drainage facilities on the site shall be maintained at all times during the planning approval period;
- (g) the existing fire service installations implemented on the site shall be maintained in efficient working order at all times during the planning approval period;
- (h) if any of the above planning conditions (a), (b), (c), (d), (e), (f) or (g) is not complied with during the planning approval period, the approval hereby given shall cease to have effect and shall be revoked immediately without further notice; and
- (i) 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.”

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

**Agenda Item 42**

**Section 16 Application**

[Open Meeting]

A/YL-NSW/274 Proposed Residential (Flat) and Community Hub (Shop and Services, Eating Place, School, Place of Recreation, Sports or Culture and Public Transport Terminus) Development in “Undetermined” Zone, Lots 592 S.C ss.1 S.A, 592 S.C ss.4 and 1252 S.C in D.D. 115, Tung Shing Lei, Yuen Long  
(RNTPC Paper No. A/YL-NSW/274A)

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140. The Secretary reported that the application was submitted by Richduty Development Limited, which was an affiliate company of Sun Hung Kai Properties Limited (SHK). Llewelyn-Davies Hong Kong Limited (LD), Archiplus International (HK) Limited (Archiplus), AECOM Asia Company Limited (AECOM) and Ove Arup & Partners Hong Kong Limited (ARUP) were four 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;
- Dr Conrad T.C. Wong - having current business dealings with SHK;
- Mr K.K. Cheung - his firm having current business dealings with SHK, Archiplus and ARUP;
- Dr C.H. Hau - having past business dealings with AECOM; and
- Mr Ricky W.Y. Yu - having past business dealings with LD.

141. The Committee noted that the applicant had requested deferment of consideration of the application and Mr Ricky W.Y. Yu had tendered an apology for being unable to attend the meeting and Miss Winnie W.M. Ng had already left the meeting. As the interest of Dr Conrad T.C. Wong was direct, the Committee agreed that he could stay in the meeting but should refrain from participating in the discussion. As Mr. K.K. Cheung and Dr C.H. Hau had no involvement in the application, the Committee agreed that they could stay in the

meeting.

142. The Committee noted that the applicant's representative requested on 15.10.2020 deferment of consideration of the application for two months in order to allow more 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 in response to departmental comments.

143. 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 43**

#### **Section 16 Application**

[Open Meeting (Presentation and Question Sessions Only)]

A/YL-NSW/281 Proposed Temporary Transitional Housing and Ancillary Uses for a Period of 3 Years with Filling of Land and Excavation of Land in "Other Specified Uses" annotated "Comprehensive Development to include Wetland Restoration Area" Zone, Lots 1212 S.B RP (Part) and 1212 S.C ss.3 RP in D.D.115 and adjoining Government Land in Tung Tau, Yuen Long  
(RNTPC Paper No. A/YL-NSW/281)

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144. The Secretary reported that AECOM Asia Co. Limited (AECOM) was one of the consultants of the applicant. Dr C.H. Hau had declared an interest on the item for having

past business dealings with AECOM. As Dr C.H. Hau had no involvement in the application, the Committee agreed that he could stay in the meeting.

#### Presentation and Question Sessions

145. With the aid of a PowerPoint presentation, Ms Winnie B.Y. Lau, DPO/FSYLE, presented the application and covered the following aspects as detailed in the Paper :

- (a) background to the application;
- (b) the proposed temporary transitional housing and ancillary uses for a period of three years with filling of land and excavation of land;
- (c) departmental comments were set out in paragraph 10 of the Paper;
- (d) during the first three weeks of the statutory publication periods, a total of 244 public comments were received, including 201 supporting comments from the Shap Pat Heung Rural Committee Chairman, principals of some local schools, president/representatives of some local organizations (including Women's International Guild, The Urban Peacemaker Evangelistic Fellowship Ltd. and Sheng Kung Hui St. Joseph's Church) and individuals, and 43 objecting comments from six green groups (viz. Green Sense, Hong Kong Bird Watching Society, World Wide Fund for Nature Hong Kong, Kadoorie Farm & Botanic Garden Corporation, the Conservancy Association and Hong Kong Wild Bird Conservation Concern Group), Indigenous Inhabitant Representative of Shan Pui Tsuen, Village Representatives of Shap Pat Heung Sai Pin Wai and individuals. Major views were set out in paragraph 11 of the Paper; and
- (e) the Planning Department (PlanD)'s views – PlanD had no objection to the application based on the assessments set out in paragraph 12 of the Paper. Although the proposed development was not entirely in line with the planning intention of the “Other Specified Uses” annotated “Comprehensive Development to include Wetland Restoration Area”

(“OU(CDWRA)”) zone, the application site (the Site) did not involve any wetland or habitat of high ecological value. The proposed development was in line with the government policy to increase the supply of transitional housing and the approval of the application on a temporary basis would not jeopardise the long-term planning intention for the area. The Secretary for Transport and Housing supported the application and confirmed that in-principle policy support had been given to the applicant for the proposed transitional housing project. The proposed development was considered not incompatible with the surrounding area. The Director of Agriculture, Fisheries and Conservation considered that the proposed development would not violate the “no-net-loss in wetland” principle under the Town Planning Board Guidelines No.12C and adverse ecological impact caused by the proposed development was unlikely. Other concerned government departments had no objection to or no adverse comment on the application. Regarding the public comments received, the Transport and Housing Bureau (THB) was proactively identifying other suitable sites for transitional housing and was in consultation with the relevant bureaux and departments. The comments from concerned government departments and the planning assessments above were also relevant.

146. Some Members raised the following questions:
- (a) whether the permission on a temporary basis for three years was adequate for the implementation and operation of the transitional housing development and whether renewal of planning permission was necessary;
  - (b) details of the section 12A rezoning application submitted by another applicant covering the Site and the differences between the current application and the rezoning application;
  - (c) whether there was any area requirement for wetland restoration in the “OU(CDWRA)” zone;
  - (d) whether the rezoning application was required to observe the requirement

of providing a wetland restoration and/or creation scheme as set out in the Notes of the “OU(CDWRA)” zone; and

- (e) whether the planning intention of the “OU(CDWRA)” zone would be affected if the Site was used for transitional housing for a long period.

147. In response, Ms Winnie B.Y. Lau, DPO/FSYLE, made the following main points:

- (a) the applicant had an agreement with the current land owner to use the Site for transitional housing for eight years, and the applicant would need to renew the temporary permission, should the current application be approved by the Board, to continue the operation of the transitional housing for up to eight years;
- (b) the current application, which only included part of the “OU(CDWRA)” zone, was for temporary transitional housing development for three years. There was currently no wetland within the Site. There was provision for planning permission to be granted on a temporary basis for three years, notwithstanding that the relevant restrictions under the Notes of the OZP, including the plot ratio restriction and compensation of wetland were not complied with. The rezoning application (No. Y/YL-NSW/6) submitted by another applicant was for rezoning of the whole “OU(CDWRA)” zone (more than 10 ha) to “OU(CDWRA)1” zone with a much higher development intensity. The rezoning application had been circulated for departmental comments and would be submitted to the Committee for consideration in due course. As per the planning statement of the rezoning application, the applicant of the rezoning application was one of the land owners of some sites in the “OU(CDWRA)” zone while the land owner of the current application site had submitted objection to the rezoning application. Even if the rezoning application was approved, the proposed residential development would remain as Column 2 use of the “OU(CDWRA)1” zone and planning permission from the Committee was still required;

- (c) there was no specific area requirement for wetland restoration under the Notes of the “OU(CDWRA)” zone. Advice would be sought from relevant government departments, including the Agriculture, Fisheries and Conservation Department, on the wetland restoration and compensation proposal;
- (d) although the applicant of the proposed development in the rezoning application did not need to observe the requirement of providing a wetland restoration and/or creation scheme which would only be required under section 16 application should the rezoning application be approved, the applicant had indeed provided a wetland restoration scheme to support the rezoning application; and
- (e) the applicant would need to sign an agreement with THB on the use of the Site for transitional housing and the tenure would be governed by the agreement. It was not THB’s policy intention for continuing transitional housing as a long-term use.

#### Deliberation Session

148. The Chairman remarked that whilst the long-term planning intention of the “OU(CDWRA)” was yet to be realized, there was provision under the Notes of the approved Nam Sang Wai Outline Zoning Plan for application for temporary use not exceeding three years. The current application was for transitional housing development at the Site which did not involve any wetland or habitat of high ecological value. Members generally agreed that the temporary application should be approved as the proposed development had strong social benefits and was in line with the government policy of providing transitional housing. Any renewal application for the temporary transitional housing upon the expiry of the subject planning permission would need to be considered based on the planning circumstances at that time.

149. Having noted that no car parking spaces were proposed within the development, a Member suggested that bicycle parking facilities could be provided within the development

to facilitate cycling by the future residents. Members agreed that relevant approval condition would be included to facilitate the provision of such facilities.

150. After deliberation, the Committee decided to approve the application on a temporary basis for a period of 3 years until 23.10.2023, on the terms of the application as submitted to the Town Planning Board (TPB) and subject to the following conditions :

- “(a) no vehicle is allowed to queue back to or reverse onto/from the site at any time during the planning approval period;
- (b) the submission of a run-in/out proposal at Shan Pui Road within 6 months from the date of planning approval to the satisfaction of the Director of Highways and the Commissioner for Transport or of the TPB by 23.4.2021;
- (c) in relation to (b) above, the implementation of the run-in/out proposal at Shan Pui Road within 9 months from the date of planning approval to the satisfaction of the Director of Highways and the Commissioner for Transport or of the TPB by 23.7.2021;
- (d) the provision of bicycle parking facilities to the satisfaction of the Commissioner for Transport or of the TPB;
- (e) the submission of a revised landscape proposal within 6 months from the date of planning approval to the satisfaction of the Director of Planning or of the TPB by 23.4.2021;
- (f) in relation to (e) above, the implementation of the revised landscape proposal within 9 months from the date of planning approval to the satisfaction of the Director of Planning or of the TPB by 23.7.2021;
- (g) the submission of a revised drainage impact assessment within 6 months from the date of planning approval to the satisfaction of the Director of Drainage Services or of the TPB by 23.4.2021;

- (h) in relation to (g) above, the implementation of the revised drainage proposal within 9 months from the date of planning approval to the satisfaction of the Director of Drainage Services or of the TPB by 23.7.2021;
- (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 23.4.2021;
- (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 23.7.2021;
- (k) if any of the above planning conditions (a) and (d) is not complied with during the planning approval period, the approval hereby given shall cease to have effect and shall be revoked immediately without further notice; and
- (l) if any of the above planning conditions (b), (c), (e), (f), (g), (h), (i) and (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.”

151. 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 Winnie B.Y. Lau, DPO/FSYLE, Ms S.H. Lam, Mr Patrick M.Y. Fung, Ms Ivy C.W. Wong, STPs/FSYLE, Ms Alice Y.Y. Cheung and Ms Cherry C.H. Yuen, TPs/FSYLE, for their attendance to answer Members’ enquiries. They left the meeting at this point.]

**Tuen Mun and Yuen Long West District**

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

**Agenda Item 44**

**Section 16 Application**

[Open Meeting]

A/TM-LTY Y/393 Proposed Temporary Public Vehicle Park (Private Car) and Electric Vehicle Charging Station for a Period of 3 Years in “Village Type Development” Zone, Lot 3689 RP in D.D. 124 and Adjoining Government Land, Sun Fung Wai, Lam Tei, Tuen Mun  
(RNTPC Paper No. A/TM-LTY Y/393B)

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152. The Committee noted that the applicant requested on 5.10.2020 deferment of consideration of the application for two months in order to allow more time for preparation of further information to address departmental comments. It was the third time that the applicant requested deferment of the application. Since the last deferment, the applicant had submitted further information providing responses to departmental comments.

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

**Agenda Item 45**

**Section 16 Application**

[Open Meeting (Presentation and Question Sessions Only)]

A/TM-LTY Y/404 Proposed Temporary Wholesale Trade with Ancillary Storage for a Period of 3 Years in “Residential (Group D)” Zone, Lot 2339 (Part) in D.D. 130, Lam Tei, Tuen Mun  
(RNTPC Paper No. A/TM-LTY Y/404)

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**Presentation and Question Sessions**

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

- (a) background to the application;
- (b) the proposed temporary wholesale trade with ancillary storage 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 public comments from individuals objecting to the application were received. Major views were set out in paragraph 10 of the Paper; and
- (e) the Planning Department (PlanD)’s views – PlanD considered that the proposed temporary use could be tolerated for a period of three years based on the assessments set out in paragraph 11 of the Paper. Although the applied use was not entirely in line with the planning intention of the “Residential (Group D)” (“R(D)”) zone, the applied use could provide wholesale trade service to meet any such demand in the area and there was no known development programme of the application site, approval of the application on a temporary basis for a period of three years would not jeopardise the long-term planning intention of the “R(D)” zone. The

applied use was not incompatible with the surrounding land uses. Concerned government departments had no objection to or no adverse comment on the application. To minimise the possible environmental nuisance and address the technical requirements of concerned government departments, appropriate approval conditions were recommended. Regarding the public comments received, the comments from concerned government departments and the planning assessments above were relevant.

[Mr Stephen L.H. Liu left the meeting during the presentation session.]

155. Members had no question on the application.

#### Deliberation Session

156. After deliberation, the Committee decided to approve the application on a temporary basis for a period of 3 years until 23.10.2023, 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 9:00 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 as defined in the Road Traffic Ordinance is allowed to enter/exit the site, as proposed by the applicant, at any time during the planning approval period;
- (d) the submission of a run-in/out proposal at the access point of Shun Tat Street within 6 months from the date of planning approval to the satisfaction of the Commissioner for Transport and the Director of Highways or of the TPB by 23.4.2021;

- (e) in relation to (d) above, the implementation of the run-in/out proposal at the access point of Shun Tat Street within 9 months from the date of planning approval to the satisfaction of the Commissioner for Transport and the Director of Highways or of the TPB by 23.7.2021;
- (f) the submission of a drainage proposal within 6 months from the date of the planning approval to the satisfaction of the Director of Drainage Services or of the TPB by 23.4.2021;
- (g) in relation to (f) above, the implementation of the drainage proposal within 9 months from the date of the planning approval to the satisfaction of the Director of Drainage Services or of the TPB by 23.7.2021;
- (h) in relation to (g) above, the implemented drainage facilities 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 23.4.2021;
- (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 23.7.2021;
- (k) if any of the above planning conditions (a), (b), (c) or (h) is not complied with during the planning approval period, the approval hereby given shall cease to have effect and shall be revoked immediately without further notice; and
- (l) if any of the above planning conditions (d), (e), (f), (g), (i) or (j) is not complied with by the specified date, the approval hereby given shall cease to have effect and shall on the same date be revoked without further notice.”

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

**Agenda Item 46**

**Section 16 Application**

[Open Meeting]

A/TSW/72 Proposed 'Flat' and Permitted Commercial Development with Minor Relaxation of Gross Floor Area Restriction in "Commercial" Zone, Tin Shui Wai Town Lot No.4  
(RNTPC Paper No. A/TSW/72B)

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158. The Secretary reported that the application was submitted by Harbour Plaza Resort City Limited, which was a subsidiary of CK Hutchison Holdings Limited (CKHH). Mr K.K. Cheung had declared an interest on the item as his firm had current business dealings with CKHH. The Committee noted that the applicant had requested deferment of consideration of the application. As Mr K.K. Cheung had no involvement in the application, the Committee agreed that he could stay in the meeting.

159. The Committee noted that the applicant requested on 19.10.2020 deferment of consideration of the application for two months in order to allow more time for preparation of further information to address departmental and public comments. It was the third time that the applicant requested deferment of the application. Since the last deferment, the applicant had submitted further information including revised technical assessments and responses to departmental comments.

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

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

**Agenda Item 47**

**Section 16 Application**

[Open Meeting (Presentation and Question Sessions Only)]

A/YL-LFS/371 Proposed Filling and Excavation of Land for 12 Permitted Houses (New Territories Exempted Houses - Small Houses) Use in “Village Type Development” Zone, Lots 1135 S.A ss.1, 1135 S.A ss.2, 1135 S.A ss.3, 1135 S.A ss.4, 1135 S.A ss.5, 1135 S.A ss.6, 1135 S.A ss.7, 1135 S.A ss.8, 1135 S.A ss.9, 1135 S.A RP, 1135 S.B (Part), 1135 S.C RP (Part), 1135 S.D, 1135 S.E, 1135 S.F, 1135 RP (Part) and 1136 in D.D. 129, Mong Tseng Tsuen, Lau Fau Shan, Yuen Long  
(RNTPC Paper No. A/YL-LFS/371)

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**Presentation and Question Sessions**

161. 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 filling and excavation of land for twelve permitted houses (New Territories Exempted Houses(NTEH) - Small Houses) use;
- (c) departmental comments were set out in paragraph 10 of the Paper;
- (d) during the first three weeks of the statutory publication period, seven public comments from a member of Yuen Long District Council, villagers and individuals 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 had no objection to the application based on the assessments set out in paragraph 12 of the Paper. The proposed filling and excavation of land for 12 permitted NTEH was in line with the planning intention of the “Village Type Development” (“V”) zone. The application was considered not in contravention with the Town Planning Board Guidelines No. 12C. Concerned government departments had no objection to or no adverse comment on the application. To address the concern of the Drainage Services Department, appropriate approval conditions were recommended. There were three similar approved applications for pond filling for NTEHs within the same “V” zone and approval of the application was in line with the previous decisions of the Committee. Regarding the public comments received, the comments from concerned government departments and the planning assessments above were relevant.

162. In response to a Member's remarked that the name of the indigenous villagers for the concerned Small House were not available, Ms Bonnie K.C. Lee, STP/TMYLW, pointed out that Small House use was always permitted in the “V” zone and the current application was for proposed filling and excavation of land for the permitted house use. As this area in the North West New Territories was prone to flooding, planning permission from the Town Planning Board was required for any filling of land/pond or excavation of land, including that to effect a change of use to any of those specified in Column 1.

#### Deliberation Session

163. Members noted that there was no drainage concern with regard to the proposed filling and excavation of land.

164. 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 23.10.2024, 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 of a drainage proposal before commencement of land filling and excavation works on the site and the issue of any certificate of exemption by the Lands Department to the satisfaction of the Director of Drainage Services or of the TPB;
- (b) the implementation of the drainage proposal including flood mitigation measures identified therein upon completion of the land filling and excavation works on the site to the satisfaction of the Director of Drainage Services or of the TPB; and
- (c) if any of the above planning conditions (a) or (b) is not complied with, the approval hereby given shall cease to have effect and shall be revoked immediately without further notice.”

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

#### **Agenda Item 48**

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

[Open Meeting (Presentation and Question Sessions Only)]

A/YL-TYST/1025 Temporary Warehouse for Storage of Vehicle Parts for a Period of 3 Years in “Undetermined” Zone, Lot 1231 S.B ss.1 (Part) in D.D. 119, Pak Sha Tsuen, Yuen Long  
(RNTPC Paper No. A/YL-TYST/1025A)

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

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

- (a) background to the application;
- (b) the temporary warehouse for storage of vehicle parts 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 from an individual mainly raising concern on the application was received. Major views were set out in paragraph 10 of the Paper; and
- (e) the Planning Department (PlanD)'s views – PlanD considered that the temporary use could be tolerated for a period of three years based on the assessments set out in paragraph 11 of the Paper. The proposal was not in conflict with the planning intention of the “Undetermined” (“U”) zone which was intended for open storage use and approval of the application on a temporary basis for a period of three years would not jeopardise the long-term planning intention of the area. The development was generally not incompatible with the surrounding land uses. Concerned government departments had no objection to or no adverse comment on the application. To minimise the possible environmental nuisance and address the technical requirements of concerned government departments, appropriate approval conditions were recommended. There were 74 similar approved applications within the “U” zone and approval of the application was generally in line with the previous decisions of the Committee. Regarding the public comment received, the comments from concerned government departments and the planning assessments above were relevant.

167. Members had no question on the application.

#### Deliberation Session

168. After deliberation, the Committee decided to approve the application on a temporary basis for a period of 3 years until 23.10.2023, on the terms of the application as submitted to the Town Planning Board (TPB) and subject to the following conditions :

- “(a) no operation between 4:00 p.m. and 11:00 a.m., as proposed by the

applicant, is allowed on the site during the planning approval period;

- (b) no operation on Saturdays, Sundays and public holidays, as proposed by the applicant, is allowed on the site during the planning approval period;
- (c) no vehicle repairing activities, as proposed by the applicant, will be carried out on the site at any time during the planning approval period;
- (d) no vehicle is allowed to enter/park at the site, as proposed by the applicant, at any time during the planning approval period;
- (e) the submission of a drainage proposal within 6 months from the date of planning approval to the satisfaction of the Director of Drainage Services or of the TPB by 23.4.2021;
- (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 23.7.2021;
- (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 23.4.2021;
- (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 23.7.2021;
- (j) if any of the above planning conditions (a), (b), (c), (d) or (g) is not complied with during the planning approval period, the approval hereby given shall cease to have effect and shall be revoked immediately without further notice; and

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

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

### **Agenda Item 49**

#### **Section 16 Application**

[Open Meeting (Presentation and Question Sessions Only)]

A/YL-TYST/1048 Renewal of Planning Approval for Temporary Open Storage of Metal Goods with Ancillary Warehouse for a Period of 3 Years in “Other Specified Uses” annotated “Sewage Treatment Works” Zone, Lots 776 (Part), 1878 (Part), 1879(A)&1879(B) (Part), 1943 (Part), 1944 (Part) and 1945 (Part) in D.D. 117 and Adjoining Government Land, Kung Um Road, Yuen Long  
(RNTPC Paper No. A/YL-TYST/1048)

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

170. 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 renewal of planning approval for temporary open storage of metal goods with ancillary 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 were received from individuals, including one objecting to the

application and one providing opinion on the proposal. 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 further period of three years based on the assessments set out in paragraph 12 of the Paper. Although the development was not in line with the planning intention of the “Other Specified Uses” annotated “Sewage Treatment Works” (“OU(STW)”) zone, the application site (the Site) was not expected to be resumed within the next three years for the Yuen Long South Development, and approval of the application on a temporary basis for a period of three years would not jeopardise the long-term planning intention of the Site. The development was generally not incompatible with the surrounding land uses and was generally in line with the Town Planning Board Guidelines No. 13F and No. 34C. Concerned government departments had no objection to or no adverse comment on the application. To address the local concerns and technical requirements of concerned government departments, appropriate approval conditions were recommended. Regarding the public comments received, the comments from concerned government departments and the planning assessments above were relevant.

171. Members had no question on the application.

#### Deliberation Session

172. After deliberation, the Committee decided to approve the application on a temporary basis for a period of 3 years and be renewed from 25.11.2020 to 24.11.2023, on the terms of the application as submitted to the Town Planning Board (TPB) and subject to the following conditions :

- “(a) no operation between 6:00 p.m. and 8:00 a.m., as proposed by the applicant, is allowed on the site during the planning approval period;
- (b) no operation on Sundays and public holidays, as proposed by the applicant,

is allowed on the site during the planning approval period;

- (c) no dismantling, repairing, cleansing, paint-spraying, other workshop activities and storage/handling (including loading and unloading) of used electrical appliances, computer/electronic parts or electronic waste, as proposed by the applicant, are allowed on the site at any time during the planning approval period;
- (d) 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;
- (e) no vehicle is allowed to queue back to or reverse onto/from public road at any time during the planning approval period;
- (f) the existing boundary fencing on the site shall be maintained at all times during the planning approval period;
- (g) the existing trees within the site shall be maintained at all times during the planning approval period;
- (h) the existing drainage facilities on the site shall be maintained at all times during the planning approval period;
- (i) the submission of a condition record of the existing drainage facilities on the site within 3 months from the date of commencement of the renewed planning approval to the satisfaction of the Director of Drainage Services or of the TPB by 25.2.2021;
- (j) the existing fire service installations implemented on the site should be maintained in efficient working order at all times during the planning approval period;

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

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

### **Agenda Item 50**

#### **Section 16 Application**

[Open Meeting (Presentation and Question Sessions Only)]

A/HSK/251                      Renewal of Planning Approval for Temporary Open Storage of Construction Materials and Construction Equipment for a Period of 3 Years in “Commercial (1)” Zone and area shown as ‘Road’, Various Lots in D.D. 124, Ping Shan, Yuen Long  
(RNTPC Paper No. A/HSK/251)

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174. The Secretary reported that the application was submitted by Team Harvest Limited, which was a subsidiary of Sun Hung Kai Properties Limited (SHK). 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;
- Dr Conrad T.C. Wong                      -     having current business dealings with SHK; and
- Mr K.K. Cheung                              -     his firm having current business dealings with SHK.

175. The Committee noted Miss Winnie W.M. Ng had already left the meeting. As the interest of Dr Conrad T.C. Wong was direct, the Committee agreed that he should be invited to leave the meeting temporarily for the item. As Mr. K.K. Cheung had no involvement in the application, the Committee agreed that he could stay in the meeting.

[Dr Conrad T.C. Wong left the meeting at this point.]

### Presentation and Question Sessions

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

- (a) background to the application;
- (b) the renewal of planning approval for temporary open storage of construction materials and construction equipment 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 objecting to the application 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 further period of three years based on the assessments set out in paragraph 12 of the Paper. Although the development was not entirely in line with the planning intention of the “Commercial(1)” (“C(1)”) zone, the implementation programme of this part of the New Development Area was still being formulated, approval of the application on a temporary basis for a period of three years would not jeopardise the long-term planning intention of the area. The development was not incompatible with the surrounding land uses and was generally in

line with the Town Planning Board Guidelines No. 13F and No. 34C. Concerned government departments had no objection to or no adverse comment on the application. To address the possible environmental nuisances or technical requirements of concerned government departments, appropriate approval conditions were recommended. Regarding the public comment received, the comments from concerned government departments and the planning assessments above were relevant.

177. Members had no question on the application.

#### Deliberation Session

178. After deliberation, the Committee decided to approve the application on a temporary basis for a period of 3 years and be renewed from 15.11.2020 to 14.11.2023, on the terms of the application as submitted to the Town Planning Board (TPB) and subject to the following conditions :

- “(a) no operation between 6:00 p.m. and 8:00 a.m. from Mondays to Saturdays, as proposed by the applicant, is allowed on the site during the planning approval period;
- (b) no operation on Sundays or public holidays, as proposed by the applicant, is allowed on the site during the planning approval period;
- (c) no cutting, dismantling or other workshop activity is allowed on the site during the planning approval period;
- (d) only medium goods vehicles not exceeding 24 tonnes, as defined under the Road Traffic Ordinance, are allowed to enter/be parked on the site, as proposed by the applicant, at all times during the planning approval period;
- (e) no vehicle is allowed to queue back to or reverse onto/from public road at all times during the planning approval period;

- (f) all existing trees and plantings within the site shall be maintained at all times during the planning approval period;
- (g) the existing boundary fencing on the site shall be maintained at all times during the planning approval period;
- (h) the existing drainage facilities on the site shall be maintained at all times during the planning approval period;
- (i) the submission of a condition record of the existing drainage facilities within 3 months from the date of commencement of the renewed planning approval to the satisfaction of the Director of Drainage Services or of the TPB by 15.2.2021;
- (j) the provision of fire extinguisher(s) and the submission of a valid fire certificate (FS251) within 6 weeks from the date of commencement of the renewed planning approval to the satisfaction of the Director of Fire Services or of the TPB by 27.12.2020;
- (k) the submission of a fire service installations proposal within 6 months from the date of commencement of the renewed planning approval to the satisfaction of the Director of Fire Services or of the TPB by 15.5.2021;
- (l) in relation to (k) above, the implementation of the fire service installations proposal within 9 months from the date of commencement of the renewed planning approval to the satisfaction of the Director of Fire Services or of the TPB by 15.8.2021;
- (m) if any of the above planning conditions (a), (b), (c), (d), (e), (f), (g) or (h) is not complied with during the planning approval period, the approval hereby given shall cease to have effect and shall be revoked immediately without further notice; and
- (n) if any of the above planning conditions (i), (j), (k) or (l) is not complied

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

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

### **Agenda Item 51**

#### **Section 16 Application**

[Open Meeting (Presentation and Question Sessions Only)]

A/TM/552 Proposed Shop and Services (Retail Shop) in “Other Specified Uses” annotated “Pier” and “Open Space” Zones, Shops 01-02, Level 1 (Main Deck), Tuen Mun Ferry Pier, Tuen Mun  
(RNTPC Paper No. A/TM/552)

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

180. With the aid of a PowerPoint presentation, Ms Janet K.K. Cheung, STP/TMYLW, presented the application and covered the following aspects as detailed in the Paper :

- (a) background to the application;
- (b) the proposed shop and services (retail shop);
- (c) departmental comments were set out in paragraph 8 of the Paper;
- (d) during the first three weeks of the statutory publication period, two public comments were received, including a supporting comment from a Tuen Mun District Council member and a comment from an individual indicating no comment on the application. Major views were set out in paragraph 9 of the Paper; and
- (e) the Planning Department (PlanD)’s views – PlanD had no objection to the application based on the assessments set out in paragraph 10 of the Paper.

The premises mainly fell within an area zoned “Other Specified Uses” annotated “Pier” which was intended for provision of pier where commercial uses serving the patrons might be permitted. Similar planning approvals were given for shop and services uses at different parts of the pier. The premises was considered small in scale and not incompatible with the pier use, and it would provide convenient services to ferry passengers and visitors. Concerned government departments had no objection to or no adverse comment on the application. Regarding the public comment received, it was considered that the type of commodities sold in the proposed shops was a commercial decision.

181. Members had no question on the application.

#### Deliberation Session

182. 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 23.10.2024, and after the said date, the permission should cease to have effect unless before the said date, the development permitted was commenced or the permission was renewed. The permission was subject to the following condition :

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

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

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

**Agenda Item 52**

Any Other Business

Section 16A Application

[Open Meeting]

A/ST/964-6                      Application for Extension of Time for Compliance with Planning Conditions, Portion of Workshop F9, LG/F, Wah Lok Industrial Centre Phase 2, 31-35 Shan Mei Street, Sha Tin, New Territories

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184.            The Secretary reported that the application was approved with conditions by the Committee on 16.11.2018. The deadline for compliance with approval condition (a) was 16.10.2020. An application for extension of time for compliance with approval condition (a) for two months up till 16.12.2020 was received by the Town Planning Board on 15.10.2020, which was only one working day before the expiry of the specified time limit for the approval condition (a). It was recommended not to consider the application as the deadline for compliance with condition (a) had already expired on 17.10.2020, and the planning approval for the subject application had ceased to have effect and had on the same date been revoked. The Committee could not consider the section 16A application as the planning permission was no longer valid at the time of consideration.

185.            After deliberation, the Committee agreed not to consider the section 16A application as the planning permission was no longer valid at the time of consideration.

186.            There being no other business, the meeting was closed at 6:00 p.m..