

TOWN PLANNING BOARD

Minutes of 548th Meeting of the Rural and New Town Planning Committee held at 2:30 p.m. on 8.1.2016

Present

Director of Planning
Mr K.K. Ling

Chairman

Professor S.C. Wong

Vice-chairman

Professor Eddie C.M. Hui

Dr C.P. Lau

Ms Anita W.T. Ma

Dr W.K. Yau

Professor K.C. Chau

Mr Ivan C.S. Fu

Mr Lincoln L.H. Huang

Ms Janice W.M. Lai

Ms Christina M. Lee

Mr H.F. Leung

Mr F.C. Chan

Mr Peter K.T. Yuen

Mr Philip S.L. Kan

Chief Traffic Engineer/New Territories East,
Transport Department
Mr K.C. Siu

Chief Engineer (Works), Home Affairs Department
Mr Martin W.C. Kwan

Principal Environmental Protection Officer (Strategic Assessment),
Environmental Protection Department
Mr Terence S.W. Tsang

Assistant Director/Regional 3,
Lands Department
Mr Edwin W.K. Chan

Deputy Director of Planning/District
Mr Raymond K.W. Lee

Secretary

Absent with Apologies

Mr David Y.T. Lui

In Attendance

Assistant Director of Planning/Board
Miss Fiona S.Y. Lung

Chief Town Planner/Town Planning Board
Ms Lily Y.M. Yam

Town Planner/Town Planning Board
Ms Winnie W.Y. Leung

Agenda Item 1

Confirmation of the Draft Minutes of the 547th RNTPC Meeting held on 18.12.2015

[Open Meeting]

1. The draft minutes of the 547th RNTPC meeting held on 18.12.2015 were confirmed without amendments.

Agenda Item 2

Matters Arising

[Open Meeting]

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

Fanling, Sheung Shui and Yuen Long East District

Agenda Item 3

Section 12A Application

[Open Meeting (Presentation and Question Sessions only)]

Y/YL-NSW/3 Application for Amendment to the Approved Nam Sang Wai
Outline Zoning Plan No. S/YL-NSW/8, To rezone the application site
from “Open Storage” to “Commercial”, Lot 1743 S.C RP (Part) in D.D.
107 to the south of Wing Kei Tsuen, Yuen Long
(RNTPC Paper No. Y/YL-NSW/3C)

3. The Secretary reported that the application was submitted by Bright Strong Limited which was a subsidiary of Sun Hung Kai Properties Limited (SHK) with AECOM Asia Company Limited (AECOM), AGC Design Limited (AGC), Ramboll Environ Hong Kong Limited (Environ) and Urbis Limited (Urbis) as four of the consultants of the applicant. The following Members had declared interests on the item:

- Mr Ivan C.S. Fu]
] having current business dealings with SHK,
] AECOM, AGC, Environ and Urbis
Ms Janice W.M. Lai]
- Professor S.C. Wong - having current business dealings with
(the Vice-chairman) AECOM; and being the Chair Professor and
Head of Department of Civil Engineering of
the University of Hong Kong where SHK and
AECOM have sponsored some activities of
the Department before
- Ms Christina M. Lee - being the Secretary-General of the Hong
Kong Metropolitan Sports Event Association
that had obtained sponsorship from SHK
before
- Dr W.K. Yau - being the operation agent of a community
building lighting and energy improvement
project which had obtained sponsorship from
SHK before

4. The Committee noted that Professor Wong had no involvement in the application and agreed that he could stay in the meeting. The Committee also noted that Mr Fu, Ms Lai, Ms Lee and Dr Yau had not yet arrived at the meeting.

Presentation and Question Sessions

5. The following representatives from the Government and representatives of the applicant were invited to the meeting at this point:

- Ms Maggie M.Y. Chin - District Planning Officer/Fanling, Sheung
Shui and Yuen Long East (DPO/FSYLE),
Planning Department (PlanD)

Mr K.T. Ng	-	Senior Town Planner/Fanling, Sheung Shui and Yuen Long East (STP/FSYLE), PlanD
Ms Eva Y.W. Yau	-	Nature Conservation Officer (Yuen Long), Agriculture, Fisheries and Conservation Department (AFCD)
Mr Dickson Hui]	
Ms Winnie Wu]	
Miss Vivian Wan]	
Mr Ryan Kwok]	Applicant's Representatives
Mr Calvin Chiu]	
Mr Felix Wo]	
Mr Ken Wong]	
Mr Paul Leader]	

6. The Chairman extended a welcome and explained the procedure of the hearing. He then invited Mr K.T. Ng, STP/FSYLE, to brief Members on the background of the application. With the aid of a PowerPoint presentation, Mr Ng presented the application and covered the following aspects as detailed in the Paper :

The Proposal

- (a) the applicant proposed to rezone the application site (the site) from “Open Storage” (“OS”) to “Commercial” (“C”) on the approved Nam Sang Wai Outline Zoning Plan (OZP) No. S/YL-NSW/8 to facilitate a proposed shopping mall cum 700-room hotel development. The applicant also proposed a set of Notes for the “C” zone in which ‘Shop and Services’, ‘Hotel’ and ‘Eating Place’ would be under Column 1 that were uses always permitted;
- (b) the site area was about 38,593m². Based on the applicant’s indicative development proposal, the proposed shopping mall cum hotel development was subject to a plot ratio (PR) of not more than 1.5, a total non-domestic gross floor area of not more than 57,890m² and a maximum building height

(BH) of about 46mPD. The development consisted of two hotel building blocks at the eastern portion of the site with varying BHs between 6 to 8 storeys over a 2-storey retail podium. Five blocks of single-storey specially designed structure for retail use were also proposed above the 2-storey podium. Basement parking was proposed;

Background

- (c) the site was currently paved and used as a temporary container storage yard (under application No. A/YL-NSW/234) which was approved by the Committee on 6.2.2015;

Departmental Comments

- (d) the Director of Environmental Protection (DEP) did not support the application. The site fell within Wetland Buffer Area (WBA). According to Town Planning Board Guidelines No. 12C on 'Application for Developments within Deep Bay Area' (TPB PG-No. 12C), the assessment study should demonstrate that the development would not cause net increase in pollution load to Deep Bay. The applicant had yet to demonstrate that the proposed on-site sewage treatment plant could meet the "no net increase in pollution load to Deep Bay" principle and comply with TPB PG-No. 12C;
- (e) the Chief Engineer/Mainland North, Drainage Services Department reserved his further comment on the proposal as the submitted revised Drainage Impact Assessment (DIA) report was not yet satisfactory;
- (f) the Chief Town Planner/Urban Design and Landscape (CTP/UD&L), PlanD had some reservations on the application from landscape planning perspective. The proposed development was not fully compatible with the existing rural landscape character. There was also doubt on the feasibility of the tree preservation proposal and adverse landscape impact was anticipated;

- (g) the Director of Agriculture, Fisheries and Conservation had reservation on the application from the ecological perspective. Increasing development intensity and/or BH in WBA was undesirable from ecological perspective as it might introduce higher level of disturbance to WBA and further degrade its buffering function to the Wetland Conservation Area (WCA). The proposed development was not in line with the land use concept and development guidelines in Deep Bay area as stipulated in TPB PG-No. 12C. Approving the application would result in precedent case for encouraging other similar large-scale medium-rise development in the subject rural area that might have adverse cumulative effects on the buffer function of WBA for protecting the ecological integrity of fishponds/wetlands in WCA;
- (h) other relevant government departments had no objection to or no adverse comment on the application;

Public Comments

- (i) during the first three weeks of the statutory public inspection periods, a total of 3,270 public comments were received, including 329 supporting comments and 2,940 objecting comments/concerns on the application;
- (j) among the 329 supporting comments, one was submitted by the Chairman of the Kam Tin Rural Committee and 328 were submitted by private individuals. The major views included that the development was compatible with the surrounding environment; it would increase job opportunities and utilise land resources effectively; and it would meet the demand from tourists/local residents and relieve the burden of hotel services in other areas;
- (k) the 2,940 objecting comments/concerns were submitted by the Chairman of the San Tin Rural Committee, 7 green/concern groups and 2,659 private individuals. The major views included that the construction works/development would create pollution and would increase the overall

disturbance to the nearby residents and ecological habitats; the proposed development was not in line with the TPB PG-No. 12C; the density/height/scale of the proposed development was unacceptable; the noise impact and human disturbances during the construction and operation phase of the development would deteriorate the habitat quality of the egret; the cumulative impacts on the WCA had not been addressed; and it would set an undesirable precedent for other developments within WBA;

- (l) the District Officer (Yuen Long) had not received any comment from the village representatives in the vicinity; and

PlanD's Views

- (m) PlanD did not support the application based on the assessments made in paragraph 12 of the Paper, which were summarised as follows :
 - (i) the proposed rezoning to facilitate hotel cum retail use was not in line with the TPB PG-No.12C in that the increase of development intensity and/or building bulk was not desirable from an ecological perspective which would expect to introduce more frequent traffic flow and human activities to the Deep Bay area;
 - (ii) the applicant failed to demonstrate that the proposed development would not result in adverse ecological, sewerage, drainage, and landscape impact on the surrounding area; and
 - (iii) approval of the rezoning application would set an undesirable precedent for other rezoning applications within WBA, which might have adverse cumulative effects on the buffer function of WBA for protecting the ecological integrity of fishponds/wetlands in WCA.

7. The Chairman then invited the applicant's representatives to elaborate on the application. Ms Winnie Wu drew Members' attention that during the submission of further information in May 2015, the applicant had further proposed to rezone the site to "C(1)" (i.e.

a sub-zone of “C”) under which ‘Hotel’, ‘Shop and Services’ and ‘Eating Place’ were Column 2 uses which would require planning permission from the Town Planning Board (the Board). Upon approval of the rezoning application, the applicant would submit a section 16 application for the proposed shopping mall cum hotel development.

8. With the aid of a PowerPoint presentation, Ms Wu made the following main points :

Site Context

- (a) the area was adjacent to a number of highways, including the Tsing Long Highway and San Tin Highway, and the Northern Link;
- (b) the site context was unique as it was the only “OS” zone within WBA;
- (c) the site was abutting on an “Industrial (Group D)” (“I(D)”) zone which was currently occupied by a soy sauce factory. The factory was still in operation and the operator had no intention to cease the operation;
- (d) the site was characterised by stacks of containers spreading all over the site with heavy goods vehicles traffic. Given that the site was highly disturbed, it could not perform a buffer function in WBA;
- (e) the site in itself was a source of nuisance in WBA. According to the Notes of the “OS” zone, ‘Cargo Handling and Forwarding Facility’, ‘Open Storage (not elsewhere specified)’, ‘Rural Workshop’, ‘Vehicle Repair Workshop’, ‘Warehouse (excluding Dangerous Goods Godown)’ were Column 1 uses which were always permitted. Even worse, the more polluting uses such as ‘Cement Manufacturing’, ‘Concrete Batching Plant’ and ‘Dangerous Goods Godown’ were Column 2 uses that might be permitted with or without conditions on application to the Board. The “OS” zone was contradictory to the intention of WBA which was to remove open storage use;

The Proposed Scheme

- (f) there was an urgency to rezone the “OS”. According to TPB PG-No.12C, an appropriate level of residential/recreational development could be considered so as to provide an incentive to remove the open storage use. However, residential development at the site was not possible given that there was an existing soy sauce factory locating immediately next to the site and industrial/residential (I/R) interface problem was expected. A previous section 12A application to rezone the site for residential development was rejected by the Committee in 2003;
- (g) it was considered that commercial use, i.e. shopping mall cum hotel, would be compatible with the surrounding context given that the proposed development would be centrally air-conditioned and most of the human activities would be confined to the indoor areas;
- (h) the layout of the proposed development had been carefully designed with respect to the surrounding context. Given that there was an existing meander and the Kam Tin River to the west of the site, a stepped BH profile was proposed with taller buildings locating at the eastern side of the site while lower buildings were located at the western side. A rendering of the indicative layout demonstrated that the proposed development would blend in well with the surrounding area;
- (i) there was already a residential development, i.e. Park Vista, on the opposite side of the Tsing Long Highway;

Responses to PlanD’s Views

- (j) the applicant would like to respond to the rejection reasons as stated in paragraph 13.1 of the Paper. Firstly, PlanD stated that the proposed development would introduce more frequent traffic flow and human activities to the Deep Bay area. In fact, the site was a brownfield site in WBA and was currently occupied by open storage use. Comparing the

existing open storage use to the proposed shopping mall cum hotel development, the existing use generated much higher traffic flow of heavy goods vehicles moving all around the site. As it was an open-yard site, emission and noise from the heavy good vehicles brought direct adverse impacts on the adjacent habitat. For the proposed development, the site layout and building disposition had been carefully designed in order to confine the internal traffic flow to the eastern part of the site. There were two proposed ingress/egress along Castle Peak Road and the internal roads would serve as Emergency Vehicular Access (EVA) only. Basement carparks were also proposed to minimise at-grade traffic. It was expected that traffic flow of heavy goods vehicles would reduce and thus, reducing direct impact on the adjacent habitat;

- (k) secondly, PlanD stated that the applicant failed to demonstrate that the proposed development would not result in adverse ecological, sewerage, drainage and landscape impact on the surrounding area. Ecologically, the existing open storage activities which operated up to the edge of the existing meander had generated direct adverse impacts on the adjacent habitat. On the contrary, the proposed development would allow a buffer distance of 20m between the podium edge and the meander in order to reduce adverse impact on the meander. According to the bird survey conducted by the consultant, the site did not fall within the flight path of the birds. On sewerage aspect, sewage currently generated from the existing open storage use was untreated. Having discussed with the Environmental Protection Department (EPD), the applicant now proposed that sewage generated from the proposed development would be discharged to the Sha Po Sewage Pumping Station (SPS) instead of building an on-site sewage treatment plant as proposed previously. For drainage, the site had already been hard paved and there would be no increase in surface run-off after development. The proposed development would provide proper drainage system for discharge of surface run-off. From landscape perspective, according to the tree survey, there were some existing trees at the periphery but they were only unmanaged common trees of fair to poor condition with low amenity value. The proposed development would

introduce extensive greening, including green roofs, to enhance the overall amenity of the site;

[Ms Christina M. Lee arrived to join the meeting at this point.]

- (l) lastly, PlanD stated that approval of the rezoning application would set an undesirable precedent. It should be clarified that the application would not set a precedent as the site was the only “OS” zone in WBA. Besides, in view of the degraded environment, the site served no buffer function to WBA and it should be rezoned to encourage removal of the existing open storage use. Given that there were other residential developments with similar development intensity within WBA, the proposed development intensity for the site was considered reasonable;

Conclusion

- (m) the site was a brownfield site. In considering the rezoning application, adverse impacts generated by the existing open storage activities should be considered for comparison with that of the proposed development. The existing open storage activities had already degraded the environment in WBA and did not provide buffer function for WBA. The site should be rezoned immediately based on its unique setting and own merits. Given no intention of the operator of the adjacent soy sauce factory to cease operation, and no residential use would be allowed at the site; commercial use could allow immediate redevelopment of the site. The suggested “C(1)” zoning with a maximum plot ratio of 1.5 would provide enough incentives to encourage the replacement of the existing open storage use and ensure planning control by the Committee through Section 16 application. The technical comments on various aspects including sewerage, drainage and tree preservation had been resolved and details on ecological mitigation measures could be provided in the Section 16 application stage; and

- (n) it was the Committee's choice to retain the 4 ha open storage on site or to allow a commercial development which could remove the existing nuisance and provide buffer function for WBA with its extensive greenery.

9. As the presentation of the applicant's representative was completed, the Chairman invited questions from Members.

Planning History

10. In response to a Member's question, Ms Maggie M.Y. Chin, DPO/FSYLE, said that the designation of WCA and WBA could be traced back to the promulgation of the TPB PG-No.12B in 1999. After the completion of the 'Study on the Ecological Value of Fish Ponds in the Deep Bay Area', it was established that the fish pond system was fundamentally linked with the Mai Po Marshes and was part of the Deep Bay Area wetland ecosystem. To guide the landuse planning control for the Deep Bay Area, all existing continuous and adjoining active/abandoned fish ponds were designated as WCA while a buffer area of about 500m wide along the landward boundary of the WCA was designated as WBA in order to protect the ecological integrity of the WCA. In order to provide incentive to remove the open storage use and/or restore some of the lost fish ponds within WBA, sympathetic consideration by the Board might be given to proposals of residential/recreational developments on an appropriate level, subject to satisfactory ecological and other impact assessments. The Member asked whether the proposed hotel development would require the submission of an Environment Impact Assessment (EIA) under the EIA Ordinance if the rezoning application was approved. In response, Ms Chin said that as advised by EPD, submission under the EIA Ordinance was not required.

11. A Member asked about the scale of the proposed retail use and whether the proposal of rezoning the site to "C(1)" instead of "C" was put forth at a later stage. In response, Mr Dickson Hui said that the scale of the proposed retail use was about 40,000m². Ms Wu said that during the submission of further information in May 2015, the applicant had further proposed to rezone the site to "C(1)".

12. A Member asked about the history of designating the "I(D)" and "OS" zones on the Nam Sang Wai OZP within WBA. In response, Ms Chin said that the soy sauce factory

had come into existence since 1960s well before the Nam Sang Wai Interim Development Permission Area Plan (IDPA) No. IDPA/YL-NSW/1 was gazetted in 1990. In order to reflect the existing use of the soy sauce factory, the concerned site was designated as “I(D)”. As for the site under the application, it was zoned “OS” since the first publication of the Nam Sang Wai IDPA Plan. Given that there was strong demand for open storage use in the 1990s, the site which was located adjacent to Castle Peak Road with high accessibility was thus zoned “OS”.

Sewerage Impact

13. In response to a Member’s question regarding the handling of sewage generated by the proposed shopping mall cum hotel development, Ms Chin said that the applicant had proposed to discharge the sewage to the Nam Sang Wai (NSW) SPS via the Sha Po SPS but DEP advised that NSW SPS had no spare capacity for handling the large amount of sewage to be generated by the proposed development.

14. Ms Wu said that the applicant proposed to discharge the sewage to Sha Po SPS where there was still spare capacity. Mr Ken Wong, the applicant’s sewerage consultant, said that based on the information provided by EPD, the Sha Po SPS was now receiving sewage from only one medium-density residential development and it was estimated that the Sha Po SPS would still have spare capacity even after receiving the sewage discharged from the proposed development.

15. The Chairman asked EPD’s representative whether the applicant’s proposal on the disposal of treated effluent from the proposed development could meet the “no net increase in pollution loads to Deep Bay” principle. In response, Mr Terence S.W. Tsang, Principal Environmental Protection Officer (Strategic Assessment), EPD, said that if the sewage generated by any proposed development could be connected to the public sewage treatment facilities with available spare capacity, it could be considered that the proposed development would not lead to an increase in pollution loads. Mr Tsang further pointed out that the applicant had indicated in the previous submissions regarding the proposal of discharging the sewage to Sha Po SPS. As the sewage generated from the proposed development would be discharged to Sha Po SPS and then pumped to the NSW SPS and treated at the Yuen Long Sewage Treatment Work (STW), the major concern of EPD was the

capacity of NSW SPS.

16. Mr Dickson Hui said that if the Committee agreed to rezone the site to “C(1)”, a section 16 application would be submitted. Upon approval of the section 16 application, an approval condition could be imposed requiring the applicant to properly address the sewerage impact.

17. Another Member asked for confirmation on whether the sewage would still be further discharged to the NSW SPS after reaching Sha Po SPS. In response, Mr Terence S.W. Tsang said that it was not possible for the sewage to be discharged directly to the Yuen Long STW after reaching Sha Po SPS. Mr Ken Wong said that as Sha Po SPS was located in the upstream of NSW SPS, sewage reaching Sha Po SPS would be further discharged to the NSW SPS before reaching the Yuen Long STW. He pointed out that EPD held the assumption that Sha Po SPS was in full capacity and advised that NSW SPS had no spare capacity to cater for the additional sewage from the proposed development. However, Sha Po SPS should have spare capacity to handle the sewage discharged by the proposed development as it was now receiving sewage from only one medium-density residential development.

Glare Impact

18. In response to the Chairman’s question regarding the glare impact, Mr Dickson Hui said that mitigation measures on glare impact could be proposed later during the section 16 application stage and approval condition to minimise glare impact could be imposed upon approval of the Section 16 application. Mr Calvin Chiu, the applicant’s environmental consultant, said that tinted glass screen could be adopted for the external walls of the hotel buildings in order to reduce glare impact.

Ecological and Environmental Impacts

19. The Chairman asked Ms Eva Y.W. Yau, Nature Conservation Officer (Yuen Long), AFCD, to compare the existing open storage use and the proposed development in terms of ecological and environmental impacts. In response, Ms Yau said that off-site impact was the major concern as the site was located adjacent to Kam Tin River and a

meander. When comparing the existing open storage use and the proposed development in terms of ecological and environmental impacts, it was crucial to identify their differences in terms of source of disturbance. The source of disturbance for the existing open storage use was mainly the heavy goods vehicles. However, those vehicles usually access the site for loading and unloading of goods and then leave the site. As for the proposed shopping mall cum hotel development, the sources of disturbance included both the vehicles and visitors. The proposed development would definitely generate more frequent traffic and human activities within the site and also outside the site as the visitors' activities might spill over to the nearby area. It was recognized that the existing open storage use at the site and other sites in Deep Bay area had generated disturbance to the ecology. According to TPB PG-No. 12C, for those degraded areas within WBA, an appropriate level of residential/recreational development that was compatible with the surrounding land uses could be considered in order to provide incentive to remove the open storage use.

20. The Chairman further asked Ms Eva Y.W. Yau whether the applicant's proposal had any merits or what more should be done to increase the environmental benefits of the scheme. In response, Ms Yau said that she noted that the proposed layout scheme had been designed with a view to minimizing off-site impacts. However, she could not compare the change of disturbance level or merit of the applicant's proposal with the existing condition as she had no information on the existing traffic flow generated by the existing open storage use.

21. The Chairman asked the applicant's representatives whether there were information on the existing traffic flow generated by the open storage activities. In response, Mr Dickson Hui said that there were about 300 vehicles per hour (during peak hours) entering and leaving the site for the existing open storage use. As for the proposed development, it was estimated that there would be about 450 vehicles per hour (during peak hours) entering and leaving the site. Despite the fact that the proposed development would generate more traffic, with better traffic management, the impact would be relatively lower as compared to the existing traffic at the site. Moreover, the comparison should not simply base on the number of vehicles and visitors, the noise impact and air pollution should also be taken into consideration. The site was currently occupied by a large number of container stackers and the operation noise generated by the open storage activities was very annoying. On the other hand, the proposed shopping mall cum hotel would generate relatively less impact as the visitors' activities would be mostly confined to the indoor areas.

Impacts Arising from BH Increase

22. A Member asked AFCD's representative whether there would be impacts generated by the proposed increase in BH. In response, Ms Eva Y.W. Yau said that, in general, tall buildings would induce various impacts on the wetland. Firstly, the flight lines of birds would be affected but in the subject case, the impact was not expected to be significant as the applicant's bird survey revealed that not many birds flew across the site. As for glare impact, taller buildings would generate more sources of impact which might affect different light-sensitive species such as owls and fireflies and also result in higher risk of bird collision. Furthermore, large waterbirds would avoid using open areas adjacent to large-scale developments with substantial scale of artificial structures.

23. Mr Paul Leader, the applicant's ecological consultant, said that the site was already highly disturbed and had no ecological value. The number of birds was low at the site and many of them were disturbance-tolerant species. Compared to the movement of cranes of the existing open storage which was considered more disturbing, the movement of people generated by the proposed development would not be significant, thus resulting in less disturbance to the birds. Taking Lok Ma Chau as an example, there were still a large number of birds despite the fact that human activities were frequent at the Lok Ma Chau control point. Compared to the existing open storage, the proposed development served as a better or least disturbing option.

Other Issues

24. Regarding the justifications from the applicant, a Member asked why the proposed scheme could contribute to the housing supply in the short term and whether the proposed development was to cater for the shopping needs of Hong Kong people only. In response, Mr Dickson Hui said the contribution to the housing supply by the proposed development was a typographical error. Besides, Mr Hui clarified that the proposed development was to cater for the shopping needs of both Hong Kong people and mainland tourists.

25. In response to a Member's query, Ms Winnie Wu said that the proposed eating place and shop and services uses would be accommodated within the podium of the development.

26. Mr Edwin W.K. Chan, Assistant Director/Regional 3, Lands Department, said that a portion of the site was subject to the Shek Kong Airfield Height Restriction and asked whether the currently proposed scheme would result in any non-compliance to the height restriction. In response, Mr Dickson Hui said that based on preliminary assessment, the currently proposed scheme would comply with the height restriction. He reiterated that if the Committee agreed to rezone the site to "C(1)", more detailed assessment would be carried out and the consultant would liaise with relevant government departments if necessary in order to refine the scheme during submission of the section 16 application.

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

Deliberation Session

28. A Member, with reference to the site photos in the Paper, casted doubts on the vehicular traffic that would be generated by the proposed development. As compared to the vehicular traffic induced by the existing open storage, it was considered that the proposed development would generate more frequent vehicular traffic and human activities as the shopping mall would attract a large number of visitors other than just the hotel guests.

29. Another Member considered that the proposed development would induce adverse impacts, such as glare and landscape impacts, on the WBA and would affect the buffer function of WBA for protecting the ecological integrity. Besides, as the applicant had not proposed any enhancement/restoration measures for the site and/or its surrounding areas, the proposed development had no additional value/planning merits that warranted favourable consideration by the Committee. Despite the fact that the site was the only "OS"

zone within WBA, approval of the application might set an undesirable precedent for similar developments within the WBA in the future which the Committee was unable to foresee at the moment.

30. As the planning circumstances of the area had already changed, the Chairman considered that the rezoning application might provide an option for the Committee to consider whether to perpetuate the existing open storage use or allow a change that might bring enhancement to the environment through the planning mechanism.

31. A Member raised concern on the various impacts induced by the existing open storage. As the container stackers used diesel, the burning of diesel created odour. Besides, the open storage activities including the stacking of containers and frequent vehicular movement created serious noise problem. Moreover, the stack heights usually reached 6 to 7 containers which were visually unpleasant. Given that the “OS” and “I(D)” zones simply reflected the existing uses and the planning circumstances of the area had changed, the Member supported the rezoning application as it would introduce an alternative use that could be controlled by the Committee through the planning mechanism and remove the unwanted open storage use. The proposed development was justifiable as significant human activities were currently found at the west of the site as well as other areas within WBA such as the Yuen Long Industrial Estate and two land sale sites for residential development near the Wetland Park. The site which was located at the edge of the WBA should warrant the same consideration. In fact, within the WBA, there was a residential development with over 1,000 houses, i.e. the Fairview Park, where both human activities and vehicular traffic were significant. Considering that there was a strong demand for hotel accommodation in the North West New Territories, the proposed development would be able to meet such demand.

32. Two Members raised concern on the appropriateness of the proposed development scale though they considered the proposed development having more merits than the existing open storage. The proposed maximum BH of 10 storeys was considered rather high when compared to the surrounding area and the scheme should be revised with a view to reducing the development scale. Notwithstanding, the Committee noted that there were two “Comprehensive Development Area” (“CDA”) sites, with PR of 1.5 and BH of 10 storeys, locating adjacent to the Wetland Park and application for comprehensive residential

and commercial development at one of the sites had been approved with conditions by the Committee in November 2015.

33. A Member raised concern on where the existing containers would be relocated if the site had to be cleared up for the proposed development. The Member suggested that the Government could centralise the open storage uses by relocating them to logistics parks and vacate the brownfield sites for other uses. In response, the Chairman said that the planning and engineering studies on Hung Shui Kiu and Yuen Long South had involved a large number of open storage sites and there was intention to consolidate them in specified locations.

34. Members generally considered that there were issues to be addressed and more information/clarification from the applicant would be required to demonstrate that the proposed development would not induce adverse impacts particularly on sewerage aspect. Mr Terence S.W. Tsang said that EPD had doubts about the sewerage impact assessment report as the applicant had assumed a design population of only 587 for the proposed 700-room hotel.

35. After deliberation, the Committee decided to defer a decision on the application, pending submission of further information by the applicant to demonstrate that the proposed development would not induce adverse impacts particularly on sewerage aspect. The Committee also requested PlanD to provide information on the scale of similar developments in the area for the Committee's consideration.

[Ms Anita W.T. Ma and Ms Janice W.M. Lai arrived to join the meeting at this point.]

Tuen Mun and Yuen Long West District

Agenda Item 4

Section 12A Application

[Open Meeting (Presentation and Question Sessions only)]

Y/YL-TYST/6 Application for Amendment to the Approved Tong Yan San Tsuen Outline Zoning Plan No. S/YL-TYST/10, To rezone the application site from “Government, Institution or Community” to “Residential (Group B) 1”, Lots 533 S.C (Part), 542 (Part), 543 RP (Part), 544 (Part) and 1944 (Part) in D.D.121, Tong Yan San Tsuen, Yuen Long
(RNTPC Paper No. Y/YL-TYST/6C)

36. The Secretary reported that the application was submitted by Realray Investment Limited which was a subsidiary of New World Development Company Limited. Mr Ivan C.S. Fu and Ms Janice W.M. Lai had declared interests on the item as they had current business dealings with New World Development Company Limited. The Committee noted that the interest of Ms Lai was direct and agreed that she should leave the meeting temporarily for the item. The Committee also noted that Mr Fu had not yet arrived at the meeting.

[Ms Janice W.M. Lai left the meeting temporarily at this point.]

Presentation and Question Sessions

37. The following representatives from the Government and representatives of the applicant were invited to the meeting at this point:

Mr David C.M. Lam - District Planning Officer/Tuen Mun and Yuen Long West (DPO/TMYLW), Planning Department (PlanD)

Miss Karmin Tong - Senior Town Planner/Tuen Mun and Yuen Long West (STP/TMYLW), PlanD

Mr P.K. Chung

- Applicant's representative

38. The Chairman extended a welcome and explained the procedure of the hearing. He then invited Mr David C.M. Lam, DPO/TMYLW, to brief Members on the background of the application. With the aid of a PowerPoint presentation, Mr Lam presented the application and covered the following aspects as detailed in the Paper :

The Proposal

- (a) the applicant proposed to rezone the application site (the site) from "Government, Institution or Community" ("G/IC") zone to "Residential (Group B)1" ("R(B)1") zone subject to the same development restrictions of the "R(B)1" zone under the prevailing Tong Yan San Tsuen Outline Zoning Plan (OZP) (i.e. maximum plot ratio of 1, maximum site coverage of 40% and maximum building height of 4 storeys over a single-storey car park (15m)) for low-density residential development;
- (b) the site comprised 2 portions (northern and southern portions) and was part of a larger "G/IC" zone which covered an existing Taoist Temple known as Kam Lan Koon (KLK) (金蘭觀);
- (c) the site and the adjoining private land parcels within the concerned "R(B)1" zone were owned by the applicant. To facilitate a comprehensive low-density residential development with a more efficient layout design, the applicant intended to develop the site with the adjoining land parcels;

Departmental Comments

- (d) departmental comments were set out in paragraph 9 of the Paper. The Chief Town Planner/Urban Design and Landscape, Planning Department (CTP/UD&L, PlanD) had reservation on the rezoning application from landscape planning perspective as approval of the application might set an undesirable precedent to encourage other applicants to modify their sites

before submitting applications. There was no tree survey to ascertain the value of the existing trees and no tree preservation/protection measures provided in support of the application. There was also no landscaping mitigation measure proposed to alleviate the adverse impacts arising from the development. Other relevant government departments had no objection to or no adverse comment on the application;

Public Consultation

- (e) during the first three weeks of the statutory public inspection periods, a total of 7 objecting public comments were received from a Yuen Long District Council member, Designing Hong Kong Limited and individuals. The commenters objected to the rezoning application mainly on the grounds that the site was not suitable for residential development as it was in close proximity to an existing temple; the site should be reserved for Government, institution and community (GIC) use; the proposed rezoning was in conflict with the planning intention of the “G/IC” zone; there was insufficient information to demonstrate that the future development would not cause adverse traffic impacts nor affect the safety of road users; there was no assessment on the traffic and landscape aspects; there was no strong justification for the proposed development and there was no public gain to support the rezoning; approval of the application would set an undesirable precedent; and KLK should be preserved and allowed to continue its operation;
- (f) the District Officer (Yuen Long) had not received any comment from the locals on the application; and

PlanD’s View

- (g) PlanD had no objection to the application based on the assessments set out in paragraph 11 of the Paper, which were summarised as follows:

- (i) rezoning the site from “G/IC” to “R(B)1” zone for residential development would not adversely affect KLK in the “G/IC” zone or affect the provision of GIC facilities in the area;
- (ii) rezoning of the site to “R(B)1” zone was generally compatible with the residential character of the surrounding areas and the proposed development intensity, which was the same as the development restrictions for “R(B)1” zone under the OZP, would also be in keeping with the surrounding residential developments as well as the adjoining GIC use. The rezoning of the site to “R(B)1” would ultimately form an integral part of the larger residential zone in the area;
- (iii) relevant government departments had no objection to or no adverse comment on the application; and
- (iv) a similar rezoning application (No. Y/YL-TYST/5) for rezoning an area to the northeast of the site from “G/IC” and “R(B)” to “R(B)1” on the OZP for facilitating a residential development was agreed by the Committee on 17.4.2015. Approval of the application was in line with the Committee’s previous decision.

39. The Chairman then invited the applicant’s representative to elaborate on the application. Mr P.K. Chung said that the justifications from the applicant had been incorporated into the Paper and he had no supplementary point to raise. He also said that PlanD’s view of having no objection to the application was noted. He hoped that Members would agree to the rezoning application.

40. The Chairman asked whether the site fell within the study area of the ‘Planning and Engineering Study for Housing Sites in Yuen Long South – Investigation’ (the Yuen Long South Study). In response, Mr David C.M. Lam, DPO/TMYLW, said that the site fell within the study area of the Study and it had been identified for residential development.

41. The Chairman asked the applicant's representative about the intended development programme of the proposed residential development and reminded him that flat/residential institution was a Column 2 use under the "G/IC" zone and the applicant could submit a section 16 application for planning permission to expedite the proposed residential development. In response, Mr P.K. Chung said that the applicant had applied to Lands Department for a land exchange in 2013. As the site was only about 4% to 5% of the entire development site, the applicant had concern that the land exchange process would be bounded by the approved scheme if a section 16 planning application for the proposed residential development was approved.

42. The Chairman remarked that even if the rezoning application was agreed by the Committee, gazetting of the zoning amendments to the Tong Yan San Tsuen OZP would only be made pending completion of the Yuen Long South Study. He asked the applicant to consider whether the submission of a section 16 application for the proposed residential development might expedite the development process. Mr P.K. Chung said that he would relay the Chairman's remarks to the applicant.

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

Deliberation Session

44. Members generally had no objection to the rezoning application and noted the Chairman's remark about the possible timing for amendments to the Tong Yan San Tsuen OZP with regard to the progress of the Yuen Long South Study.

45. After deliberation, the Committee decided to agree to the application, and the relevant proposed amendments to the Approved Tong Yan San Tsuen Outline Zoning Plan No. S/YL-TYST/10 would be submitted to the Committee for agreement prior to gazetting under section 5 of the Town Planning Ordinance.

[The meeting was adjourned for a 5-minute break.]

[Mr Ivan C.S. Fu and Mr Martin W.C. Kwan arrived to join the meeting at this point.]

[Ms Janice W.M. Lai returned to join the meeting and Mr Lincoln L.H. Huang and Mr Philip S.L. Kan left the meeting temporarily at this point.]

Sai Kung and Islands District

Agenda Item 5

Section 12A Application

[Open Meeting]

Y/SK-CWBS/4 Application for Amendment to the Approved Clear Water Bay Peninsula South Outline Zoning Plan No. S/SK-CWBS/2, To rezone the application site from “Conservation Area” to “Other Specified Uses” annotated “Sewage Treatment Plant”, Government Land in D.D. 241, Po Toi O, Sai Kung
(RNTPC Paper No. Y/SK-CWBS/4)

46. The Secretary reported that the application was submitted by the Drainage Services Department (DSD). The following Members had declared interests on the item:

- | | |
|---------------------|--|
| Professor S.C. Wong | - being the Chair Professor and Head of Department of Civil Engineering of the University of Hong Kong and his colleague had current business dealings with DSD |
| Ms Janice W.M. Lai | - having current business dealings with DSD |

47. As the applicant had requested for a deferral of consideration of the application, the Committee agreed that Professor Wong and Ms Lai could stay in the meeting, but Ms Lai should refrain from the discussion.

48. The Committee noted that the applicant requested on 31.12.2015 for deferment of the consideration of the application for two months in order to allow time for preparation of further information to address the departmental comments. It was the third time that the applicant requested for deferment of the application.

49. 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 further information. Since it was the third deferment of the application and a total of five months had been allowed, no further deferment would be granted unless under very special circumstances.

Agenda Item 6

Section 16 Application

[Open Meeting]

A/SK-HC/252

Temporary Place of Recreation for a Period of 5 Years in "Green Belt" and "Village Type Development" zones, Lots 865 RP, 868 RP, 871, 872, 873, 874, 875 RP & 876 RP in D.D. 244 and adjoining Government Land, Ho Chung, Sai Kung
(RNTPC Paper No. A/SK-HC/252)

50. The Committee noted that the applicant requested on 28.12.2015 for deferment of the consideration of the application for two months in order to allow time for preparation of

further information to address the comments of the Commissioner for Transport. It was the first time that the applicant requested for deferment of the application.

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

[Mr William W.T. Wong and Mrs Alice K.F. Mak, Senior Town Planners/Sai Kung and Islands (STPs/SKIs), were invited to the meeting at this point.]

Agenda Items 7 and 8

Section 16 Applications

[Open Meeting (Presentation and Question Sessions Only)]

A/SK-HC/254 Proposed House (New Territories Exempted House - Small House) in "Agriculture" zone, Lot 374 RP (Part) in D.D. 244 and adjoining Government Land, Ho Chung, Sai Kung
(RNTPC Paper No. A/SK-HC/254 and 255)

A/SK-HC/255 Proposed House (New Territories Exempted House - Small House) in "Agriculture" zone, Lot 374 S.B (Part) in D.D. 244 and adjoining Government Land, Ho Chung, Sai Kung
(RNTPC Paper No. A/SK-HC/254 and 255)

52. As the two applications were similar in nature (New Territories Exempted Houses (NTEHs) – Small Houses) and the application sites were located close to each other

within the same “Agriculture” (AGR) zone, the Committee agreed that the two applications could be considered together.

Presentation and Question Sessions

53. Mr William W.T. Wong, STP/SKIs, presented the applications and covered the following aspects as detailed in the Paper :

- (a) background to the applications;
- (b) proposed houses (NTEHs – Small Houses) at each of the sites;
- (c) departmental comments – departmental comments were set out in paragraph 9 and Appendix IV of the Papers. The Commissioner for Transport (C for T) had reservation on the applications as such type of developments should be confined within the “Village Type Development” (“V”) zone as far as possible. The Director of Agriculture, Fisheries and Conservation (DAFC) did not support the applications from agricultural development point of view. Although the subject sites were paved, there were active agricultural activities in the vicinity and the sites were considered to possess high potential for agricultural rehabilitation. Other relevant departments had no objection to or no adverse comment on the applications;
- (d) during the first three weeks of the statutory publication period, three public comments were received from Kadoorie Farm & Botanic Garden Corporation, Designing Hong Kong Limited and an individual. They raised objection to the applications mainly on the grounds that it was doubtful the use was an authorised one as the application sites had been paved; agricultural land should not be used for Small House development; the proposed developments were not in line with the planning intention of the “AGR” zone; the area was unsuitable for septic tanks and soakaway facilities; approval of the applications would increase the traffic and parking burden at the village and nearby areas; and the proposed

development would create adverse impacts during construction stage;

- (e) District Officer (Sai Kung) advised that no local objection had been received relating to the applications; and

[Mr Lincoln L.H. Huang returned to join the meeting at this point.]

- (f) 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. The applications complied with the Interim Criteria for Consideration of application for NTEH/Small House in the New Territories in that the sites and the footprints of the proposed Small Houses fell entirely within the village 'environ' of Ho Chung and there was a general shortage of land in meeting Small House development in the "V" zone. The proposed Small Houses would not result in adverse drainage, landscape and environmental impacts on the surrounding areas. Although DAFC did not support the application from agricultural point of view, there was no farming activity at the sites. The vicinity was already occupied by Small Houses previously approved by the Committee and the proposed Small Houses were not incompatible with the character of the surrounding areas. Regarding the public comments, 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 8.1.2020, and after the said date, the permission should cease to have effect unless before the said date, the development permitted was commenced or the permission was renewed. Each of the permissions was subject to the following condition :

- “ the provision of septic tank, as proposed by the applicant, at a location to the satisfaction of the Director of Lands or of the TPB.”

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

Agenda Item 9

Section 16 Application

[Open Meeting]

A/SK-TMT/52 Proposed Filling of land for Permitted Agricultural Use in “Green Belt” zone, Lots No. 402, 403, 409S.A(Part), 410, 411, 427 and 430RP (Part) in D.D 216, Long Keng, Sai Kung
(RNTPC Paper No. A/SK-TMT/52)

57. The Committee noted that the applicant’s representative requested on 21.12.2015 for deferment of the consideration of the application for two months in order to allow time for preparation of further information to address the comments of relevant government departments. It was the first time that the applicant requested for deferment of the application.

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

Agenda Item 10

Section 16 Application

[Open Meeting]

A/SK-TMT/53 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/53)

59. The Committee noted that the applicant’s representative requested on 21.12.2015 for deferment of the consideration of the application for two months in order to allow time for preparation of further information to address the comments of relevant government departments. It was the first time that the applicant requested for deferment of the application.

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

[Dr C.P. Lau left the meeting temporarily at this point.]

Agenda Item 11

Section 16 Application

[Open Meeting]

A/TKO/101 Proposed Low-Density Residential Development in “Green Belt” zone,
Lot 453RP (Part) in D.D.401 and Adjoining Government Land, Po
Lam Road, Tseung Kwan O
(RNTPC Paper No. A/TKO/101)

61. The Secretary reported that the application was submitted by Fortune Board Limited with Urbis Limited (Urbis) as one of the consultants of the applicant. The following Members had declared interests on the item:

Mr Ivan C.S. Fu]
] having current business dealings with Urbis
Ms Janice W.M. Lai]

62. As the applicant had requested for a deferral of consideration of the application and Mr Fu and Ms Lai had no involvement in the application, the Committee agreed that they could stay in the meeting.

63. The Committee noted that the applicant’s agent requested on 14.12.2015 for deferment of the consideration of the application for two months in order to allow time for preparation of further information to address the further comments of relevant government departments. It was the second time that the applicant requested for deferment of the application.

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

applicant that a maximum period of two months were allowed for preparation of the submission of further information. Since it was the second deferment of the application and a total of four months had been allowed, no further deferment would be granted unless under very special circumstances.

[Mr Philip S.L. Kan returned to join the meeting at this point.]

Agenda Item 12

Section 16 Application

[Open Meeting (Presentation and Question Sessions Only)]

A/TKO/103 Proposed House (Private Garden ancillary to House) in “Green Belt”
zone, Government Land adjoining Lot 357 in D.D. 224, Hang Hau
Road, Tseung Kwan O
(RNTPC Paper No. A/TKO/103)

Presentation and Question Sessions

65. Mrs Alice K.F. Mak, STP/SKIs, presented the application and covered the following aspects as detailed in the Paper :

- (a) background to the application;
- (b) proposed house (private garden ancillary to house);
- (c) departmental comments – departmental comments were set out in paragraph 9 of the Paper. Relevant government departments had no objection to or no adverse comment on the application;
- (d) during the first three weeks of the statutory publication period, one public comment from an individual was received objecting to the application on the grounds that it was an exclusive use of government land (GL) by private individual; and approval of the application would set an undesirable

precedent and encourage other private lot owners to acquire public assets. Besides, the District Officer (Sai Kung) had not received any comment from the public; 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. There was a general presumption against development within the “Green Belt” (“GB”) zone and there was no strong justification provided in the submission for a departure from the planning intention. The site was a piece of GL falling within “GB” zone and there was no exceptional circumstance or strong planning justification for the applicants to utilize that piece of GL for their sole enjoyment as a private garden. Approval of the application would set an undesirable precedent for other similar applications for private garden use.

66. In response to the Chairman's question, Ms Alice K.F. Mak, STP/SKIs, said that the slope on which the private garden was proposed was maintained by the Government. However, she had no current information on which department was responsible for the slope maintenance.

67. A Member asked about the ways to access to the site and why the proposed private garden required planning permission. In response, Ms Alice K.F. Mak said that there were two ways to access to the site, one way was from Hang Hau Road and went down public stairs, and the other way was to use the footpath to the south of the site and via the nearby nullah. Ms Mak also said that since the proposed private garden was an ancillary use to a Column 2 use, i.e. House, planning permission was required.

Deliberation Session

68. A Member considered that the site was not easily accessible to the public, and the proposed garden use would result in better maintenance of the site.

69. The Chairman requested PlanD to ask the relevant government department to better take care the amenity planting of the site.

70. 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 in the “GB” zone and the applicants fail to provide strong planning justification in the submission for a departure from the planning intention;
- (b) the proposed development does not meet the Town Planning Board Guidelines No.10 for ‘Application for Development within “GB” Zone’ in that there are no exceptional circumstances to justify the application; and
- (c) approval of the application would set an undesirable precedent for other similar development proposals within the “GB” zone.”

[The Chairman thanked Mr William W.T. Wong and Mrs Alice K.F. Mak, STPs/SKIs, for their attendance to answer Members’ enquiries. Mr Wong and Mrs Mak left the meeting at this point.]

Sha Tin, Tai Po and North District

Agenda Items 13 and 14

Section 16 Applications

[Open Meeting]

A/DPA/NE-TT/61 Proposed House (New Territories Exempted House - Small House) in 'Unspecified Use' Area, Lot 483 S.A ss.1 in D.D. 289, Ko Tong, Tai Po
(RNTPC Paper No. A/DPA/NE-TT/61 and 62)

A/DPA/NE-TT/62 Proposed House (New Territories Exempted House - Small House) in 'Unspecified Use' Area, Lot 483 RP in D.D. 289, Ko Tong, Tai Po
(RNTPC Paper No. A/DPA/NE-TT/61 and 62)

71. As the two applications were similar in nature (New Territories Exempted Houses – Small Houses) and the application sites were close to each other within the same “Unspecified Use” Area, the Committee agreed that the two applications could be considered together.

72. The Committee noted that the applicants’ representative requested on 9.12.2015 for deferment of the consideration of the applications for two months in order to allow time for preparation of further information to address the comments of relevant government departments. It was the third time that the applicants requested for deferment of the application.

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

submitted further information since the last deferment, a total of six months had been allowed, this was the last deferment and no further deferment would be granted.

Agenda Item 15

Section 16 Application

[Open Meeting]

A/DPA/NE-TT/63 Proposed House (New Territories Exempted House - Small House) in
'Unspecified Use' Area, Lot 476 S.B ss.2 in D.D. 289, Ko Tong, Tai
Po
(RNTPC Paper No. A/DPA/NE-TT/63)

74. The Committee noted that the applicants' representative requested on 9.12.2015 for deferment of the consideration of the application for two months in order to allow time for preparation of further information to address the comments and concerns of relevant government departments. It was the third time that the applicant requested for deferment of the application.

75. 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 further information. Since it was the third deferment of the application and the applicant had not submitted further information since the last deferment, a total of six months had been allowed, this was the last deferment and no further deferment would be granted.

[Ms Channy C. Yang, Mr Wallace W.K. Tang and Mr C.T. Lau, Senior Town Planners/Shatin, Tai Po and North (STPs/STN), were invited to the meeting at this point.]

Agenda Item 16

Section 16 Application

[Open Meeting (Presentation and Question Sessions Only)]

A/DPA/NE-TT/73 Proposed House (New Territories Exempted House - Small House) in
“Unspecified Use” Area, Government Land in D.D. 289, Ko Tong, Tai
Po
(RNTPC Paper No. A/DPA/NE-TT/73)

Presentation and Question Sessions

76. Ms Channy C. Yang, STP/STN, presented the application and covered the following aspects as detailed in the Paper :

- (a) background to the application;
- (b) proposed house (New Territories Exempted House (NTEH) – Small House);
- (c) departmental comments – departmental comments were set out in paragraph 11 and Appendix IV of the Paper. The District Lands Officer/Tai Po, Lands Department (DLO/TP, LandsD) did not support the application as the site was on government land (GL) and was not covered by Modification of Tenancy or Building Licence. The Chief Town Planner/Urban Design and Landscape, Planning Department (CTP/UD&L, PlanD) objected to the application from the landscape planning point of view as significant landscape impact on the existing stream and vegetated slope arising from the construction of the Small House and associated septic tank within and outside the site was anticipated. Approval of the application would set an undesirable precedent for other similar applications, resulting in adverse impact to the natural stream and vegetated slope. The cumulative effect of approving similar applications would result in a general degradation of the natural landscape of the area. The Commissioner for Transport (C for T) had reservation on the application as

such type of developments should be confined within the “Village Type Development” (“V”) zone as far as possible. The Director of Agriculture, Fisheries and Conservation (DAFC) had reservation on the application from nature conservation point of view as the proposed Small House would straddle a stream and might affect some trees and vegetation on GL;

- (d) during the first three weeks of the statutory publication period, 170 public comments was received and amongst which, 13 public comments objected to and 157 public comments supported the application. The objecting public comments were submitted by green/concern groups including Kadoorie Farm & Botanic Garden Corporation, Ko Tong Village Owners & Tenants Society, World Wide Fund for Nature Hong Kong, Friends of Hoi Ha, The Professional Commons and individuals. The main grounds of objection included that the application was not in line with the planning intention of the Development Permission Area (DPA) Plan; the proposed development would cause various adverse and cumulative impacts; approval of the application would set an undesirable precedent for other similar applications; there had been vegetation clearance in the area; no relevant technical assessments were submitted; insufficient provision of supporting facilities for the additional houses; no development should be approved prior to the detailed planning of the Outline Zoning Plan (OZP); the proposed development should not be approved according to the Convention on Biological Diversity; and the applicant was not a resident in Ko Tong. The 157 supportive comments were submitted by individuals mainly on the grounds that the applicant was an indigenous villager of Ko Tong; Small House developments could provide living spaces for villagers and thereby alleviate the housing demand in the urban area; Small House developments were more environmentally friendly than the urban developments as they could facilitate agricultural rehabilitation, consume less energy and cause less environmental pollution;
- (e) the District Officer (Tai Po) had not received any comment from the locals on the application; and

[Dr C.P. Lau returned to join the meeting at this point.]

- (f) PlanD's views – PlanD did not support the application based on the assessments set out in paragraph 13 of the Paper. The application did not meet the Interim Criteria for Consideration of application for NTEH/Small House in the New Territories in that the proposed development would cause adverse landscape impact on the surrounding area. Relevant departments including DLO/TP, LandsD, CTP/UD&L, PlanD, C for T and DAFC did not support or had reservation on the application. The approval of the application would set an undesirable precedent for similar applications in the area. Given that the DPA Plan would be replaced by an OZP for which detailed analysis and studies to establish the appropriate land uses were soon to be conducted, approval of the application and more forthcoming planning applications in the area would pre-determine the land use zonings of the OZP. Regarding the public comments, the comments of government departments and planning assessments above were relevant.

77. Members had no question on the application.

Deliberation Session

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

- “(a) the application does not comply with the Interim Criteria for Consideration of Application for New Territories Exempted House/Small House in New Territories in that the proposed development would cause adverse landscape impact on the surrounding area;
- (b) the approval of the application would set an undesirable precedent for similar applications in the area. The cumulative effect of approving such applications would result in adverse impacts on the natural environment, infrastructure capacities and landscape character of the area; and
- (c) the cumulative effect of approving similar applications would

pre-determine the land use zonings of the Outline Zoning Plan under preparation.”

Agenda Items 17 to 21

Section 16 Applications

[Open Meeting]

A/DPA/NE-TT/74 Proposed House (New Territories Exempted House - Small House) in “Unspecified Use” Area, Lots 887 S.B, 888 S.B, 889 S.B, 890 S.C & 891 S.C in D.D. 289, Uk Tau, Tai Po
(RNTPC Paper No. A/DPA/NE-TT/74 to 78)

A/DPA/NE-TT/75 Proposed House (New Territories Exempted House - Small House) in “Unspecified Use” Area, Lots 887 RP, 888 RP, 889 RP & 890 RP in D.D. 289, Uk Tau, Tai Po
(RNTPC Paper No. A/DPA/NE-TT/74 to 78)

A/DPA/NE-TT/76 Proposed House (New Territories Exempted House - Small House) in “Unspecified Use” Area, Lot 886 S.C in D.D. 289, Uk Tau, Tai Po
(RNTPC Paper No. A/DPA/NE-TT/74 to 78)

A/DPA/NE-TT/77 Proposed House (New Territories Exempted House - Small House) in “Unspecified Use” Area, Lots 854 S.F & 857 S.B in D.D.289, Uk Tau, Tai Po
(RNTPC Paper No. A/DPA/NE-TT/74 to 78)

A/DPA/NE-TT/78 Proposed House (New Territories Exempted House - Small House) in “Unspecified Use” Area, Lots 857 S.D & 862 S.A in D.D. 289, Uk Tau, Tai Po
(RNTPC Paper No. A/DPA/NE-TT/74 to 78)

79. As the five applications were similar in nature (New Territories Exempted Houses – Small Houses) and the application sites were located close to one another within the same “Unspecified Use” Area, the Committee agreed that the five applications could be considered together.

80. The Committee noted that on 6.1.2016, after issuance of the Paper, the applicants wrote to the Town Planning Board (TPB) requesting for deferment of consideration of the applications for two months as more time was required for the applicants to prepare the further information to address departmental comments. The letter from the applicants was tabled at the meeting for Members' consideration. It was the first time that the applicants requested for deferment of the applications.

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

Agenda Item 22

Section 16 Application

[Open Meeting]

A/NE-LK/100 Proposed House (New Territories Exempted House - Small House) in
"Agriculture" and "Green Belt" Zones, Lot 1488 RP in D.D. 39, Wo
Tong Kong, Sha Tau Kok
(RNTPC Paper No. A/NE-LK/100)

82. The Committee noted that the applicant's representative requested on 17.12.2015 for deferment of the consideration of the application for two months in order to allow time for preparation of further information to address the comments of the Chief Town Planner/Urban Design and Landscape, Planning Department. It was the second time that the applicant requested for deferment of the application.

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

Agenda Item 23

Section 16 Application

[Open Meeting (Presentation and Question Sessions Only)]

A/NE-PK/75 Proposed House (New Territories Exempted House - Small House) in
"Agriculture" zone, Lots 1545 S.B and 1546 S.B in D.D. 91, Kai Leng,
North District
(RNTPC Paper No. A/NE-PK/75)

Presentation and Question Sessions

84. Mr Wallace W.K. Tang, STP/STN, presented the application and covered the following aspects as detailed in the Paper :

- (a) background to the application;

- (b) proposed house (New Territories Exempted House (NTEH) – Small House);

- (c) departmental comments – departmental comments were set out in paragraph 9 and Appendix IV of the Paper. The Commissioner for Transport (C for T) had reservation on the application as such type of developments should be confined within the “Village Type Development” (“V”) zone as far as possible. The Director of Agriculture, Fisheries and Conservation (DAFC) did not support the application from the agricultural development point of view as the site possessed potential for agricultural rehabilitation. Other relevant government departments had no objection to or no adverse comment on the application;
- (d) during the first three weeks of the statutory public inspection period, four public comments were received. A comment from a North District Council member supported the application as it could provide convenience to the villagers. Another public comment from an individual objected to the application as village land should be reserved for indigenous villagers of their own clan. The other two public comments submitted by the Designing Hong Kong Ltd and an individual objected to the application mainly on the grounds that the proposed development was not in line with the planning intention of the “Agriculture” (“AGR”) zone; no relevant impact assessments had been submitted; no strong planning justifications; and the application was not made to meet the housing need of the applicant;
- (e) and District Officer (North) had consulted the locals regarding the application. The Chairman of Sheung Shui District Rural Committee and the Indigenous Inhabitant Representative of Kai Leng had no comment on the application while the incumbent North District Council (NDC) member also had no comment on the application provided that the drainage works of the proposed Small House were properly done; and
- (f) 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 application generally met the Interim Criteria for consideration of application for NTEH/Small House in the New Territories in that more than 50% of the footprint of the proposed Small House fell within the village

‘environ’ of Kai Leng. Apart from DAFC, other relevant government departments had no objection to or no adverse comment on the application. There were 51 similar applications involving 49 sites for Small House development in the vicinity of the site approved by the Committee between 2001 and 2015. Some of the approved cases were in close proximity to the site and there had not been any major change in planning circumstances of the area since the approval of those applications. Approval of the application would be in line with the Committee’s previous decisions. Regarding the public comments, the comments of government departments and planning assessments above were relevant.

85. Members had no question on the application.

Deliberation Session

86. 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 8.1.2020, and after the said date, the permission should cease to have effect unless before the said date, the development permitted was commenced or the permission was renewed. The permission was subject to the following conditions :

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

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

Agenda Items 24 and 25

Section 16 Applications

[Open Meeting (Presentation and Question Sessions Only)]

A/NE-LT/558 Proposed House (New Territories Exempted House - Small House) in
“Agriculture” and “Village Type Development” zones, Lot 113 S.D in
D.D. 8, Pak Ngau Shek Ha Tsuen, Tai Po

(RNTPC Paper No. A/NE-LT/558)

A/NE-LT/559 Proposed House (New Territories Exempted House - Small House) in
“Agriculture” and “Village Type Development” zones, Lots 113 S.F
and 114 S.D in D.D. 8, Pak Ngau Shek Ha Tsuen, Tai Po

(RNTPC Paper No. A/NE-LT/559)

88. As the two applications were similar in nature (New Territories Exempted Houses (NTEHs) – Small Houses) and the application sites were located close to each other, the Committee agreed that the two applications could be considered together.

Presentation and Question Sessions

89. Mr C.T. Lau, STP/STN, presented the applications and covered the following aspects as detailed in the Papers :

- (a) background to the applications;
- (b) proposed houses (New Territories Exempted Houses – Small Houses) at each of the sites;
- (c) departmental comments – departmental comments were set out in paragraph 9 and Appendix IV of the Papers. The Director of Agriculture, Fisheries and Conservation (DAFC) did not support the applications as the sites had high potential for rehabilitation of agricultural activities. The Chief Town Planner, Urban Design and Landscape, Planning Department (CTP/UD&L, PlanD) had reservation on the applications from landscape planning point of view as approval of the applications would set an

undesirable precedent encouraging more similar applications in the surrounding area. The cumulative effect of such approval would extend the village development outside “Village Type Development” (“V”) zone and change the surrounding landscape character. Besides, it was likely that a retaining wall would be necessary for the proposed Small House development (application No. A/NE-LT/558), resulting in disturbance to the adjacent vegetation and tree groups. The Director of Environmental Protection (DEP) had reservation on application No. A/NE-LT/559 as the applicant failed to demonstrate that the proposed development within Water Gathering Ground would be able to connect to the planned sewerage system in the area and would not cause adverse impact on the water quality in the area;

- (d) during the first three weeks of the statutory public inspection period, two public comments from The World Wide Fund for Nature Hong Kong and an individual were received for each of the applications. They objected to the applications mainly on the grounds of being not in line with the planning intention of “Agriculture” (“AGR”) zone and having adverse environmental impact. Besides, the District Officer (Tai Po) had no adverse comment on the applications; and
- (e) the Planning Department (PlanD)’s views – PlanD did not support the applications based on the assessments set out in paragraph 11 of the Papers. The proposed Small Houses were not in line with the planning intention of the “AGR” zone. The sites had high potential for rehabilitation of agricultural activities. The proposed Small House developments did not comply with the Interim Criteria for consideration of application for NTEH/Small House in the New Territories (Interim Criteria) in that there was no general shortage of land in meeting the demand for Small House development in the “V” zone. As land was still available within the “V” zone for Small House development, it was considered more appropriate to concentrate the proposed Small House developments within the “V” zone. Four similar applications were rejected by the Committee/the Board upon review between 2008 and 2015 mainly on the grounds of not complying

with the Interim Criteria. Rejection of the applications was in line with the Committee's previous decisions. Regarding the public comments, the comments of government departments and planning assessments above were relevant.

90. Members had no question on the applications.

Deliberation Session

91. After deliberation, the Committee decided to reject the two applications. The reasons were :

Application No. A/NE-LI/558

- “(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 and 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 current 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 the New Territories in that there is no general shortage of land in meeting the demand for Small House development in the “Village Type Development” (“V”) zone and the proposed development would cause adverse landscape impact on the surrounding area; and
- (c) land is still available within the “V” zone of Sheung Pak Ngau Shek and Ha Pak Ngau Shek 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 infrastructure

and services.”

Application No. A/NE-LT/559

- “(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 and 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 current 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 (NTEH)/Small House in the New Territories in that there is no general shortage of land in meeting the demand for Small House development in the “Village Type Development” (“V”) zone and the applicant fails to demonstrate that the proposed development located within Water Gathering Ground would not cause adverse impact on the water quality of the area;
- (c) land is still available within the “V” zone of Sheung Pak Ngau Shek and Ha Pak Ngau Shek 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 infrastructure and services.”

Agenda Item 26

Section 16 Application

[Open Meeting (Presentation and Question Sessions Only)]

A/NE-LT/560 Proposed House (New Territories Exempted House - Small House) in
“Agriculture” and “Village Type Development” zones, Lots 1535 S.A
RP (Part) and 1535 S.B (Part) in D.D.8, San Tong Village, Lam Tsuen,
Tai Po
(RNTPC Paper No. A/NE-LT/560)

Presentation and Question Sessions

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

- (a) background to the application;
- (b) proposed house (New Territories Exempted House (NTEH) – Small House);
- (c) departmental comments – departmental comments were set out in paragraph 9 and Appendix IV of the Paper. Relevant government departments had no objection to or no adverse comment on the application;
- (d) during the first three weeks of the statutory public inspection period, one public comment from an individual was received, raising objection mainly on the ground that the proposed development did not comply with the Interim Criteria for consideration of application for NTEH/Small House in the New Territories (Interim Criteria) in that there was no general shortage of land in meeting the demand for Small House development in the “Village Type Development” (“V”) zone of San Tong. Besides, the District Officer/Tai Po had no adverse comment on the application; 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 Small House development was not in line with the planning intention of the “Agriculture” (“AGR”) zone. Although more than 50% of the proposed Small House footprint fell within the “V” zone and village ‘environ’, the proposed Small House development did not comply with the Interim Criteria in that there was no general shortage of land in meeting the demand for Small House development in the “V” zone. As land was still available within the “V” zone for Small House development, it was considered more appropriate to concentrate the proposed Small House development within the “V” zone. Part of the site was the subject of four previous planning applications submitted by the same applicant. The applications were rejected mainly on the ground that the development was not in line with the Interim Criteria. As there was no significant change in planning circumstances since the rejection of the last application, rejection of the application was in line with the Committee’s previous decisions. Regarding the public comments, the comments of government departments and planning assessments above were relevant.

93. Members had no question on the application.

Deliberation Session

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

- “(a) the proposed development does not comply with the Interim Criteria for consideration of Application for New Territories Exempted House/Small House in the New Territories in that there is no general shortage of land in meeting the demand for Small House development in the “Village Type Development” (“V”) zone of San Tong; and
- (b) land is still available within the “V” zone of San Tong which is primarily intended for Small House development. It is considered more appropriate

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

Agenda Item 27

Section 16 Application

[Open Meeting (Presentation and Question Sessions Only)]

A/TP/594 Proposed House (New Territories Exempted House - Small House) in “Green Belt” and “Village Type Development” zones, Lot 839 S.B ss.1 RP in D.D. 26 and Adjoining Government Land, Wong Yue Tan, Tai Po

(RNTPC Paper No. A/TP/594)

Presentation and Question Sessions

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

- (a) background to the application;
- (b) proposed house (New Territories Exempted House (NTEH) – Small House);
- (c) departmental comments – departmental comments were set out in paragraph 10 and Appendix IV of the Paper. Relevant government departments had no objection to or no adverse comment on the application;
- (d) no public comment was received during the first three weeks of the statutory publication period and no local objection/view was received by the District Officer/Tai Po; 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 site straddled an area zoned “Village Type Development” (“V”) (about 66.5%) and “Green Belt” (“GB”) (about 33.5%). Although the proposed development was not in line with the planning intention of the “GB” zone and there was a general presumption against development within the “GB” zone, it complied the Interim Criteria for consideration of application for NTEH/Small House in the New Territories (Interim Criteria) in that more than 50% of the proposed Small House footprint fell within the village ‘environ’ of Wong Yue Tan and there was no adverse departmental comment or public comment. Although land was still available within the “V” zone, the site was adjoining an existing village house and an approved Small House site (Application No. A/TP/533) and it was the subject of a previous application (No. A/TP/479) submitted by the same applicant for the same use approved with conditions by the Committee on 14.1.2011. The current application was largely the same as the previously approved application despite slight amendment to the site area and disposition of the proposed Small House. There was no significant change in planning circumstances since the previous approval and the application could be considered as exceptional circumstance. Three similar applications were approved with conditions by the Committee between 2010 and 2015 mainly on the grounds of being in compliance with the Interim Criteria or under exceptional circumstance, approval of the application was in line with the Committee’s previous decisions.

96. A Member said that in view of the fact that land was still available within the “V” zone, it was not appropriate for the Committee to approve the application as part of the site fell outside the “V” zone. In response, Mr C.T. Lau, STP/STN, said that the site was located at the edge of the “V” zone with part of the site (66.5%) located within the “V” zone.

97. Another Member asked about the current situation of the subject application after the lapse of the previous planning permission. In response, Mr Lau said that the planning permission of the previous application had lapsed in 2015. Based on the information provided by Lands Department (LandsD), the applicant had submitted the Small House application to LandsD and processing of the Small House application had come to an

advanced stage. Besides, the site was located immediately adjacent to an existing NTEH and approved Small House application site, forming a cluster of Small House development. As the site was the subject of a previous application submitted by the same applicant for the same use approved with conditions by the Committee and the current application was largely the same as the previously approved application, sympathetic consideration could be given to the application.

98. The same Member asked whether there were Small House grant applications at the east of the site within the same “V” zone. In response, Mr Lau said that no Small House grant application was received so far by LandsD within that area.

Deliberation Session

99. The Chairman said that while the previous planning permission had lapsed, the processing of the Small House application had come to an advanced stage, and sympathetic consideration could be given to the application.

100. 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 8.1.2020, and after the said date, the permission should cease to have effect unless before the said date, the development permitted was commenced or the permission was renewed. The permission was subject to the following conditions :

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

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

[The Chairman thanked Ms Channy C. Yang, Mr Wallace W.K. Tang and Mr C.T. Lau, STPs/STN, for their attendance to answer Members' enquiries. They left the meeting at this point.]

[Mr Lincoln L.H. Huang left the meeting at this point.]

Fanling, Sheung Shui and Yuen Long East District

[Ms Maggie M.Y. Chin, District Planning Officer/Fanling, Sheung Shui and Yuen Long East (DPO/FSYLE), Mr Jeff K.C. Ho, Mr Kepler S.Y. Yuen and Mr K.T. Ng, Senior Town Planners/Fanling, Sheung Shui and Yuen Long East (STPs/FSYLE), were invited to the meeting at this point.]

Agenda Item 28

[Open Meeting (Presentation and Question Sessions only)]

Proposed Amendments to the Approved Fanling/Sheung Shui Outline Zoning Plan

No. S/FSS/20

(RNTPC Paper No. 1/16)

102. The Committee noted that the item involved proposed amendments to the Approved Fanling/Sheung Shui Outline Zoning Plan (OZP) No.S/FSS/20, which included the proposed rezoning of a site to facilitate a public housing development by the Housing Department (HD). As HD was the executive arm of the Hong Kong Housing Authority (HKHA), the following Members had declared interests on the item:

Mr K.K. Ling	- being a member of the Strategic Planning
(the Chairman)	Committee and the Building Committee of
as the Director of Planning	HKHA

Mr Edwin W.K. Chan as the Assistant Director of Lands Department	- being an alternate member of the Director of Lands who was a member of the HKHA
Mr Martin W.C. Kwan as the Chief Engineer (Works) of Home Affairs Department	- being an alternate member for the Director of Home Affairs who was a member of the Strategic Planning Committee & Subsidized Housing Committee of HKHA
Mr H.F. Leung	- being a member of the Tender Committee of HKHA
Mr Ivan C.S. Fu] having current business dealings with] HKHA]
Ms Janice W.M. Lai	

103. According to the procedure and practice adopted by the Town Planning Board (the Board), as the proposed public housing development was the subject of an amendment to the OZP proposed by the Planning Department (PlanD), the interests of the Chairman, Mr Chan, Mr Kwan, Mr Leung, Mr Fu and Ms Lai on the item only needed to be recorded and they could be allowed to stay in the meeting.

Presentation and Question Sessions

104. With the aid of a PowerPoint presentation, Ms Maggie M.Y. Chin, DPO/FSYLE, presented the proposed amendments as detailed in the Paper and covered the following main points:

Background

- (a) on 17.9.2010 and 14.8.2015, the Board considered the findings of the 'Area Assessments of 2009 of Industrial Land in the Territory' (2009 Area Assessments) and the 2014 Area Assessments respectively, and endorsed the recommendations for the Fanling/Sheung Shui Planning Area 48

(Fanling Area 48) and On Lok Tsuen Industrial Area;

- (b) to take forward the recommendations of the 2009 and 2014 Area Assessments, PlanD had undertaken a review on the concerned “Industrial” (“I”) zones on the Fanling/Sheung Shui OZP and the amendments to the OZP were proposed;

The Proposed Amendments to the OZP

Fanling Area 48

Amendment Item A

- (c) it was proposed to rezone a site (about 4.0 ha) currently zoned “I” and “Green Belt” (“GB”) to “Residential (Group A)3” (“R(A)3”) for a public housing development and other supporting Government, institution and community (GIC) facilities;
- (d) the proposed public housing development would be subject to a maximum Gross Floor Area (GFA) of 178,100m² (including non-domestic GFA of not more than 13,700m²) and a maximum building height (BH) of 140mPD (with a stepped BH ranging from around 103mPD to 136mPD from the north along the Tai Wo Service Road West to the hillside at its south). It was estimated that the proposed public housing development would provide about 4,000 flats and accommodate a total population of about 10,000;
- (e) other supporting GIC facilities included one 7-classroom kindergarten, one 50-place day activity centre, one 50-place hostel for severely mentally handicapped persons and refuse collection points;
- (f) the proposed public housing development would be guided by a planning brief and it was targeted to be completed tentatively in 2027/28;

(g) various technical assessments including environmental assessment study (EAS), visual appraisal (VA), air ventilation assessment (Expert Evaluation) (AVA(EE)) and traffic impact assessment (TIA) had been conducted to ascertain the feasibility of the proposed developments;

(i) *Environmental Aspect*

the Director of Environmental Protection (DEP) had no adverse comment on the EAS results. Adverse road traffic noise impact and vehicular and chimney emission impact were not expected. A detailed land contamination assessment should be carried out at the detailed design stage;

(ii) *Visual Aspect*

the Chief Town Planner/Urban Design and Landscape (CTP/UD&L), PlanD had no adverse comment on the VA as the proposed public housing development would not cause unacceptable visual impacts to the vicinity. HD should continue to explore at the detailed design stage to further enhance the visual quality of the proposed public housing development;

(iii) *Air Ventilation Aspect*

CTP/UD&L, PlanD had no adverse comment on the findings and recommendations of the AVA(EE) as it was anticipated that the proposed public housing development would not result in significant adverse air ventilation impact on the surrounding areas, with the suggested good design feature and mitigation measures.

(iv) *Traffic Aspect*

the TIA revealed that the proposed public housing would not have adverse impacts on the traffic aspect and the Commissioner for Transport considered the TIA acceptable. Further assessment would be conducted at the detailed design stage to identify improvement measures and enhance the traffic condition within the area;

Amendment Items B1 and B2

- (h) it was proposed to rezone two sites of about 0.9 ha and 1.2 ha respectively from “I” and “GB” to “Government, Institution or Community” (“G/IC”) to facilitate the development of two free-standing primary schools and other Government uses;

[Mr Ivan C.S. Fu left the meeting at this point.]

On Lok Tsuen Industrial Area (the Area)

- (i) to follow up the recommendations of the 2014 Area Assessments, PlanD had undertaken a review on the restrictions on the development parameters of the industrial area and opportunities had been taken to formulate a framework of local enhancement measures for incorporation in the On Lok Tsuen Layout Plan to guide the detailed district planning work;
- (j) the proposed amendments to the Notes of the OZP were as follows:
 - (i) revision to the BH restriction from 25m to 65m (excluding basements) for the Area;
 - (ii) proposed provision in the Notes to exempt public vehicle parks as required by the Government from PR calculation under the OZP in relation to the Area;
- (k) the proposed relaxation of BH restriction would facilitate building design with reduced footprint and thus enhance the visual/air permeability and street environment while allowing a greater flexibility in building design for the modern industrial uses;
- (l) AVA(EI) and VA for the Area had been conducted. The proposed relaxation of BH restriction was not expected to have significant air ventilation impact on the surrounding area and the overall visual impact

was considered acceptable with mitigation measures;

Other Minor/Technical Amendments – Amendment Items C1 and C2

- (m) it was proposed to update the annotation of the “Other Specified Uses” (“OU”) zone for Mass Transit Railway;
- (n) minor boundary adjustment and amendments to the Notes of the OZP were also proposed;

Departmental Consultation

Amendment Item A

- (o) concerned departments including DEP, Chief Engineer/Mainland North (CE/MN) of Drainage Services Department (DSD) and Chief Engineer/Development (2) (CE/Dev(2)) of Water Supplies Department (WSD) had been consulted and it was confirmed that the proposed development would not cause any insurmountable problems on sewerage, drainage, and water supplies aspects and relevant technical assessments would be conducted at the detailed design stage;

Amendment Items B1 and B2

- (p) concerned departments including EPD, the Transport Department (TD), WSD, and DSD had been consulted on the proposed schools and Government uses in the proposed “G/IC” zone. The proposed development would not cause any insurmountable problems on environmental, traffic, sewerage, drainage and water supplies aspects and the concerned departments had no adverse comment on the proposed rezoning;

On Lok Tsuen Industrial Area (the Area)

- (q) CTP/UD&L, PlanD had no comment on the proposed BH relaxation from

the visual point of view. Relevant departments including TD and DEP had no adverse impacts on the proposed BH relaxation from traffic and environmental perspectives.

Consultation with the Rural Committee and District Council

- (r) the Fanling District Rural Committee (FDRC) had been consulted on the major proposed amendments to the Fanling/Sheung Shui OZP. Between October and December 2015, the key members of the North District Council (NDC) and several members-elect were also briefed on an informal basis. Whilst they did not express in-principle objection to the proposed amendments, they raised concerns that there might not be sufficient road and rail capacity to support the proposed public housing development; adequate public transport services and GIC facilities should be provided; opportunity should be made to provide residential care home for elderly; local community and infrastructure facilities should be enhanced/expanded; and the proposed BH relaxation for the Area might still be insufficient for revitalizing the area and enhancing its job-generating capability; and
- (s) if the proposed amendments were agreed by the Committee, the draft OZP and its Notes would be exhibited for public inspection under section 5 of the Ordinance. Members of the public could submit representations on the OZP to the Board during the two-month statutory public inspection period. The NDC and FDRC would be further consulted during the concerned OZP exhibition period.

105. A Member asked about the positioning of the On Lok Tsuen Industrial Area (the Area) in its future development. In response, Ms Maggie M.Y. Chin, DPO/FSYLE, said that based on the 2014 Area Assessments, the Area had potential to be turned into a robust economic and employment node for industrial sectors and it was recommended that the Area should be retained as “T” to cater for the strong demand for logistics and warehousing arising from the significant growth of the trade and logistics sector. It was also expected that the demand for local job opportunities would increase with the completion of a number of public and private housing developments in year 2023, and revitalisation of the Area would provide

more local job opportunities. Moreover, given its strategic location, i.e. near the existing boundary control points, the Area would have the opportunity to capitalise on the economic interaction between Hong Kong and the Mainland.

106. The same Member asked about the mechanism for implementation of enhancement measures for the Area, e.g. setback of buildings from site boundary, non-building area (NBA), etc. given that the land in the Area were mostly privately-owned and piecemeal redevelopment was expected in the future. In response, Ms Chin said that improvement measures were proposed to enhance the walking environment of some of the popular pedestrian routes by widening the pavement through building setback. The requirements of building setback and NBA would be incorporated into the On Lok Tsuen Layout Plan (the Layout Plan) to guide the detailed district planning work of the Area. Such requirements could be incorporated into the lease conditions during the lease modification process. Furthermore, Ms Chin said that the Area was predominantly used for warehouses and car-repairing workshops with relatively high vacancy rate, i.e. 5%, as compared to the territorial figure of 3.5%. Many of the existing industrial buildings in the Area were poor in condition and had not been fully developed to the maximum plot ratio (PR) permissible under the OZP. By relaxing the BH restriction, it would provide more flexibility in terms of building design to cater for the special needs of the logistics industries and provide a more attractive environment for redevelopment into a more vibrant employment node.

107. The Chairman supplemented that the proposed area enhancement measures aimed to transform the Area into a new style industrial area with better street vibrancy and amenity. Given that the existing industrial buildings were mainly low-rise with large building footprint and bulk, they might not be suitable for those new industries which required relatively high headroom. The proposed enhancement measures would be able to provide more flexibility in future redevelopment to attract a wide variety of new industries and thereby enhancing the vibrancy of the Area. Besides, more employment opportunities within the district could be provided for the local residents. Regarding the implementation of enhancement measures for the Area, the requirements of setback on the concerned streets could be stipulated in the lease conditions during lease modification process and incentives such as bonus PR according to the prevailing practices could be provided.

108. The same Member further asked whether the requirement of building setback was at street level. In response, the Chairman said that the setback should be at street level and to be implemented upon redevelopment of the sites.

[Mr H.F. Leung left the meeting at this point.]

109. The same Member asked whether office use was permissible upon redevelopment. In response, Ms Maggie M.Y. Chin said that industrial related office use could be accommodated within the buildings. In addition, the proposed local area enhancement measures would be able to improve linkage of the Area with the adjacent activity nodes.

110. A Member raised concern on the demand for additional transportation services generated by the proposed public housing development. The Chairman remarked that the increase in employment opportunities in the area would in some way help reduce inter-district commuting.

111. Mr Edwin W.K. Chan, the Assistant Director/Regional 3, Lands Department, asked whether the areas to be set aside for building setback and NBA would be included in the site area for calculation of GFA. In response, Ms Maggie M.Y. Chin said that those areas would be included in GFA calculation to provide incentives for land owners to widen the pavement when designing the industrial buildings in future redevelopment.

112. Regarding the details of the area enhancement measures, the Chairman advised that Members could refer to Appendix V of the Paper.

113. Members had no particular comment on other amendment items other than the above.

114. After deliberation, the Committee decided to :

- “(a) agree to the proposed amendments to the approved Fanling/Sheung Shui Outline Zoning Plan (OZP) No. S/FSS/20 as mentioned in paragraphs 9 and 10 of the Paper;

- (b) agree that the amendment Plan No. S/FSS/20A at Annex B (to be renumbered as S/FSS/21 upon gazetting) and its Notes at Annex C are suitable for exhibition for public inspection under section 5 of the Ordinance;
- (c) adopt the revised Explanatory Statement (ES) at Annex D as an expression of the planning intentions and objectives of the Board for various land use zones on the draft Fanling/Sheung Shui OZP; and
- (d) agree that the revised ES at Annex D is suitable for exhibition for public inspection together with the draft OZP No. S/FSS/20A (to be renumbered as S/FSS/21 upon gazetting).”

[Mr F.C. Chan left the meeting temporarily and the Vice-chairman left the meeting at this point.]

Agenda Item 29

Section 16 Application

[Open Meeting]

A/FLN/8 Proposed Temporary Shop and Services (Store) for a Period of 3 Years in “Government, Institution or Community” zone, Lot 130 S.A RP (Part) in D.D. 52 and Adjoining Government Land, Fu Tei Au, Sheung Shui

(RNTPC Paper No. A/FLN/8)

115. The Committee noted that the applicant requested on 31.12.2015 for deferment of the consideration of the application for one month in order to allow time for preparation of further information to address the comments of the Chief Town Planner/Urban Design and Landscape, Planning Department. It was the second time that the applicant requested for deferment of the application.

Mr Martin W.C. Kwan - MLA being the consultant of one of
Chief Engineer (Works), HAD's consultancy agreements
Home Affairs Department (HAD)

118. The Committee noted that the applicant had requested for a deferral of consideration of the application. As Mr Fu and Ms Lai had no involvement in the application and the interest of Mr Kwan was indirect, the Committee agreed that they could stay in the meeting.

119. The Committee noted that the applicant requested on 30.12.2015 for deferment of the consideration of the application for one month in order to allow time for further consultation with relevant government departments on the proposed development. It was the third time that the applicant requested for deferment of the application.

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

Agenda Item 31

Section 16 Application

[Open Meeting]

A/NE-KTS/404

Proposed Petrol Filling Station with Ancillary Facilities including Office, Shop and Services, Public Toilet, Public Car Park and Excavation of Land in “Green Belt” zone and Area shown as ‘Road’, Lots 3350 S.B ss.1 S.A (Part), 3351 S.B ss.1 (Part) and 3351 S.B ss.2 (Part) in D.D. 91 and Adjoining Government Land, Fan Kam Road, New Territories
(RNTPC Paper No. A/NE-KTS/404)

121. The Committee noted that the applicant’s representative requested on 28.12.2015 for deferment of the consideration of the application for two months in order to allow time for preparation of further information to address the comments of relevant government departments. It was the second time that the applicant requested for deferment of the application.

122. 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 a period of two months were allowed for preparation of the submission of further information. Since it was the second deferment of the application and a total of four months had been allowed, no further deferment would be granted unless under very special circumstances.

[Mr F.C. Chan returned to join the meeting and Mr K.C. Siu left the meeting temporarily at this point.]

Agenda Item 32

Section 16 Application

[Open Meeting (Presentation and Question Sessions Only)]

A/YL-KTN/480 Temporary Open Storage of Construction Machinery, Construction Materials and Ancillary Parking of Medium/Heavy Goods Vehicles and Container Trailers/Tractors for a Period of 3 Years in “Other Specified Uses” annotated “Railway Reserve” Zone, Lots 431 (Part), 433 S.B (Part) and 1739 RP (Part) in D.D. 107 and Adjoining Government Land, San Tam Road, Kam Tin, Yuen Long
(RNTPC Paper No. A/YL-KTN/480B)

Presentation and Question Sessions

123. Mr Kepler S.Y. Yuen, STP/FSYLE, presented the application and covered the following aspects as detailed in the Paper :

- (a) background to the application;
- (b) temporary open storage of construction machinery, construction materials and ancillary parking of medium/heavy goods vehicles and container trailers/tractors for a period of 3 years;
- (c) departmental comments – departmental comments were set out in paragraph 10 of the Paper. The Director of Environmental Protection (DEP) did not support the application as there were sensitive receivers, i.e. residential structures located to the north (less than 10m away) and in the vicinity of the site, and environmental nuisance was expected. Other relevant government departments had no objection to or no adverse comment on the application;
- (d) no public comment was received during the first three weeks of the statutory publication period and no local objection/view was received by the District Officer (Yuen Long); and

- (e) the Planning Department (PlanD)'s views – PlanD considered that the temporary open storage could be tolerated for a period of three years based on the assessments set out in paragraph 12 of the Paper. It is considered that approval of the application on a temporary basis would not frustrate the long-term planning intention of the “Other Specified Uses” annotated “Railway Reserve” zone. The application was generally in line with the Town Planning Board Guidelines for ‘Application for Open Storage and Port Back-up’ uses (TPB PG-No. 13E) as the site fell within Category 2 areas where planning permission could be granted on a temporary basis subject to no adverse departmental comments and local objections, or the concerns of the departments and local residents could be addressed through the implementation of approval conditions. In that regard, relevant departments except DEP had no adverse comments on the application and there was no local objection. Although DEP did not support the application, no environmental complaint was received in the past three years and the environmental concern could be addressed by the imposition of relevant approval conditions.

124. Members had no question on the application.

Deliberation Session

125. After deliberation, the Committee decided to approve the application on a temporary basis for a period of 3 years until 8.1.2019, on the terms of the application as submitted to the Town Planning Board (TPB) and subject to the following conditions :

- “(a) no night-time operation between 7:00 p.m. and 9:00 a.m., as proposed by the applicant, is allowed on the site during the planning approval period;
- (b) no operation on Sundays and public holidays, as proposed by the applicant, is allowed on the site during the planning approval period;
- (c) no dismantling, maintenance, repairing, cleansing, paint spraying or other

workshop activities shall be carried out on the site at any time during the planning approval period;

- (d) the maintenance of the existing peripheral fencing on the site at any time during the planning approval period;
- (e) no reversing of vehicle into or out from the site is allowed at any time during the planning approval period;
- (f) the implementation of the landscape proposal within 3 months from the date of the planning approval to the satisfaction of the Director of Planning or of the TPB by 8.4.2016;
- (g) the submission of tree preservation proposal within 3 months from the date of the planning approval to the satisfaction of the Director of Planning or of the TPB by 8.4.2016;
- (h) in relation to (g) above, the implementation of the tree preservation proposal within 6 months from the date of the planning approval to the satisfaction of the Director of Planning or of the TPB by 8.7.2016;
- (i) the submission of 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 8.4.2016;
- (j) in relation to (i) 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 8.7.2016;
- (k) the implementation of the accepted fire service installations proposal within 3 months from the date of planning approval to the satisfaction of the Director of Fire Services or of the TPB by 8.4.2016;

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

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

Agenda Item 33

Section 16 Application

[Open Meeting]

A/YL-KTS/680 Temporary Eating Place for a Period of 3 Years in “Residential (Group C)” and “Village Type Development” Zones, Lot 424 (Part), Wing Lung Wai, Lots 110 S.E (Part) and 110 RP (Part) in D.D. 109 and Adjoining Government Land, Kam Tin, Yuen Long
(RNTPC Paper No. A/YL-KTS/680)

127. The Committee noted that the applicant’s representative requested on 23.12.2015 for deferment of the consideration of the application for two months in order to allow time for preparation of further information to address the concerns of relevant government departments. It was the second time that the applicant requested for deferment of the application.

128. 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 further information. Since it was the second deferment of the application and a total of four months had been allowed, no further deferment would be granted unless under very special circumstances.

Agenda Item 34

Section 16 Application

[Open Meeting]

A/YL-KTS/681 Proposed Temporary Public Car Park for a Period of 3 Years in
“Agriculture” and “Village Type Development” Zones, Lots 1447,
1448 (Part), 1476 (Part), 1477 S.A (Part) and 1478 RP (Part) in D.D.
106, Kam Sheung Road, Pat Heung, Yuen Long
(RNTPC Paper No. A/YL-KTS/681)

129. The Committee noted that the applicant requested on 21.12.2015 for deferment of the consideration of the application for two months in order to allow time for preparation of detailed responses to the comments of relevant government departments. It was the second time that the applicant requested for deferment of the application.

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

meeting for the Committee's consideration. The Committee also agreed to advise the applicant that two months were allowed for preparation of the submission of further information. Since it was the second deferment of the application and a total of four months had been allowed, no further deferment would be granted unless under very special circumstances.

Agenda Item 35

Section 16 Application

[Open Meeting (Presentation and Question Sessions Only)]

A/YL-KTS/685 Temporary Open Storage (Concrete from Demolished Buildings) for a Period of 3 Years in "Agriculture" zone, Lots 355 RP (Part), 356 S.B, 356 RP, 359 RP, 360 RP (Part), 361, 362 (Part), 363, 364 (Part), 435RP (Part) in D.D. 103, and Adjoining Government Land, Ko Po Tsuen, Kam Tin, Yuen Long
(RNTPC Paper No. A/YL-KTS/685)

Presentation and Question Sessions

131. Mr Kepler S.Y. Yuen, STP/FSYLE, presented the application and covered the following aspects as detailed in the Paper :

- (a) background to the application;
- (b) temporary open storage (concrete from demolished buildings) for a period of 3 years;
- (c) departmental comments – departmental comments were set out in paragraph 10 of the Paper. The Director of Environmental Protection (DEP) did not support the application as there were sensitive receivers, i.e. residential dwellings/structures located to the south and west (the nearest is about 1m away) and in the vicinity of the site and environmental nuisance was expected. Besides, a total of six substantiated environmental

complaints related to dumping of construction and demolition (C&D) waste, landfilling (2 cases), machine noise from workshop, machine noise from workshop and flytipping of waste near workshop (2 cases) were received in 2014 and 2015. The Director of Agriculture, Fisheries and Conservation (DAFC) noted that a pond at the northwestern portion of the site was already filled and did not support any filling of pond for other purpose from fisheries point of view;

- (d) during the first three weeks of the statutory public inspection period, three objecting public comments were received from the Kam Tin Rural Committee (RC), an individual and World Wide Fund for Nature (Hong Kong). They objected to the application mainly on the grounds that the applied use would generate noise nuisance to the local residents and cause environmental pollution; the development was not in line with the planning intention of the “Agriculture” (“AGR”) zone; the application did not comply with the Town Planning Board Guidelines for ‘Application for Open Storage and Port Back-up Uses’ (TPB PG-No. 13E); the demolished concrete, if not handling properly, would lead to pollution to the environment and was hazardous to the health of the people in the area; and the applicant had not provided information regarding the handling and disposal of the demolished concrete. There was also concern that the collected demolished concrete would be used as filling materials for land or pond filling;
- (e) the District Officer (Yuen Long) had not received any local comment on the application; and
- (f) 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 development was not in line with the planning intention of the “AGR” zone and no strong planning justification had been given in the submission to justify for a departure from the planning intention, even on a temporary basis. The application did not comply with the TPB PG-No. 13E in that there were adverse departmental comments and public objections against

the development. The applicant failed to demonstrate that the development would not generate adverse environmental and drainage impacts. Regarding the public comments, the comments of government departments and planning assessments above were relevant.

132. Members had no question on the application.

Deliberation Session

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

- “(a) the development is not in line with the planning intention of the “Agriculture” zone which is to retain and safeguard good quality agricultural land for agricultural purposes. No strong planning justification has been given in the submission for a departure from the planning intention, even on a temporary basis;
- (b) the application does not comply with the Town Planning Board Guidelines No. 13E in that the development is not compatible with the rural character of the site and its surrounding land uses with residential structures/dwellings and agricultural land. The residential dwellings/structures would be susceptible to adverse environmental nuisance generated by the development and adverse comment from the relevant government department and local objections were received; and
- (c) the applicant fails to demonstrate that the development would not generate adverse environmental and drainage impacts.”

[Mr Peter K.T. Yuen left the meeting temporarily at this point.]

Agenda Item 36

Section 16 Application

[Open Meeting (Presentation and Question Sessions Only)]

A/YL-KTS/686 Proposed House (New Territories Exempted House - Small House) in
“Agriculture” and “Village Type Development” zones, Lot 1948 S.K in
D.D.106, Yuen Kong San Tsuen, Pat Heung, Yuen Long
(RNTPC Paper No. A/YL-KTS/686)

Presentation and Question Sessions

134. Mr Kepler S.Y. Yuen, STP/FSYLE, presented the application and covered the following aspects as detailed in the Paper :

- (a) background to the application;
- (b) proposed house (New Territories Exempted House (NTEH) – Small House);
- (c) departmental comments – departmental comments were set out in paragraph 10 and Appendix IV of the Paper. The Director of Agriculture, Fisheries and Conservation (DAFC) did not support the application from the agricultural point of view as the subject site was part of an active farm. The Chief Town Planner/Urban Design and Landscape, Planning Department (CTP/UD&L, PlanD) had some reservation on the application from the landscape planning point of view as approval of the application would set an undesirable precedent for more similar applications in the surrounding area and the cumulative effect of approving such applications would extend the village development outside the “Village Type Development” (“V”) zone and change the surrounding landscape character. Other relevant government departments had no objection to or no adverse comment on the application;

- (d) during the first three weeks of the statutory public inspection period, two public comments were received from Kadoorie Farm & Botanic Garden Corporation and a member of the public. Both of them objected to the application mainly on the grounds that the proposed Small House development was not in line with the planning intention of the “Agriculture” (“AGR”) zone and there was no strong justification for departure from the concerned planning intention; the Government had responsibility to protect and conserve the farmland in Hong Kong; the adjacent “V” zone was large and quite vacant at present, hence it was inappropriate to allow Small House development to spread to the “AGR” zone; approval of the application was in contravention with the Government’s new agricultural policy under consultation and would set an undesirable precedent for similar application in the area;
- (e) the District Officer (Yuen Long) had not received any comment from the locals on the application; and
- (f) PlanD’s views – PlanD did not support the application based on the assessments set out in paragraph 13 of the Paper. The proposed Small House development was not in line with the planning intention of the “AGR” zone which was to retain and safeguard good quality agricultural land/farm/fish ponds for agricultural purposes. There was no strong planning justification in the submission for a departure from such planning intention. The application did not comply with the Interim Criteria for consideration of application for NTEH/Small House in the New Territories in that the proposed Small House footprint was about 62% and 100% falling outside both the village ‘environ’ of Yuen Kong San Tusen and the “V” zone of Yuen Kong San Tsuen respectively. Approval of the application would set an undesirable precedent for similar applications within the same “AGR” zone and the cumulative effect of such approval would extend the village development outside the “V” zone and change the surrounding landscape character. Regarding the public comments, the comments of government departments and planning assessments above were relevant.

135. Members had no question on the application.

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

Deliberation Session

136. 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 “Agriculture” zone which is 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; and
- (b) land is still available within the “Village Type Development” zone of Yuen Kong San Tsuen where land 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 orderly development pattern, efficient use of land and provision of infrastructure and services.”

[Ms Christina M. Lee left the meeting temporarily at this point.]

Agenda Item 37

Section 16 Application

[Open Meeting (Presentation and Question Sessions Only)]

A/YL-KTS/687 Temporary Open Storage of Vehicle parts with Ancillary Workshop for a Period of 3 Years in “Agriculture” zone, Lots 460 RP (Part) and 461 RP (Part) in D.D.103, Kam Tin Road, Kam Tin, Yuen Long
(RNTPC Paper No. A/YL-KTS/687)

Presentation and Question Sessions

137. Mr Kepler S.Y. Yuen, STP/FSYLE, presented the application and covered the following aspects as detailed in the Paper :

- (a) background to the application;
- (b) temporary open storage of vehicle parts with ancillary workshop for a period of 3 years;
- (c) departmental comments – departmental comments were set out in paragraph 10 of the Paper. The Director of Environmental Protection (DEP) did not support the application as there were sensitive receivers, i.e. residential structures/dwellings, located to the north of the site across Kam Tin Road (nearest residential dwelling about 50m away) and environmental nuisance was expected. Other relevant government departments had no objection to or no adverse comment on the application;
- (d) no public comment was received during the first three weeks of the statutory publication period and no local objection/view was received by the District Officer (Yuen Long); and

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

- (e) the Planning Department (PlanD)'s views – PlanD considered that the temporary open storage could be tolerated for a period of three years based on the assessments set out in paragraph 12 of the Paper. Although the applied use was not in line with the planning intention of the “Agriculture” (“AGR”) zone, there was no agricultural activity in the vicinity of the site and granting of temporary permission would not frustrate the long-term planning intention of the “AGR” zone. The application was generally in line with the Town Planning Board Guidelines for ‘Application for Open Storage and Port Back-up Uses’ (TPB PG-No. 13E) in that there was no adverse comment from the relevant departments except DEP. Although DEP did not support the application, no environmental complaint was received in the past three years and the environmental concern could be addressed by the imposition of relevant approval conditions. Applications for temporary open storage yard and warehouse located to the northwest of the site had been approved by the Committee in 2013. Approval of the application was in line with the Committee’s previous decisions.

138. Members had no question on the application.

Deliberation Session

139. After deliberation, the Committee decided to approve the application on a temporary basis for a period of 3 years until 8.1.2019, on the terms of the application as submitted to the Town Planning Board (TPB) and subject to the following conditions :

- “(a) no night-time operation between 6:00 p.m. and 9:00 a.m., as proposed by the applicant, is allowed on the site at any time during the planning approval period;
- (b) no operation on Sundays and public holidays, as proposed by the applicant, is allowed on the site at any time 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, and no

vehicle exceeding 7 m long, are allowed to be parked/stored on or enter/exit the site at any time during the planning approval period;

- (d) no reversing of vehicles into or out from the site is allowed at any time during the planning approval period;
- (e) the existing boundary fencing 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 submission of a condition record of the existing drainage facilities on site within 3 months from the date of planning approval to the satisfaction of the Director of Drainage Services or of the TPB by 8.4.2016;
- (h) the submission of a landscape and tree preservation proposal within 3 months from the date of planning approval to the satisfaction of the Director of Planning or of the TPB by 8.4.2016;
- (i) in relation to (h) above, the implementation of a landscape and tree preservation proposal within 6 months from the date of planning approval to the satisfaction of the Director of Planning or of the TPB by 8.7.2016;
- (j) the submission of fire service installations proposal within 3 months from the date of planning approval to the satisfaction of the Director of Fire Services or of the TPB by 8.4.2016;
- (k) in relation to (j) above, the implementation of fire service installations proposal within 6 months from the date of planning approval to the satisfaction of the Director of Fire Services or of the TPB by 8.7.2016;
- (l) the provision of fire extinguisher(s) within 6 weeks with a valid fire certificate (FS 251) from the date of planning approval to the satisfaction of

the Director of Fire Services or of the TPB by 19.2.2016.

- (m) 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;
- (n) if any of the above planning conditions (g), (h), (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; and
- (o) 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.”

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

[Ms Christina M. Lee returned to join the meeting at this point.]

Agenda Item 38

Section 16 Application

[Open Meeting (Presentation and Question Sessions Only)]

A/YL-KTS/688 Temporary Warehouse for Storage of Building Material Products for a Period of 3 Years in “Residential (Group D) “ zone, Lots 1336 S.A (Part) in D.D. 106, Kong Ha Wai, Kam Sheung Road, Pat Heung, Yuen Long
(RNTPC Paper No. A/YL-KTS/688)

Presentation and Question Sessions

141. Mr Kepler S.Y. Yuen, STP/FSYLE, presented the application and covered the following aspects as detailed in the Paper :

- (a) background to the application;
- (b) temporary warehouse for storage of building material products for a period of 3 years;
- (c) departmental comments – departmental comments were set out in paragraph 10 of the Paper. Relevant government departments had no objection to or no adverse comment on the application;
- (d) during the first three weeks of the statutory public inspection period, one public comment was received from an individual. The commenter objected to the application mainly on the grounds that there were lack of supporting facilities provided at the site in terms of sewerage, drainage, fire escape route and vehicular access. Besides, the vehicular access on site was very narrow, heavy goods vehicles entering into and out of the site might jeopardize the safety of nearby villagers and cars;
- (e) the District Officer (Yuen Long) had not received any comment from the locals on the application; and
- (f) the Planning Department (PlanD)'s views – PlanD considered that the temporary warehouse could be tolerated for a period of three years based on the assessments set out in paragraph 11 of the Paper. Although the applied use was not in line with the planning intention of the “Residential (Group D)” (“R(D)”) zone, there was no known residential development at the site and the temporary planning permission for 3 years would not frustrate the long-term planning intention of the “R(D)” zone. The site had been used for warehouse since 2006. There had been no major change in planning circumstances since the last approval under Application No. A/YL-KTS/588 in 2013 and all approval conditions under the last approval had been complied with. Relevant government departments had

no objection to or no adverse comment on the application. Sympathetic consideration could be given to the application. Regarding the public comment, relevant approval condition to restrict the use of medium and heavy goods vehicle exceeding 5.5 tonnes, including container tractor/trailer was recommended.

142. Members had no question on the application.

Deliberation Session

143. After deliberation, the Committee decided to approve the application on a temporary basis for a period of 3 years until 8.1.2019, 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 vehicle exceeding 5.5 tonnes, including container tractor/trailer, as defined in the Road Traffic Ordinance is allowed to be parked/stored on or enter/exit the site at any time during the planning approval period;
- (d) no dismantling, maintenance, repairing, cleansing, paint spraying and other workshop activities are allowed on the site at any time during the planning approval period;
- (e) no reversing of vehicle into or out from the site at any time during the planning approval period;
- (f) the existing drainage facilities on the site shall be maintained at all times during the planning approval period;

- (g) the submission of records of the existing drainage facilities on the site within 6 months from the date of planning approval to the satisfaction of the Director of Drainage Services or of the TPB by 8.7.2016;
- (h) the submission of tree preservation proposal within 6 months from the date of planning approval to the satisfaction of the Director of Planning or of the TPB by 8.7.2016;
- (i) in relation to (h) above, the implementation of tree preservation proposal within 9 months from the date of planning approval to the satisfaction of the Director of Planning or of the TPB by 8.10.2016;
- (j) the submission of fire service installations proposal within 6 months from the date of planning approval to the satisfaction of the Director of Fire Services or of the TPB by 8.7.2016;
- (k) in relation to (j) above, the provision of fire service installations within 9 months from the date of planning approval to the satisfaction of the Director of Fire Services or of the TPB by 8.10.2016;
- (l) 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;
- (m) if any of the above planning conditions (g), (h), (i), (j) or (k) is not complied with by the specified date, the approval hereby given shall cease to have effect and shall on the same date be revoked without further notice; and
- (n) upon 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.”

144. 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/689 Temporary Tso Tong Car Park (Private Cars and Light Goods Vehicle) for a Period of 3 Years in “Residential (Group C) “ zone, Lot 452 RP (Part) in D.D. 109, Kam Tin Road, Kam Tin, Yuen Long
(RNTPC Paper No. A/YL-KTS/689)

Presentation and Question Sessions

145. Mr Kepler S.Y. Yuen, STP/FSYLE, presented the application and covered the following aspects as detailed in the Paper :

- (a) background to the application;
- (b) temporary tso tong car park (private cars and light goods vehicle) for a period of 3 years;
- (c) departmental comments – departmental comments were set out in paragraph 9 of the Paper. Relevant government departments had no objection to or no adverse comment on the application;
- (d) during the first three weeks of the statutory public inspection period, one public comment from an individual was received. The commenter objected to the application mainly on the grounds that there was not enough residential land, and residential sites should be used for its zoned use. Besides, the District Officer (Yuen Long) had not received any comment from the locals on the application; and

- (e) the Planning Department (PlanD)'s views – PlanD considered that the temporary tso tong car park could be tolerated for a period of three years based on the assessments set out in paragraph 11 of the Paper. Although the applied use was not in line with the planning intention of the “Residential (Group D)” (“R(D)”) zone, there was no known residential development at the site and the temporary planning permission for 3 years would not frustrate the long-term planning intention of the “R(D)” zone. The applied use was not incompatible with the surrounding uses which comprised mainly residential dwellings with ground floor shops and parking lots. Relevant government departments had no objection to or no adverse comment on the application. Since the last application No. A/YL-KTS/622 was revoked due to non-compliance with the approval conditions, shorter compliance periods were proposed to monitor the progress of compliance should the Committee decided to approve the application. Regarding the public comments, the above assessments were relevant.

146. Members had no question on the application.

Deliberation Session

147. After deliberation, the Committee decided to approve the application on a temporary basis for a period of 3 years until 8.1.2019, on the terms of the application as submitted to the Town Planning Board (TPB) and subject to the following conditions :

- “(a) no operation between 10:30 p.m. and 6:00 a.m., as proposed by the applicant, is allowed on the site during the planning approval period;
- (b) no vehicles without valid licences issued under the Road Traffic (Registration and Licensing of Vehicles) Regulations are allowed to be parked/stored on the site at any time during the planning approval period;
- (c) no dismantling, maintenance, repairing, cleansing, paint spraying or other workshop activities shall be carried out on the site at any time during the

planning approval period;

- (d) no medium or heavy goods vehicles exceeding 5.5 tonnes, including container tractors/trailers, as defined in the Road Traffic Ordinance are allowed to be parked/stored on or enter/exit the site at any time during the planning approval period;
- (e) notice should be posted at a prominent location of the site to indicate that no medium or heavy goods vehicles exceeding 5.5 tonnes, including container tractors/trailers, as defined in the Road Traffic Ordinance are allowed to be parked/stored on or enter/exit the site during the planning approval period;
- (f) no reversing of vehicles into or out from the site is allowed at any time during the planning approval period;
- (g) the submission of 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 8.4.2016;
- (h) in relation to (g) above, the implementation of drainage proposal within 6 months from the date of planning approval to the satisfaction of the Director of Drainage Services or of the TPB by 8.7.2016;
- (i) the submission of landscape proposal within 3 months from the date of planning approval to the satisfaction of the Director of Planning or of the TPB by 8.4.2016;
- (j) in relation to (i) above, the implementation of landscape proposal within 6 months from the date of planning approval to the satisfaction of the Director of Planning or of the TPB by 8.7.2016;
- (k) 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; and

- (l) if any of the above planning conditions (g), (h), (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.”

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

Agenda Item 40

Section 16 Application

[Open Meeting (Presentation and Question Sessions Only)]

A/YL-PH/722 Temporary Open Storage of Scrap Metal for a Period of 3 Years in
“Residential (Group D) “ zone, Lots 78 S.A (Part) and 93 (Part) in D.D.
108, Fan Kam Road, Pat Heung, Yuen Long
(RNTPC Paper No. A/YL-PH/722)

Presentation and Question Sessions

149. Mr Kepler S.Y. Yuen, STP/FSYLE, presented the application and covered the following aspects as detailed in the Paper :

- (a) background to the application;
- (b) temporary open storage of scrap metal for a period of 3 years;
- (c) departmental comments – departmental comments were set out in paragraph 10 of the Paper. The Director of Environmental Protection (DEP) did not support the application as there were sensitive receivers, i.e. residential structures located to the north and southwest (the nearest one about 15m to the north) and in the vicinity of the site, and environmental

nuisance was expected. Other relevant government departments had no objection to or no adverse comment on the application;

- (d) during the first three weeks of the statutory public inspection period, two public comments from a local resident and a member of the public were received. The commenters objected to the application mainly on the grounds that the scrap metal yard was environmentally polluting and would impose adverse impacts on the physical and mental health of nearby residents; the development perpetuated inefficient land use as a large surface area was used to accommodate a relatively small enterprise; and approval of the application would set an undesirable precedent, leading to further deterioration of the rural landscape resources; 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 development for temporary open storage of scrap metal was not in line with the planning intention of the “Residential (Group D)” (“R(D)”) zone and there was no strong planning justification in the submission for a departure from the planning intention, even on a temporary basis. The application did not comply with the Town Planning Board Guidelines for ‘Application for Open Storage and Port Back-up Uses’ (TPB PG-No. 13E). DEP did not support the application and the applicant failed to demonstrate that the proposed development would not generate adverse environmental impacts. Approval of the application, even on temporary basis, would set an undesirable precedent for similar applications within this part of the “R(D)” zone. The cumulative effect of approving such applications would result in a general degradation of the rural environment of the area. Regarding the public comments, the comments of DEP and planning assessments above were relevant.

150. Members had no question on the application.

Deliberation Session

151. 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 “Residential (Group D)” (“R(D)”) zone which is primarily for improvement and upgrading of existing temporary structures within the rural areas through redevelopment of existing temporary structures into permanent buildings, and for low-rise, low-density residential developments subject to planning permission from the Board. No strong planning justification has been given in the submission for a departure from the planning intention, even on a temporary basis;
- (b) the application does not comply with the Town Planning Board Guidelines No. 13E in that no previous approval has been granted at the site and there are adverse departmental comment on and local objection to the application. The proposed development is also not compatible with the surrounding land uses which are rural in character mixed with residential structures/dwellings, an orchard and a horse riding school;
- (c) the applicant fails to demonstrate that the development would not generate adverse environmental impact on the surrounding areas; and
- (d) the approval of the application, even on a temporary basis, would set an undesirable precedent for similar applications within this part of the “R(D)” zone. The cumulative effect of approving such applications would result in a general degradation of the rural environment of the area.”

Agenda Item 41

Section 16 Application

[Open Meeting]

A/YL-SK/212 Temporary Public Vehicle Park for Private Cars and Light Goods Vehicles (Not Exceeding 5.5 Tonnes) and Ancillary Car Beauty Services for a Period of 3 Years in “Village Type Development” zone, Lots 616 S.B RP (Part) and 617 (Part) in D.D. 114, Kam Tin Road, Kam Tin, Yuen Long
(RNTPC Paper No. A/YL-SK/212)

152. The Committee noted that the applicant requested on 21.12.2015 for deferment of the consideration of the application for two months in order to address the comments of relevant government departments. It was the first time that the applicant requested for deferment of the application.

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

Agenda Item 42

Section 16 Application

[Open Meeting (Presentation and Question Sessions Only)]

A/YL-MP/246 Temporary Shop and Services (Metal Hardware Shop and Household Items Retail Store) for a Period of 3 Years in “Open Space” Zone, Lot 2874 in D.D.104, Mai Po, Yuen Long
(RNTPC Paper No. A/YL-MP/246A)

Presentation and Question Sessions

154. Mr K.T. Ng, STP/FSYLE, presented the application and covered the following aspects as detailed in the Paper :

- (a) background to the application;
- (b) temporary shop and services (metal hardware shop and household items retail store) for a period of 3 years;
- (c) departmental comments – departmental comments were set out in paragraph 10 of the Paper. Relevant government departments had no objection to or no adverse comment on the application;
- (d) during the first 3 weeks of the statutory public inspection period, 11 objecting comments from a member of the Yuen Long District Council, the Estate Owners’ Committee of Royal Palms, the property management company of Palm Springs and eight individuals were received. They objected to the application mainly on the grounds that the site was originally a fish pond which was illegally filled by the landowner; the applicant’s proposed access would have adverse impact on road safety; and the proposed development would create nuisance to the nearby residents and cause adverse environmental and drainage impacts; and
- (e) the Planning Department (PlanD)’s views – PlanD considered that the

temporary shop and services could be tolerated for a period of three years based on the assessments set out in paragraph 12 of the Paper. Although the proposed shop and services use was not in line with the planning intention of the “Open Space” (“O”) zone, the Director of Leisure and Cultural Services had no objection to the application as there was no programme for developing the open space within the “O” zone currently. Approval of the application for a period of 3 years would not frustrate the long-term planning intention of the “O” zone. Although DEP did not support the application, no environmental complaint was received in the past three years and the environmental concern could be addressed by the imposition of relevant approval conditions. Since 2008, the Committee had approved a total of 10 applications for similar shop and services use within the same “O” zone based on similar considerations. Approval of the application was in line with the Committee’s previous decisions. Regarding the public comments, the comments of government departments and planning assessments above were relevant.

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 8.1.2019, on the terms of the application as submitted to the Town Planning Board (TPB) and subject to the following conditions :

- “(a) no operation between 7:00 p.m. and 9:00 a.m., as proposed by the applicant, is allowed on the site during the planning approval period;
- (b) no operation on Sundays and public holidays, as proposed by the applicant, is allowed on the site during the planning approval period;
- (c) no medium or heavy goods vehicle (i.e. exceeding 5.5 tonnes) including container/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) the submission of drainage proposal within 6 months from the date of planning approval to the satisfaction of the Director of Drainage Services or of the TPB by 8.7.2016;
- (e) in relation to (d) above, the implementation of drainage proposal within 9 months from the date of planning approval to the satisfaction of the Director of Drainage Services or of the TPB by 8.10.2016;
- (f) the submission of fire service installations proposal within 6 months from the date of planning approval to the satisfaction of Director of Fire Services or of the TPB by 8.7.2016;
- (g) in relation to (f) above, the implementation of fire service installations proposal within 9 months from the date of planning approval to the satisfaction of Director of Fire Services or of the TPB by 8.10.2016;
- (h) the submission of landscape and tree preservation proposals within 6 months from the date of planning approval to the satisfaction of Director of Planning or of the TPB by 8.7.2016;
- (i) in relation to (h) above, the implementation of landscape and tree preservation proposals within 9 months from the date of planning approval to the satisfaction of Director of Planning or of the TPB by 8.10.2016;
- (j) the provision of boundary fencing on the site within 6 months from the date of planning approval to the satisfaction of the Director of Planning or of the TPB by 8.7.2016;
- (k) if any of the above planning conditions (a), (b) or (c) is not complied with during the planning approval period, the approval hereby given shall cease to have effect and shall be revoked immediately without further notice;
- (l) if any of the above planning conditions (d), (e), (f), (g), (h), (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; 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.”

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

[Dr C.P. Lau left the meeting at this point.]

Agenda Item 43

Section 16 Application

[Open Meeting]

A/YL-ST/477 Proposed Eating Place, Place of Entertainment, Shops and Services, Minor Relaxation of Height Restriction and Excavation of Land in “Other Specified Uses” annotated “Service Stations” zone, Lots 661 S.C RP, 669 RP, 674 RP (Part), 733 RP (Part) in D.D. 99 and Adjoining Government Land, San Tin, Yuen Long
(RNTPC Paper No. A/YL-ST/477)

158. The Secretary reported that the application was submitted by Topcycle Development Limited with Masterplan Limited (Masterplan), AECOM Asia Company Limited (AECOM) and Ramboll Environ Hong Kong Limited (Environ) as three of the consultants of the applicant. The following Members had declared interests on the item:

- | | |
|--------------------|---|
| Mr Ivan C.S. Fu | - having current business dealings with Masterplan, AECOM and Environ |
| Ms Janice W.M. Lai | - having current business dealings with AECOM and Environ |

Professor S.C. Wong
(the Vice-chairman)

- having current business dealings with AECOM;
and being the Chair Professor and Head of
Department of Civil Engineering of the
University of Hong Kong where AECOM has
sponsored some activities of the Department
before

159. As the applicant had requested for a deferral of consideration of the application, the Committee agreed that Ms Lai could stay in the meeting as she had no involvement in the application. The Committee also noted that Mr Fu and Professor Wong had already left the meeting.

160. The Committee noted that the applicant's representative requested on 18.12.2015 for deferment of the consideration of the application for two months in order to allow time for preparation of responses to the comments of relevant government departments. It was the second time that the applicant requested for deferment of the application.

161. 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 further information. Since it was the second deferment of the application and a total of four months had been allowed, no further deferment would be granted unless under very special circumstances.

[The Chairman thanked Ms Maggie M.Y. Chin, DPO/FSYLE, Mr Jeff K.C. Ho, Mr Kepler S.Y. Yuen and Mr K.T. Ng, STPs/FSYLE, for their attendance to answer Members' enquiries. They left the meeting at this point.]

Tuen Mun and Yuen Long West District

[Miss Karmin Tong, Ms Jessica Y.C. Ho, Mr K.C. Kan and Mr Vincent T.K. Lai, Senior Town Planners/Tuen Mun and Yuen Long West (STPs/TMYLW), were invited to the meeting at this point.]

[Ms Anita W.T. Ma left the meeting temporarily at this point.]

Agenda Item 44

Section 16 Application

[Open Meeting (Presentation and Question Sessions Only)]

A/YL-TT/370 Temporary Shop and Services (Real Estate Agency) for a Period of 3
Years in “Village Type Development” zone, Lot 1293 RP (Part) in
D.D. 117, Tai Tong, Yuen Long
(RNTPC Paper No. A/YL-TT/370)

Presentation and Question Sessions

162. Miss Karmin Tong, STP/TMYLW, presented the application and covered the following aspects as detailed in the Paper :

- (a) background to the application;
- (b) temporary shop and services (real estate agency) for a period of 3 years;
- (c) departmental comments – departmental comments were set out in paragraph 9 of the Paper. Relevant government departments had no objection to or no adverse comment on the application;
- (d) during the first three weeks of the statutory public inspection period, five public comments of standard format were received from the Shap Pat Heung Rural Committee, Tai Tong Tsuen Village Representatives, Shap

Pat Heung District Resident Association, Hong Kong Excellent Youth of Agriculture and Fisheries Development Association and New Territories Warehouse and Logistics Business Association. All the commenters supported the application mainly on the grounds that the development was conveniently located and could help meet the local demand for real estate services; and

- (e) the Planning Department (PlanD)'s views – PlanD considered that the temporary shop and services 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 “Village Type Development” (“V”) zone, according to the District Lands Officer/Yuen Long of the Lands Department, there was no Small House application at the site, approval of the development on a temporary basis would not frustrate the long-term planning intention of the “V” zone. Relevant government departments had no objection to or no adverse comment on the application. The site was involved in a previously approved application (No. A/YL-TT/300) for the same use on the same site submitted by the same applicant and all the approval conditions of the last application had been complied with. A similar application in the vicinity of the site was approved in 2014. Approval of the subject application was in line with the Committee's previous decisions.

163. Members had no question on the application.

Deliberation Session

164. After deliberation, the Committee decided to approve the application on a temporary basis for a period of 3 years until 8.1.2019, on the terms of the application as submitted to the Town Planning Board (TPB) and subject to the following conditions :

- “(a) no operation between 8:00 p.m. and 9:00 a.m., as proposed by the applicant, is allowed on the site during the planning approval period;

- (b) no vehicle is allowed to queue back to or reverse onto/from public road at any time during the planning approval period;
- (c) the existing drainage facilities on the site shall be maintained at all times during the planning approval period;
- (d) the submission of 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 8.7.2016;
- (e) the provision of boundary fencing on the site within 3 months from the date of planning approval to the satisfaction of the Director of Planning or of the TPB by 8.4.2016;
- (f) the submission of run-in/out proposal within 6 months from the date of planning approval to the satisfaction of the Director of Highways or of the TPB by 8.7.2016;
- (g) in relation to (f) above, the implementation of run-in/out proposal within 9 months from the date of planning approval to the satisfaction of the Director of Highways or of the TPB by 8.10.2016;
- (h) the submission of tree preservation and landscape proposal within 6 months from the date of planning approval to the satisfaction of the Director of Planning or of the TPB by 8.7.2016;
- (i) in relation to (h) above, the implementation of tree preservation and landscape proposal within 9 months from the date of planning approval to the satisfaction of the Director of Planning or of the TPB by 8.10.2016;
- (j) the submission of fire service installations proposal within 6 months from the date of planning approval to the satisfaction of the Director of Fire Services or of the TPB by 8.7.2016;

- (k) in relation to (j) above, the implementation of 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 8.10.2016;
- (l) if any of the above planning conditions (a), (b) or (c) is not complied with during the planning approval period, the approval hereby given shall cease to have effect and shall be revoked immediately without further notice;
- (m) if any of the above planning conditions (d), (e), (f), (g), (h), (i), (j) or (k) is not complied with by the specified date, the approval hereby given shall cease to have effect and shall on the same date be revoked without further notice; and
- (n) upon 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.”

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

Agenda Item 45

Section 16 Application

[Open Meeting (Presentation and Question Sessions Only)]

A/YL-TYST/752 Temporary Warehouse for Storage of Non-Staple Food for a Period of 3 Years in “Undetermined” zone, Lots 1220 RP (Part) and 1223 RP (Part) in D.D. 119 and Adjoining Government Land, Kung Um Road, Shap Pat Heung, Yuen Long
(RNTPC Paper No. A/YL-TYST/752A)

Presentation and Question Sessions

166. Miss Karmin Tong, STP/TMYLW, presented the application and covered the following aspects as detailed in the Paper :

- (a) background to the application;
- (b) temporary warehouse for storage of non-staple food for a period of 3 years;
- (c) departmental comments – departmental comments were set out in paragraph 9 of the Paper. The Director of Environmental Protection (DEP) did not support the application as there were sensitive receivers, i.e. residential structures located to the northeast and in the vicinity, and environmental nuisance was expected. Other relevant government departments had no objection to or no adverse comment on the application;
- (d) during the first three weeks of the statutory public inspection period, two public comments were received from a Yuen Long District Council Member and a member of the public. The commenters objected to the application mainly on the grounds that the application should be rejected in view of the previous revocations and the applicant’s insincerity to comply with approval conditions; and the proposed development would induce environmental impacts and aggravate local traffic conditions, particularly along Kung Um Road. Besides, the District Officer (Yuen Long) had not received any comment from the locals on the application; and

[Ms Anita W.T. Ma returned to join the meeting at this point.]

- (e) the Planning Department (PlanD)’s views – PlanD considered that the temporary warehouse could be tolerated for a period of three years based on the assessments set out in paragraph 11 of the Paper. The applied use was not incompatible with the surrounding uses which comprised mainly warehouses intermixed with open storage/storage yards and workshops. It was not in conflict with the planning intention of the “Undetermined” (“U”) zone, approval of the application on a temporary basis would not frustrate the long-term use of the area. Although DEP did not support the application, no environmental complaint was received in the past three years and the environmental concern could be addressed by the imposition

of relevant approval conditions. Two previous approvals for the same use had been granted to the site under Applications No. A/YL-TYST/505 and 637 and similar approvals had been granted in the same “U” zone. Approval of the subject application was in line with the Committee’s previous decisions. Regarding the public comments, the above assessments 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 8.1.2019, 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 statutory holidays, as proposed by the applicant, is allowed on the site during the planning approval period;
- (c) no medium and heavy goods vehicles exceeding 5.5 tonnes, including container tractors/trailers, as defined in the Road Traffic Ordinance, is allowed to be parked/stored on or enter/exit the site, as proposed by the applicant, at any time during the planning approval period;
- (d) no vehicle is allowed to queue back to or reverse onto/from public road at any time during the planning approval period;
- (e) the existing drainage facilities on the site shall be maintained at all times during the planning approval period;
- (f) the submission of 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 8.4.2016;

- (g) the implementation of the accepted run-in/out proposal within 3 months from the date of planning approval to the satisfaction of the Director of Highways or of the TPB by 8.4.2016;
- (h) the implementation of the accepted fire service installations proposal within 3 months from the date of planning approval to the satisfaction of the Director of Fire Services or of the TPB by 8.4.2016;
- (i) if any of the above planning conditions (a), (b), (c), (d) or (e) is not complied with during the planning approval period, the approval hereby given shall cease to have effect and shall be revoked immediately without further notice;
- (j) if any of the above planning conditions (f), (g) or (h) is not complied with by the specified date, the approval hereby given shall cease to have effect and shall on the same date be revoked without further notice; and
- (k) 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.”

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

[Professor K.C. Chau left the meeting temporarily at this point.]

Agenda Item 46

Section 16 Application

[Open Meeting (Presentation and Question Sessions Only)]

A/YL-TYST/774 Proposed Temporary Shop (Grocery Store) for a Period of 3 Years in “Residential (Group C) “ zone, Lots 1294 (Part), 1295 (Part), 1298 (Part), 1301 (Part), 1302, 1303, 1304 (Part), 1305 (Part), 1306 (Part) and 1307 in D.D. 119, Pak Sha Tsuen, Yuen Long
(RNTPC Paper No. A/YL-TYST/774)

Presentation and Question Sessions

170. Miss Karmin Tong, STP/TMYLW, presented the application and covered the following aspects as detailed in the Paper :

- (a) background to the application;
- (b) proposed temporary shop (grocery store) for a period of 3 years;
- (c) departmental comments – departmental comments were set out in paragraph 9 of the Paper. Relevant government departments had no objection to or no adverse comment on the application;
- (d) during the first three weeks of the statutory public inspection period, one public comment was received, objecting to the application mainly on the ground that the subject site could be better utilized for housing purpose. The commenter questioned the commercial viability of the proposed development in view of its remote location. Besides, the District Officer (Yuen Long) had not received any comment from the locals on the application; and
- (e) the Planning Department (PlanD)’s views – PlanD considered that the temporary shop 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 C)” (“R(C)”) zone, as there was no known programme for long-term development on the site currently, approval of the application on a temporary basis would not frustrate the long-term planning intention of the “R(C)” zone. The applied use was not incompatible with the surrounding uses which comprised mainly residential structures, warehouses and open storage yards. Relevant government departments had no objection to or no adverse comment on the application. Regarding the public comments, the above assessments were relevant.

171. Members had no question on the application.

Deliberation Session

172. After deliberation, the Committee decided to approve the application on a temporary basis for a period of 3 years until 8.1.2019, on the terms of the application as submitted to the Town Planning Board (TPB) and subject to the following conditions :

- “(a) no operation between 9:00 p.m. and 7:00 a.m., as proposed by the applicant, is allowed on the site during the planning approval period;
- (b) no medium and heavy goods vehicles exceeding 5.5 tonnes, including container tractors/trailers, as defined in the Road Traffic Ordinance are allowed to be parked/stored on or enter/exit the site, as proposed by the applicant, at any time during the planning approval period;
- (c) no vehicle is allowed to queue back to or reverse onto/from public road at any time during the planning approval period;
- (d) the existing drainage facilities on the site shall be maintained at all times during the planning approval period;
- (e) the submission of 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 8.4.2016;

- (f) the submission of landscape and tree preservation proposal within 6 months from the date of planning approval to the satisfaction of the Director of Planning or of the TPB by 8.7.2016;
- (g) in relation to (f) above, the implementation of landscape and tree preservation proposal within 9 months from the date of planning approval to the satisfaction of the Director of Planning or of the TPB by 8.10.2016;
- (h) the submission of fire service installations proposal within 6 months from the date of planning approval to the satisfaction of the Director of Fire Services or of the TPB by 8.7.2016;
- (i) in relation to (h) above, the implementation of 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 8.10.2016;
- (j) if any of the above planning conditions (a), (b), (c) or (d) is not complied with during the planning approval period, the approval hereby given shall cease to have effect and shall be revoked immediately without further notice;
- (k) if any of the above planning conditions (e), (f), (g), (h) or (i) is not complied with by the specified date, the approval hereby given shall cease to have effect and shall on the same date be revoked without further notice; and
- (l) 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.”

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

Agenda Item 47

Section 16 Application

[Open Meeting]

A/YL/219

Proposed Office and Shop and Services cum Public Open Space in
“Government, Institution or Community (1) “ zone, Lots 1700 (Part),
1716 RP and 1717 RP(Part) in D.D. 120, Tai Kei Leng, Tai Tong
Road, Yuen Long
(RNTPC Paper No. A/YL/219)

174. The Secretary reported that the application was submitted by Trinly Investment Limited with Arup & Partners Hong Kong Limited (Arup) as the consultant of the applicant. The following Members had declared interests on the item:

Mr Ivan C.S. Fu - having current business dealings with Arup

Professor S.C. Wong - being a traffic consultant of Arup
(the Vice-chairman)

175. The Committee noted that Mr Fu and Professor Wong had already left the meeting.

176. The Committee noted that the applicant’s representative requested on 29.12.2015 for deferment of the consideration of the application for two months in order to allow time for the preparation of supplementary information to address the comments of relevant government departments. It was the first time that the applicant requested for deferment of the application.

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

Agenda Item 48

Section 16 Application

[Open Meeting (Presentation and Question Sessions Only)]

A/TM/483 Proposed Shop and Services, Office and Eating Place (Wholesale Conversion of an Existing Building Only) in "Industrial" Zone, Tuen Mun Town Lot No. 105, No. 19 San On Street, Tuen Mun
(RNTPC Paper No. A/TM/483A)

178. The Secretary reported that the application was submitted by Kui Kwoon Company Limited with Arup & Partners Hong Kong Limited (Arup) as one of the consultants of the applicant. The following Members had declared interests on the item:

- | | |
|--|--|
| Mr Ivan C.S. Fu | - having current business dealings with Arup |
| Professor S.C. Wong
(the Vice-chairman) | - being a traffic consultant of Arup |

179. The Committee noted that Mr Fu and Professor Wong had already left the meeting.

Presentation and Question Sessions

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

- (a) background to the application;

- (b) proposed shop and services, office and eating place (wholesale conversion of an existing building only);
- (c) departmental comments – departmental comments were set out in paragraph 10 of the Paper. The Director-General of Trade and Industry (DG of TI) had reservation on the application as approval of the application might result in a shortage of industrial land for meeting Hong Kong's economic and industrial development needs. Other relevant government departments had no objection to or no adverse comment on the application;
- (d) during the first three weeks of the statutory public inspection periods, one public comment was received. The commenter supported the application on the grounds that it could increase job opportunities and improve the environment in Tuen Mun; 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 generally met the Town Planning Board Guidelines for 'Use/Development within "Industrial" Zone' (TPB PG-No. 25D) in that the location of the proposed development was easily accessible to public transport facilities and the provision of parking and loading/unloading facilities had met the minimum requirements of the Hong Kong Planning Standards and Guidelines. Although DG of TI had reservation on the application, the application was in line with the policy measures introduced by the Government in 2010 to encourage the redevelopment or conversion of industrial buildings. The Committee had approved six similar applications in the industrial areas of Tuen Mun and approval of the application would be in line with the Committee's previous decisions. In order not to jeopardise the potential long term planning intention of the site, should the Committee decide to approve the application, it was recommended that the approval would be for the lifetime of the building. Upon redevelopment, the site would need to conform with the zoning and development restrictions on the Outline Zoning Plan in force at the time of redevelopment.

181. Mr Edwin W.K. Chan, Assistant Director/Regional 3, Lands Department (LandsD) drew Members' attention that there was a typographical error in paragraph 10.1.1 (i) of the Paper. The words 'industrial and/or godown purposes' should read as 'industrial or godown purposes'.

182. In response to the Chairman's query regarding the implementation of the previously approved applications, Ms Jessica Y.C. Ho, STP/TMYLW, said that application No. A/TM/403 was approved with conditions in 2011 and no application for special waiver was received by LandsD. For application No. A/TM/413, a special waiver for hotel development was executed in January 2015 and a set of general building plans was also approved. For application No. A/TM/420, a special wavier was executed in February 2014. For applications No. A/TM/424 and A/TM/464, applications for special waiver were submitted on 24.9.2015 and they were still being processed by LandsD. As for application No. A/TM/478, it was approved with conditions by the Committee in November 2015 and application for special waiver had yet to be submitted to LandsD.

[Professor K.C. Chau returned to join the meeting and Dr W.K. Yau left the meeting at this point.]

183. The Chairman asked whether there was any area zoned "Other Specified Uses" annotated "Business" ("OU(B)") on the approved Tuen Mun Outline Zoning Plan (OZP). In response, Mr David C.M. Lam, DPO/TMYLW, said that there was only a small area zoned "OU(B)" to the south of the three "Comprehensive Development Area" zones on the approved Tuen Mun OZP.

Deliberation Session

184. The Chairman remarked that land available for non-industrial use (i.e. commercial use) was relatively limited in the Tuen Mun area.

185. 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 8.1.2020, 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 revised traffic impact assessment to the satisfaction of the Commissioner for Transport or of the TPB;
- (b) the submission and implementation of fire services installations and water supplies for fire fighting to the satisfaction of the Director of Fire Services or of the TPB;
- (c) the design and provision of parking facilities and loading/unloading spaces for the proposed development to the satisfaction of the Commissioner for Transport or of the TPB;
- (d) the submission of revised sewerage impact assessment and the implementation of the proposed sewerage improvement works identified therein at the applicant’s own costs as proposed by the applicant to the satisfaction of the Director of Drainage Services or of the TPB; and
- (e) the submission and implementation of landscape proposal to the satisfaction of the Director of Planning or of the TPB.”

186. 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]

A/TM-LTY Y/301 Proposed House (New Territories Exempted House - Small House) in
“Residential (Group E) “ zone, Lot 190 S.D ss.1 in D.D. 130, San Hing
Tsuen, Tuen Mun
(RNTPC Paper No. A/TM-LTY Y/301)

187. The Committee noted that the applicant’s agent requested on 18.12.2015 for deferment of the consideration of the application for two months in order to allow time for the preparation of further information to address the comments of relevant government departments. It was the first time that the applicant requested for deferment of the application.

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

Agenda Item 50

Section 16 Application

[Open Meeting (Presentation and Question Sessions Only)]

A/YL-PS/489 Temporary Public Vehicle Park (Private Cars and Light Goods Vehicles) for a Period of 3 Years in “Village Type Development” zone, Lots 390 (Part), 392 (Part), 403 RP (Part) and 404 (Part) in D.D. 122 and adjoining Government Land, Sheung Cheung Wai, Ping Shan, Yuen Long
(RNTPC Paper No. A/YL-PS/489A)

Presentation and Question Sessions

189. Mr K.C. Kan, STP/TMYLW, presented the application and covered the following aspects as detailed in the Paper :

- (a) background to the application;
- (b) temporary public vehicle park (private cars and light goods vehicles) for a period of 3 years;
- (c) departmental comments – departmental comments were set out in paragraph 9 of the Paper. Relevant government departments had no objection to or no adverse comment on the application;
- (d) during the first three weeks of the statutory public inspection periods, one public comment was received. The commenter objected to the application mainly on the grounds that the “Village Type Development” (V”) zone was for housing; the proposed use of land was inefficient; villagers could use ground floor of their houses to park cars; and approval of the application would set an undesirable precedent;
- (e) the District Officer (Yuen Long) had not received any comment from the locals on the application; and

- (f) the Planning Department (PlanD)'s views – PlanD considered that the temporary public vehicle park 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 “V” zone, according to the District Lands Officer/Yuen Long of the Lands Department, there was no Small House application at the site, and approval of the development on a temporary basis would not frustrate the long-term planning intention of the “V” zone. The development was not incompatible with the surrounding areas mixed with vehicle parks and residential developments. Relevant government departments had no objection to or no adverse comment on the application. The site was related to four previously approved applications for the same development. Approval of the current application was in line with the previous decisions of the Committee. Regarding the public comments, the above assessments were relevant.

190. Members had no question on the application.

Deliberation Session

191. After deliberation, the Committee decided to approve the application on a temporary basis for a period of 3 years until 8.1.2019, on the terms of the application as submitted to the Town Planning Board (TPB) and subject to the following conditions :

- “(a) no operation between 11:00 p.m. and 7:00 a.m., as proposed by the applicant, is allowed on the site during the planning approval period;
- (b) only private cars and light goods vehicles as defined in the Road Traffic Ordinance are allowed to enter/be parked on the site at all times during the planning approval period;
- (c) a notice shall be posted at a prominent location of the site to indicate that only private cars and light goods vehicles as defined in the Road Traffic Ordinance are allowed to enter/be parked on the site at all times during the planning approval period;

- (d) a notice shall be posted at a prominent location of the site to remind drivers on pedestrian safety on the access road to the site at all times during the planning approval period;
- (e) 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;
- (f) no vehicle washing, vehicle repair, dismantling, paint spraying or other workshop activity is allowed on the site at any time during the planning approval period;
- (g) no vehicle is allowed to queue back to or reverse onto/from public road at any time during the planning approval period;
- (h) the existing drainage facilities shall be maintained at all times during the planning approval period;
- (i) the submission of condition record of the drainage facilities within 3 months from the date of planning approval to the satisfaction of the Director of Drainage Services or of the TPB by 8.4.2016;
- (j) the submission of fire service installations proposal within 6 months from the date of planning approval to the satisfaction of the Director of Fire Services or of the TPB by 8.7.2016;
- (k) in relation to (j) above, the implementation of fire service installations proposal with 9 months from the date of planning approval to the satisfaction of the Director of Fire Services or of the TPB by 8.10.2016;
- (l) the submission of landscape and tree preservation proposal within 6 months from the date of planning approval to the satisfaction of the Director of Planning or of the TPB by 8.7.2016;

- (m) in relation to (l) above, the implementation of landscape and tree preservation proposal within 9 months from the date of planning approval to the satisfaction of the Director of Planning or of the TPB by 8.10.2016;
- (n) the provision of boundary fencing within 3 months from the date of planning approval to the satisfaction of the Director of Planning or of the TPB by 8.4.2016;
- (o) 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;
- (p) if any of the above planning conditions (i), (j), (k), (l), (m) or (n) 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
- (q) 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.”

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

Agenda Item 51

Section 16 Application

[Open Meeting (Presentation and Question Sessions Only)]

A/YL-PS/491 Proposed Temporary Open Storage of Building Materials with Ancillary Office for a Period of 3 Years in “Residential (Group B) 1” Zone, Lots 113 S.B RP, 114 and 115 RP in D.D. 121, near Ping Pak Lane, Ping Shan, Yuen Long
(RNTPC Paper No. A/YL-PS/491A)

Presentation and Question Sessions

193. Mr K.C. Kan, STP/TMYLW, presented the application and covered the following aspects as detailed in the Paper :

- (a) background to the application;
- (b) proposed temporary open storage of building materials with ancillary office for a period of 3 years;
- (c) departmental comments – departmental comments were set out in paragraph 10 of the Paper. Relevant government departments had no objection to or no adverse comment on the application;
- (d) during the first three weeks of the statutory public inspection period, two public comments were received. One comment was submitted by Winful Far East Limited which objected to the application mainly on the grounds that the company never allowed or permitted any person to occupy its property (i.e. Lots 42 RP and 122 RP in D.D. 121) or illegally trespassing on its property; the company was proposing land exchange for private residential purpose at its property; and the proposed development would cause environmental, traffic, pedestrian safety and landscape impacts. The other commenter objected to the application mainly on the grounds that the site should be developed in accordance with its planning intention

for addressing shortage in residential land and approval of the application would perpetuate inefficient use of land and set an undesirable precedent;

- (e) the District Officer (Yuen Long) had not received any comment from the locals on the application; and
- (f) 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 development was not in line with the planning intention of the “Residential (Group B)1” (“R(B)1”) zone and there was no strong planning justification for a departure from the planning intention, even on a temporary basis. The proposed development was not in line with the Town Planning Board Guidelines for ‘Application for Open Storage and Port Back-up Uses under Section 16 of the Town Planning Ordinance’ (TPB PG-No. 13E) in that the applicant had not demonstrated any exceptional circumstances to justify the proposed development and there was no previous planning approval on the site. Approval of the application, even on a temporary basis, would set an undesirable precedent for similar applications within the “R(B)1” zone and the cumulative effect of approving such similar applications would result in a genuine degradation of the environment of the area. There was one similar application (No. A/YL-PS/434) for similar uses which was rejected by the Committee in 2014 and rejection of the application was in line with the Committee’s previous decisions. Regarding the public comments, the above assessments were relevant.

194. Members had no question on the application.

Deliberation Session

195. 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 “Residential (Group B) 1” zone which is intended primarily for sub-urban medium-density residential developments in rural areas. There is no strong justification for a departure from the planning intention, even on a temporary basis;
- (b) the proposed development is not in line with the Town Planning Board Guidelines for Application for Open Storage and Port Back-up Uses under Section 16 of the Town Planning Ordinance (TPB PG-No. 13E) in that the applicant has not provided any exceptional circumstances to justify the proposed open storage use in Category 4 areas; and
- (c) approval of the application, even on a temporary basis, would set an undesirable precedent for similar applications within the “R(B)1” zone. The cumulative effect of approving such similar applications would result in a general degradation of the environment of the area.”

Agenda Item 52

Section 16 Application

[Open Meeting]

A/YL-PS/508 Temporary Shop and Services (Convenient Store) for a Period of 5 Years in “Village Type Development” zone, Lot 289 S.B in D.D. 123, Fuk Shun Street, Tai Tseng Wai, Ping Shan, Yuen Long
(RNTPC Paper No. A/YL-PS/508)

196. The Committee noted that the applicant requested on 23.12.2015 for deferment of the consideration of the application for one month in order to allow time for the preparation of run-in/run-out proposal and fire service installations proposal to address the concerns of relevant government departments. It was the first time that the applicant requested for deferment of the application.

197. After deliberation, the Committee decided to defer a decision on the application

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

Agenda Item 53

Section 16 Application

[Open Meeting (Presentation and Question Sessions Only)]

A/YL-PS/509 Temporary Public Vehicle Park (Private Cars and Light Goods Vehicles) for a Period of 3 Years in "Green Belt" and "Village Type Development" zones, Lots 39 RP (Part), 40 RP, 42 (Part), 43 S.B (Part), 43 S.C (Part), 43 S.D (Part), 43 S.E (Part), 43 S.F (Part) and 43 S.G (Part) in D.D. 122 and adjoining Government Land, Yung Yuen Road, Ping Shan, Yuen Long

(RNTPC Paper No. A/YL-PS/509)

Presentation and Question Sessions

198. Mr K.C. Kan, STP/TMYLW, drew Members' attention that a replacement page (i.e. page 12) of the Paper was tabled at the meeting. He then presented the application and covered the following aspects as detailed in the Paper :

- (a) background to the application;
- (b) temporary public vehicle park (private cars and light goods vehicles) for a period of 3 years;

- (c) departmental comments – departmental comments were set out in paragraph 10 of the Paper. Relevant government departments had no objection to or no adverse comment on the application;
- (d) during the first three weeks of the statutory public inspection period, one public comment was received objecting to the application mainly on the grounds that the development was an inefficient use of land, the “Green Belt” (“GB”) zone should be cleared of obstruction and revegetated; and approval of the application would set an undesirable precedent;
- (e) the District Officer (Yuen Long) had not received any comment from the locals on the application; and
- (f) the Planning Department (PlanD)’s views – PlanD considered that the temporary public vehicle park could be tolerated for a period of three years based on the assessments set out in paragraph 12 of the Paper. The application site straddled the “GB” and “Village Type Development” (“V”) zones. Although the development was not entirely in line with the planning intention of the “GB” zone and there was a general presumption against development, the “GB” part of the site was previously zoned “Undetermined” before the exhibition of the draft Ping Shan Outline Zoning Plan No. S/YL-PS/12 on 5.11.2010, and the first permission for temporary vehicle park covering the site was granted on 6.3.1998. The development did not involve clearance of natural vegetation and the Director of Agriculture, Fisheries and Conservation had no strong view on the application from nature conservation point of view. Moreover, although the applied use was not entirely in line with the planning intention of the “V” zone, according to the District Lands Officer/Yuen Long of the Lands Department, there was no Small House application at the site, approval of the development on a temporary basis would not frustrate the long-term planning intention of the “V” zone. Relevant government departments had no objection to or no adverse comment on the application. Given that the site was related to six previous approved applications for

temporary vehicle park and there were three approved similar applications within the same “V” zone, approval of the application was in line with the Committee’s previous decisions. Regarding the public comments, the above assessments were relevant.

199. Members had no question on the application.

Deliberation Session

200. After deliberation, the Committee decided to approve the application on a temporary basis for a period of 3 years until 8.1.2019, on the terms of the application as submitted to the Town Planning Board (TPB) and subject to the following conditions :

- “(a) no operation between 11:00 p.m. and 7:00 a.m., as proposed by the applicant, is allowed on the site during the planning approval period;
- (b) only private cars and light goods vehicles as defined in the Road Traffic Ordinance are allowed to enter/be parked on the site at all times during the planning approval period;
- (c) 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;
- (d) no vehicle washing, vehicle repair, dismantling, paint spraying or other workshop activity is allowed on the site at any time during the planning approval period;
- (e) no vehicle is allowed to queue back to or reverse onto/from public road at any time during the planning approval period;
- (f) the existing landscape planting on the site shall be maintained at all times during the planning approval period;

- (g) the existing drainage facilities shall be maintained at all times during the planning approval period;
- (h) the submission of record of the existing drainage facilities within 3 months from the date of planning approval to the satisfaction of the Director of Drainage Services or of the TPB by 8.4.2016;
- (i) the submission of fire service installations proposal within 6 months from the date of planning approval to the satisfaction of the Director of Fire Services or of the TPB by 8.7.2016;
- (j) in relation to (i) above, the implementation of the fire service installations proposal with 9 months from the date of planning approval to the satisfaction of the Director of Fire Services or of the TPB by 8.10.2016;
- (k) the provision of boundary fencing on the site within 3 months from the date of planning approval to the satisfaction of the Director of Planning or of the TPB by 8.4.2016;
- (l) if any of the above planning conditions (a), (b), (c), (d), (e), (f) or (g) is not complied with during the planning approval period, the approval hereby given shall cease to have effect and shall be revoked immediately without further notice;
- (m) if any of the above planning conditions (h), (i), (j) or (k) is not complied with by the specified date, the approval hereby given shall cease to have effect and shall on the same date be revoked without further notice; and
- (n) 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.”

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

[Ms Christina M. Lee left the meeting at this point.]

Agenda Item 54

Section 16 Application

[Open Meeting (Presentation and Question Sessions Only)]

A/YL-PS/510 Proposed Utility Installation for Private Project (Electricity Package Substations) and Excavation and Filling of Land in “Village Type Development” zone, Lot 98 (Part) in D.D. 122, Yung Yuen Road, Ping Shan, Yuen Long
(RNTPC Paper No. A/YL-PS/510)

Presentation and Question Sessions

202. Mr K.C. Kan, STP/TMYLW, presented the application and covered the following aspects as detailed in the Paper :

- (a) background to the application;
- (b) proposed utility installation for private project (electricity package substations) and excavation and filling of land;
- (c) departmental comments – departmental comments were set out in paragraph 9 of the Paper. Relevant government departments had no objection to or no adverse comment on the application;
- (d) no public comment was received during the first three weeks of the statutory publication period and no local objection/view was received by the District Officer/Yuen Long; 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 application was for electricity package substations and excavation and

filling of land within the “Village Type Development” (“V”) zone to serve about 60 New Territories Exempted Houses. The site was related to two previously approved planning applications for the same development with the last application No. A/YL-PS/455 approved with conditions by the Committee on 29.6.2014. The proposed electricity package substations were small in scale and were not incompatible with the surrounding uses. Relevant government departments had no objection to or no adverse comment on the application. There was one similar approved application within the same “V” zone and approval of the application was in line with the Committee’s previous decisions.

203. Members had no question on the application.

Deliberation Session

204. 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 8.1.2020, 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 fire service installations proposal to the satisfaction of the Director of Fire Services or of the TPB; and
- (b) the submission and implementation of landscape proposal to the satisfaction of the Director of Planning or the TPB.”

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

[Ms Janice W.M. Lai and Mr Martin W.C. Kwan left the meeting at this point.]

Agenda Items 55, 59 and 62

Section 16 Applications

[Open Meeting (Presentation and Question Sessions Only)]

A/YL-HT/990 Temporary Logistic Centre and Open Storage of Construction Material and Scrap Metal with Ancillary Site Office for a Period of 3 Years in “Comprehensive Development Area” zone, Lots 805 S.B RP, 807 RP, 808 RP, 809 RP (Part), 813 RP (Part), 814 RP (Part), 815 (Part) & 816 S.B RP (Part) in D.D. 125 and Adjoining Government Land, Ha Tsuen, Yuen Long
(RNTPC Paper No. A/YL-HT/990)

A/YL-HT/994 Temporary Open Storage of Containers and Logistics Centre for a Period of 3 Years in “Comprehensive Development Area” zone, Lots 80 (Part), 89 (Part), 90 (Part), 91 (Part) and 92 (Part) in D.D. 125, Ha Tsuen, Yuen Long
(RNTPC Paper No. A/YL-HT/994)

A/YL-HT/997 Temporary Open Storage of Containers and Logistics Centre with Ancillary Open Storage of Recyclable Materials for a Period of 3 Years in “Comprehensive Development Area” zone, Lots 89(Part), 90(Part), 93 RP(Part), 94(Part), 95(Part), 96(Part), 98(Part), 100(Part), 101, 103, 104(Part), 116(Part), 117(Part), 118, 119, 120(Part), 121(Part), 123(Part), 129(Part), 130, 131, 132(Part) and 133 (Part) in D.D.125 and Adjoining Government Land, Ha Tsuen, Yuen Long
(RNTPC Paper No. A/YL-HT/997)

206. Given that the three applications were similar in nature and the sites were located close to one another within the same “Comprehensive Development Area” (“CDA”) zone, the Committee agreed that the three applications could be considered together.

207. The Secretary reported that Ms Janice W.M. Lai had declared interests on the items as her spouse was a shareholder of a company which owned two pieces of land in Ha Tsuen. The Committee noted that Ms Lai had already left the meeting.

Presentation and Question Sessions

208. Mr Vincent T.K. Lai, STP/TMYLW, presented the applications and covered the following aspects as detailed in the Paper :

- (a) background to the applications;
- (b) temporary open storage and logistic centre at each of the sites for a period of 3 years;
- (c) departmental comments – departmental comments were set out in paragraph 10 of the Papers.

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- (i) the Director of Environmental Protection (DEP) did not support the application as there were sensitive uses (isolated residential dwellings) in the vicinity of the site (about 23m away) and along the access road (Ping Ha Road), and environmental nuisance was expected. Other relevant government departments had no objection to or no adverse comment on the application;

Application No. A/YL-HT/994

- (ii) DEP did not support the application as there were sensitive uses in the vicinity of the site (the nearest dwelling about 74m away) and along the access road (Ping Ha Road), and environmental nuisance was expected. Other relevant government departments had no objection to or no adverse comment on the application; and

Application No. A/YL-HT/997

- (iii) DEP did not support the application as there were sensitive uses in the vicinity of the site (the nearest dwelling about 81m away) and

along the access road (Ping Ha Road), and environmental nuisance was expected. Other relevant government departments had no objection to or no adverse comment on the application.

- (d) no public comment was received during the first three weeks of the statutory publication period of the applications and no local objection/view was received by the District Officer/Yuen Long; and
- (e) the Planning Department (PlanD)'s views were summarised as follows:-

Application No. A/YL-HT/990

- (i) the temporary use could be tolerated for a period of three years based on the assessments set out in paragraph 12 of the Paper. The application was generally in line with the Town Planning Board Guidelines for 'Application for Open Storage and Port Back-up Uses' (TPB PG-No. 13E) in that there was no adverse comment from the relevant departments except DEP. Although DEP did not support the application, no environmental complaint was received in the past three years and the environmental concern could be addressed by the imposition of relevant approval conditions. The Committee had approved 11 previous applications covering the site and 15 similar applications in the subject "CDA" zone, approval of the application was in line with the Committee's previous decisions;

Application No. A/YL-HT/994

- (ii) the temporary use could be tolerated for a period of three years based on the assessments set out in paragraph 12 of the Paper. Although the applied was not in line with the planning intention of the "CDA" zone, there was no programme/known intention to implement the zoned uses, approval of the application on a temporary basis of 3 years would not jeopardise the long-term development of the area.

The applied use was not incompatible with the surrounding land uses which comprised mainly open storage yards, warehouse and logistics centre uses. The application was generally in line with the TPB PG-No. 13E in that there was no adverse comment from the relevant departments except DEP. Although DEP did not support the application, no environmental complaint was received in the past three years and the environmental concern could be addressed by the imposition of relevant approval conditions. Given that the last planning application (No. A/YL-HT/935) submitted by the same applicant for similar uses was approved with conditions by the Committee for 3 years on 27.2.2015 and the Committee had approved 23 similar applications within the same “CDA” zone, approval of the application was in line with the Committee’s previous decisions; and

Application No. A/YL-HT/997

- (iii) the temporary use could be tolerated for a period of three years based on the assessments set out in paragraph 12 of the Paper. Although the applied use was not in line with the planning intention of the “CDA” zone, there was no programme/known intention to implement the zoned uses, approval of the application on a temporary basis of 3 years would not jeopardise the long-term development of the area. The applied use was not incompatible with the surrounding land uses which comprised mainly open storage yards, logistics centres and warehouses. The application was generally in line with the TPB PG-No. 13E in that there was no adverse comment from the relevant departments except DEP. Although DEP did not support the application, no environmental complaint was received in the past three years and the environmental concern could be addressed by the imposition of relevant approval conditions. Given that the last planning application (No. A/YL-HT/814) submitted by the same applicant for the same applied use was approved by the Committee for 3 years on 7.12.2012 and

the Committee had approved 24 similar applications within the same “CDA” zone, approval of the application was in line with the Committee’s previous decisions.

209. Members had no question on the applications.

Deliberation Session

210. After deliberation, the Committee decided to approve the applications on a temporary basis for a period of 3 years until 8.1.2019, on the terms of the applications as submitted to the Town Planning Board (TPB) and subject to the following conditions :

Application No. A/YL-HT/990

- “(a) no operation between 11:00 p.m. to 7:00 a.m., as proposed by the applicant, is allowed on the site during the planning approval period;
- (b) no operation on Sundays and public holidays, as proposed by the applicant, is allowed on the site during the planning approval period;
- (c) no vehicle/tyre repairing, compacting and dismantling or other workshop activities, as proposed by the applicant, is allowed on the site at any time during the planning approval period;
- (d) no material/vehicle is allowed to be stored/parked within 1m of any tree on the site during the planning approval period;
- (e) the existing boundary fencing on site shall be maintained at all times during the planning approval period;
- (f) no vehicle is allowed to queue back to or reverse onto/from the public road at any times during the planning approval period;

- (g) the existing drainage facilities on the site shall be maintained at all times during the planning approval period;
- (h) the submission of a condition record of existing drainage facilities within 3 months from the date of planning approval to the satisfaction of Director of Drainage Services or of the TPB by 8.4.2016;
- (i) the submission of a revised tree preservation and landscape proposal within 6 months from the date of planning approval to the satisfaction of the Director of Planning or of the TPB by 8.7.2016;
- (j) in relation to (i) above, the implementation of the tree preservation and landscape proposal within 9 months from the date of planning approval to the satisfaction of the Director of Planning or of the TPB by 8.10.2016;
- (k) the provision of fire extinguisher(s) and the submission of a valid fire certificate (FS251) within 6 weeks from the date of the planning approval to the satisfaction of the Director of Fire Services or of the TPB by 19.2.2016;
- (l) the submission of fire service installations proposals within 6 months from the date of planning approval to the satisfaction of Director of Fire Services or of the TPB by 8.7.2016;
- (m) in relation to (l) above, the provision of fire service installations within 9 months from the date of planning approval to the satisfaction of Director of Fire Services or of the TPB by 8.10.2016;
- (n) 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;

- (o) if any of the above planning conditions (h), (i), (j), (k), (l) or (m) 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
- (p) upon expiry of the planning permission, the reinstatement of the application site to an amenity area to the satisfaction of the Director of Planning or of the TPB.”

Application No. A/YL-HT/994

- “(a) no operation between 8:00 p.m. and 8:00 a.m., as proposed by the applicant, is allowed on the site during the planning approval period;
- (b) no operation on Sundays and public holidays, as proposed by the applicant, is allowed on the site during the planning approval period;
- (c) no cutting, cleansing, melting, dismantling or other workshop activity is allowed to be carried out on the site at any time during the planning approval period;
- (d) the existing fencing on the site shall be maintained at all times during the planning approval period;
- (e) no vehicle is allowed to queue back to or reverse onto/from the public road at any times during the planning approval period;
- (f) the stacking height of containers stored on the site shall not exceed 8 units at all times during the planning approval period;
- (g) the existing drainage facilities on the site shall be maintained at all times during the planning approval period;

- (h) the submission of a condition record of the existing drainage facilities on site within 3 months from the date of planning approval to the satisfaction of the Director of Drainage Services or of the TPB by 8.4.2016;
- (i) the submission of a tree preservation and replanting proposal within 6 months from the date of planning approval to the satisfaction of the Director of Planning or of the TPB by 8.7.2016;
- (j) in relation to (i) above, the implementation of the tree preservation and landscape proposal within 9 months from the date of planning approval to the satisfaction of the Director of Planning or of the TPB by 8.10.2016;
- (k) the provision of fire extinguisher(s) and the submission of a valid fire certificate (FS251) within 6 weeks from the date of planning approval to the satisfaction of the Director of Fire Services or of the TPB by 19.2.2016;
- (l) 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 8.7.2016;
- (m) in relation to (l) 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 8.10.2016;
- (n) 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;
- (o) if any of the above planning conditions (h), (i), (j), (k), (l) or (m) 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

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

Application No. A/YL-HT/997

- “(a) no operation between 8:00 p.m. and 8:00 a.m., as proposed by the applicant, is allowed on the site during the planning approval period;
- (b) no operation on Sundays and public holidays, as proposed by the applicant, is allowed on the site during the planning approval period;
- (c) no cutting, cleansing, melting, dismantling or other workshop activity is allowed to be carried out on the site at any time during the planning approval period;
- (d) no open storage of electronic waste, as proposed by the applicant, is allowed on the site at any time during the planning approval period;
- (e) no handling (including loading, unloading and storage) of cathode-ray tubes (CRT), CRT computer monitors/television sets and CRT equipment, as proposed by the applicant, is allowed on the site at any time during the planning approval period;
- (f) the stacking height of containers stored on the site shall not exceed 8 units at all times during the planning approval period;
- (g) no stacking of containers within 5 m of the periphery of the site, as proposed by the applicant, is allowed at any time during the planning approval period;
- (h) the existing fencing on the site shall be maintained at all times during the planning approval period;

- (i) no vehicle is allowed to queue back to or reverse onto/from the public road at any time during the planning approval period;
- (j) the existing drainage facilities on the site shall be maintained at all times during the planning approval period;
- (k) the submission of a condition record of the existing drainage facilities on site within 3 months from the date of planning approval to the satisfaction of the Director of Drainage Services or of the TPB by 8.4.2016;
- (l) the submission of a tree preservation and landscape proposal within 6 months from the date of planning approval to the satisfaction of the Director of Planning or of the TPB by 8.7.2016;
- (m) in relation to (l) above, the implementation of the tree preservation and landscape proposal within 9 months from the date of planning approval to the satisfaction of the Director of Planning or of the TPB by 8.10.2016;
- (n) the provision of fire extinguisher(s) and the submission of a valid fire certificate (FS251) within 6 weeks from the date of planning approval to the satisfaction of the Director of Fire Services or of the TPB by 19.2.2016;
- (o) 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 8.7.2016;
- (p) in relation to (o) 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 8.10.2016;
- (q) if any of the above planning conditions (a), (b), (c), (d), (e), (f), (g), (h), (i) 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;

- (r) if any of the above planning conditions (k), (l), (m), (n), (o) or (p) 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
- (s) upon expiry of the planning permission, the reinstatement of the application site to an amenity area to the satisfaction of the Director of Planning or of the TPB.”

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

Agenda Item 56

Section 16 Application

[Open Meeting]

A/YL-HT/991 Proposed Temporary Place of Recreation, Sports or Culture (Hobby Farm) for a Period of 3 Years in “Coastal Protection Area” zone, Lots 209 (Part), 214 S.A (Part), 214 RP, 215 S.A (Part), 215 S.B (Part), 220 and 221 (Part) in D.D. 128 and Adjoining Government Land, Lau Fau Shan, Yuen Long
(RNTPC Paper No. A/YL-HT/991)

212. The Committee noted that the applicant requested on 31.12.2015 for deferment of the consideration of the application for two months in order to allow time for the preparation of further information to address the departmental comments. It was the first time that the applicant requested for deferment of the application.

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

Agenda Item 57

Section 16 Application

[Open Meeting (Presentation and Question Sessions Only)]

A/YL-HT/992 Proposed Temporary Warehouse for Storage of Vehicles and Open Storage of Vehicles for a Period of 3 Years in "Government, Institution or Community" zone, Lots 515 RP (Part), 516 (Part), 517 (Part), 518 (Part), 519 (Part) & 520 (Part) in D.D. 125 and Adjoining Government Land, Ha Tsuen, Yuen Long
(RNTPC Paper No. A/YL-HT/992)

214. The Secretary reported that Ms Janice W.M. Lai had declared an interest in the item as her spouse was a shareholder of a company which owned two pieces of land in Ha Tsuen. The Committee noted that Ms Lai had already left the meeting.

Presentation and Question Sessions

215. Mr Vincent T.K. Lai, STP/TMYLW, presented the application and covered the following aspects as detailed in the Paper :

- (a) background to the application;
- (b) proposed temporary warehouse for storage of vehicles and open storage of vehicles for a period of 3 years;

- (c) departmental comments – departmental comments were set out in paragraph 10 of the Paper. Relevant government departments had no objection to or no adverse comment on the application;
- (d) no public comment was received during the first three weeks of the statutory publication period and no local objection/view was received by the District Officer/Yuen Long; and
- (e) the Planning Department (PlanD)’s views – PlanD considered that the temporary use could be tolerated for a period of three years based on the assessments set out in paragraph 12 of the Paper. Although the applied use was not in line with the planning intention of the “Government, Institution or Community” (“G/IC”) zone, there was no programme/known intention to implement the zoned use on the site, approval of the application on a temporary basis of 3 years would not jeopardize the long-term development of the area. The development was in line with the Town Planning Board Guidelines for ‘Application for Open Storage and Port Back-up Uses’ (TPB PG-No. 13E) in that there were previous planning approvals for the site and there was no adverse comment from the relevant departments. Given that there were three previous applications submitted by the same applicant for similar uses approved with conditions by the Committee and two approved similar applications for open storage uses within the same “G/IC” zone since 2012, approval of the application was in line with the Committee’s previous decisions. Considering the applicant had complied with all the approval conditions of the last application (No. A/YL-HT/911), the current application for a period of three years could be tolerated.

216. Members had no question on the application.

Deliberation Session

217. After deliberation, the Committee decided to approve the application on a temporary basis for a period of 3 years until 8.1.2019, 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 7:00 a.m., as proposed by the applicant, is allowed on the site during the planning approval period;
- (b) no operation on Sundays and public holidays, as proposed by the applicant, is allowed on the site during the planning approval period;
- (c) no cutting, dismantling, cleansing repairing, compacting, unpacking, vehicle repair or other workshop activity is allowed on the site at any time during the planning approval period;
- (d) no vehicle shall make use of Ha Tsuen Road, except the portion connecting to Kong Sham Western Highway from the site in accessing/leaving the site, as proposed by the applicant, at any time during the planning approval period;
- (e) no vehicle is allowed to queue back to or reverse onto/from the public road at any time during the planning approval period;
- (f) the maintenance of the existing drainage facilities at all times during the planning approval period;
- (g) the submission of a condition record of existing drainage facilities within 3 months from the date of planning approval to the satisfaction of Director of Drainage Services or of the TPB by 8.4.2016;
- (h) the provision of fire extinguisher(s) and the submission of a valid fire certificate (FS251) within 6 weeks from the date of planning approval to the satisfaction of the Director of Fire Services or of the TPB by 19.2.2016;
- (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 8.7.2016;

- (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 8.10.2016;
- (k) the submission of a tree preservation and landscape proposal within 6 months from the date of planning approval to the satisfaction of the Director of Planning or of the TPB by 8.7.2016;
- (l) in relation to (k) above, the implementation of the tree preservation and landscape proposal within 9 months from the date of planning approval to the satisfaction of the Director of Planning or of the TPB by 8.10.2016;
- (m) the provision of fencing of the site within 6 months from the date of planning approval to the satisfaction of the Director of Planning or of the TPB by 8.7.2016;
- (n) 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;
- (o) if any of the above planning conditions (g), (h), (i), (j), (k), (l) or (m) 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
- (p) upon expiry of the planning permission, the reinstatement of the application site to an amenity area to the satisfaction of the Director of Planning or of the TPB.”

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

Agenda Item 58

Section 16 Application

[Open Meeting (Presentation and Question Sessions Only)]

A/YL-HT/993 Temporary Open Storage of Construction Machinery and Materials, and Scrap Metal with Ancillary Packaging Activities for a Period of 3 Years in “Undetermined” zone, Lots No. 1668 S.B RP (Part) , 1831 (Part) , 1834 (Part), 1835 (Part), 1836 (Part), 1839, 1840, 1841 S.A, 1841 S.B, 1842 (Part), 1846 (Part), 1852 RP (Part), 1853, 1854, 1855, 1856, 1857 RP (Part), 1864 RP, 1881, 1882 RP, 1883, 1884 RP, 1885, 1886, 1887, 1888, 1889, 1890, 1891 RP, 1893 RP, 1894, 1895 RP, 1911, 1912 RP (Part), 1913 RP (Part), 1914 (Part), 1959 S.A RP (Part), 1967 S.B RP (Part), 1968 (Part) , 1969 (Part), 1970, 1971 RP (Part), 1972, 1973, 1974, 1975 RP, 1976 RP, 1977, 1978, 1979, 1980 RP, 1986 RP(Part), 1988 RP, 1989 RP (Part), 1990, 1991 RP and 1992 RP in D.D. 125 and Adjoining Government Land, Ha Tsuen, Yuen Long (RNTPC Paper No. A/YL-HT/993)

219. The Secretary reported that Ms Janice W.M. Lai had declared an interest on the item as her spouse was a shareholder of a company which owned two pieces of land in Ha Tsuen. The Committee noted that Ms Lai had already left the meeting.

Presentation and Question Sessions

220. Mr Vincent T.K. Lai, STP/TMYLW, presented the application and covered the following aspects as detailed in the Paper :

- (a) background to the application;
- (b) temporary open storage of construction machinery and materials, and scrap metal with ancillary packaging activities for a period of 3 years;
- (c) departmental comments – departmental comments were set out in paragraph 10 of the Paper. The Director of Environmental Protection

(DEP) did not support the application as there were sensitive users in vicinity of the site (the closest residential dwelling at Sha Chau Lei to the south across Ping Ha Road about 50m away) and along the Ping Ha Road, and environmental nuisance was expected. Other relevant government departments had no objection to or no adverse comment on the application;

- (d) during the first three weeks of the statutory public inspection period, one public comment was received from a District Council member who stated that the local track between the site and Ping Ha Road should be paved in order to prevent environmental pollution. Besides, the District Officer (Yuen Long) had not received any comment from the locals on the application; and
- (e) the Planning Department (PlanD)'s views – PlanD considered that the temporary open storage could be tolerated for a period of three years based on the assessments set out in paragraph 12 of the Paper. The application was generally in line with the Town Planning Board Guidelines for 'Application for Open Storage and Port Back-up Uses' (TPB PG-No. 13E) in that there was no adverse comment from the relevant departments except DEP. Although DEP did not support the application, no environmental complaint was received in the past three years and the environmental concern could be addressed by the imposition of relevant approval conditions. Given that the last planning application (No. A/YL-HT/827) submitted by the same applicant for the same use was approved with conditions by the Committee on 11.1.2013 for a period of 3 years, approval of the application was in line with the Committee's previous decisions.

221. Members had no question on the application.

Deliberation Session

222. After deliberation, the Committee decided to approve the application on a temporary basis for a period of 3 years until 8.1.2019, on the terms of the application as submitted to the Town Planning Board (TPB) and subject to the following conditions :

- “(a) no operation between 11:00 p.m. and 7:00 a.m., as proposed by the applicant, is allowed on the site during the planning approval period;
- (b) no operation on Sundays and public holidays, as proposed by the applicant, is allowed on the site during the planning approval period;
- (c) no cutting, dismantling, cleaning, repairing, compacting, vehicle repair or other workshop activity is allowed on site at any time during the planning approval period ;
- (d) no handling (including loading, unloading and storage) of cathode-ray tubes (CRT), CRT computer monitors/television sets and CRT equipment is allowed on the site at any time during the planning approval period;
- (e) the existing drainage facilities shall be maintained at all times during the planning approval period;
- (f) no vehicle is allowed to queue back to or reverse onto/from the public road at any time during the planning approval period;
- (g) the existing fencing on the site should be maintained at all times during the planning approval period;
- (h) the submission of a condition record of the existing drainage facilities within 3 months from the date of planning approval to the satisfaction of the Director of Drainage Services or of the TPB by 8.4.2016;
- (i) the submission of a run-in/out proposal within 3 months from the date of planning approval to the satisfaction of the Director of Highways or of the TPB by 8.4.2016;
- (j) in relation to (i) above, the implementation of the run-in/out proposal within 6 months from the date of planning approval to the satisfaction of

the Director of Highways or of the TPB by 8.7.2016;

- (k) the submission of the tree preservation and landscape proposal within 6 months from the date of planning approval to the satisfaction of the Director of Planning or of the TPB by 8.7.2016;
- (l) in relation to (k) above, the implementation of the tree preservation and landscape proposal within 9 months from the date of planning approval to the satisfaction of the Director of Planning or of the TPB by 8.10.2016;
- (m) the provision of fire extinguisher(s) and the submission of a valid fire certificate (FS251) within 6 weeks from the date of the planning approval to the satisfaction of the Director of Fire Services or of the TPB by 19.2.2016;
- (n) the submission of fire service installations proposal within 6 months from the date of planning approval to the satisfaction of the Director of Fire Services or of the TPB by 8.7.2016;
- (o) in relation to (n) above, the implementation of 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 8.10.2016;
- (p) 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;
- (q) if any of the above planning conditions (h), (i), (j), (k), (l), (m), (n) or (o) is not complied with by the above specified date, the approval hereby given shall cease to have effect and shall on the same date be revoked without further notice; and

- (r) 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.”

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

Agenda Item 60

Section 16 Application

[Open Meeting]

A/YL-HT/995 Public Vehicle Park (Private Car) in “Village Type Development” zone,
Lot 333 (Part) in D.D. 124, Shek Po Tsuen, Ha Tsuen, Yuen Long
(RNTPC Paper No. A/YL-HT/995)

224. The Secretary reported that Ms Janice W.M. Lai had declared an interest on the item as her spouse was a shareholder of a company which owned two pieces of land in Ha Tsuen. The Committee noted that Ms Lai had already left the meeting.

225. The Committee noted that the applicant requested on 23.12.2015 for deferment of the consideration of the application for two months in order to allow time for the preparation of further information to address the comments of relevant government departments. It was the first time that the applicant requested for deferment of the application.

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

Agenda Item 61

Section 16 Application

[Open Meeting (Presentation and Question Sessions Only)]

A/YL-HT/996 Proposed Temporary Shop and Services (Real Estate Agency) for a Period of 3 Years in “Village Type Development” zone, Lots 650 RP (Part) and 977 RP (Part) in D.D. 125, Sik Kong Tsuen, Ha Tsuen, Yuen Long
(RNTPC Paper No. A/YL-HT/996)

227. The Secretary reported that Ms Janice W.M. Lai had declared an interest in the item as her spouse was a shareholder of a company which owned two pieces of land in Ha Tsuen. The Committee noted that Ms Lai had already left the meeting.

Presentation and Question Sessions

228. Mr Vincent T.K. Lai, STP/TMYLW, presented the application and covered the following aspects as detailed in the Paper :

- (a) background to the application;
- (b) proposed temporary shop and services (real estate agency) for a period of 3 years;
- (c) departmental comments – departmental comments were set out in paragraph 9 of the Paper. Relevant government departments had no objection to or no adverse comment on the application;
- (d) during the first three weeks of the statutory public inspection period, one public comment was received, expressing concerns on the impacts on “Fung Shui”, visual, drainage, sewerage and trees. Besides, the District Officer (Yuen Long) had not received any comment from the locals on the application; and

- (e) the Planning Department (PlanD)'s views – PlanD considered that the temporary shop and services 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 “Village Type Development” (“V”) zone, as the District Lands Officer/Yuen Long of Lands Department advised that no Small House application had been received for the site, approval of the application on a temporary basis for 3 years would not jeopardise the long-term development of the area. The proposed temporary use was not incompatible with the existing land use for the area, which was predominately occupied by village houses. Given the small-scale of the proposed development, it would not cause significant adverse environmental, visual, landscape, traffic or drainage impacts on the surrounding areas and relevant government departments had no objection to or no adverse comment on the application. As the Committee had approved 9 similar applications within the same “V” zone since 2005, approval of the application was in line with the Committee’s previous decisions.

229. Members had no question on the application.

Deliberation Session

230. After deliberation, the Committee decided to approve the application on a temporary basis for a period of 3 years until 8.1.2019, on the terms of the application as submitted to the Town Planning Board (TPB) and subject to the following conditions :

- “(a) no operation between 8:00 p.m. and 9:00 a.m., as proposed by the applicant, is allowed on the site during the planning approval period;
- (b) 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 8.7.2016;

- (c) in relation to (b) above, the implemented drainage facilities on the site shall be maintained at all times during the planning approval period;
- (d) the submission of a tree preservation and landscape proposal within 6 months from the date of planning approval to the satisfaction of the Director of Planning or of the TPB by 8.7.2016;
- (e) in relation to (d) above, the implementation of the tree preservation and landscape proposal within 9 months from the date of planning approval to the satisfaction of the Director of Planning or of the TPB by 8.10.2016;
- (f) the submission of a fire service installations proposal within 6 months from the date of planning approval to the satisfaction of the Director of Fire Services or of the TPB by 8.7.2016;
- (g) in relation to (f) above, the implementation of the fire service installations proposal within 9 months from the date of planning approval to the satisfaction of the Director of Fire Services or of the TPB by 8.10.2016;
- (h) if any of the above planning conditions (a) or (c) is not complied with during the planning approval period, the approval hereby given shall cease to have effect and shall be revoked immediately without further notice;
- (i) if any of the above planning conditions (b), (d), (e), (f) or (g) is not complied with by the above specified date, the approval hereby given shall cease to have effect and shall on the same date be revoked without further notice; and
- (j) upon expiry of the planning permission, the reinstatement of the site to an amenity area to the satisfaction of the Director of Planning or of the TPB.”

231. 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 Miss Karmin Tong, Ms Jessica Y.C. Ho, Mr K.C. Kan and Mr Vincent T.K. Lai, STPs/TMYLW, for their attendance to answer Members' enquiries. They left the meeting at this point.]

Agenda Item 63

Any Other Business

232. There being no other business, the meeting closed at 6:40 p.m..