

TOWN PLANNING BOARD

Minutes of 550th Meeting of the Rural and New Town Planning Committee held at 2:30 p.m. on 5.2.2016

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

Ms Janice W.M. Lai

Ms Christina M. Lee

Mr H.F. Leung

Mr F.C. Chan

Mr David Y.T. Lui

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

Assistant Director (Environmental Assessment),
Environmental Protection Department
Mr K.F. Tang

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

Professor K.C. Chau

Mr Ivan C.S. Fu

Mr Lincoln L.H. Huang

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
Mr Eric C.Y. Chiu

Agenda Item 1

Confirmation of the Draft Minutes of the 549th RNTPC Meeting held on 22.1.2016

[Open Meeting]

1. The draft minutes of the 549th RNTPC meeting held on 22.1.2016 were confirmed without amendments.

Agenda Item 2

Matters Arising

[Open Meeting]

Amendment to the Confirmed Minutes of 538th RNTPC Meeting held on 7.8.2015

2. The Secretary reported that a typographical error was spotted on page 148 of the confirmed minutes of the RNTPC meeting held on 7.8.2015. A page showing the proposed amendment to the minutes was tabled at the meeting. The Committee agreed to the rectification of the confirmed minutes to reflect that approval condition (i) of application No. A/YL-LFS/276 regarding the provision of fencing should be complied with to the satisfaction of the Director of Planning, instead of the Director of Fire Services, and the applicant would be notified of the rectification accordingly. The amended minutes would be uploaded to the Town Planning Board website.

Sha Tin, Tai Po and North District

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

Agenda Items 3 and 4

Section 16 Applications

[Open Meeting (Presentation and Question Sessions Only)]

A/NE-LYT/587 Proposed House (New Territories Exempted House - Small House) in
“Agriculture” and “Village Type Development” Zones, Lots 614 S.A
ss.2 and 614 S.B ss.2 in D.D. 83, Kwan Tei, Fanling
(RNTPC Paper No. A/NE-LYT/587 and 588)

A/NE-LYT/588 Proposed House (New Territories Exempted House - Small House) in
“Agriculture” and “Village Type Development” Zones, Lots 614 S.A
RP and 614 S.B RP in D.D. 83, Kwan Tei, Fanling
(RNTPC Paper No. A/NE-LYT/587 and 588)

[Ms Anita W.T. Ma and Mr K.F. Tang arrived to join the meeting at this point.]

Presentation and Question Sessions

3. The Committee noted that the two applications were similar in nature and the sites were located in close proximity to each other. The Committee agreed that they would be considered together.

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

- (a) background to the applications;
- (b) the proposed house (New Territories Exempted House (NTEH) - Small House) at each of the sites;

- (c) departmental comments – departmental comments were set out in paragraph 9 and Appendix VI of the Paper. The Director of Agriculture, Fisheries and Conservation (DAFC) did not support the applications as the sites possessed potential for agricultural rehabilitation. The Commissioner for Transport (C for T) considered that the proposed developments should be confined within “Village Type Development” (“V”) zone as far as possible but the applications could be tolerated unless they were rejected on other grounds. Other concerned departments had no objection to or no adverse comment on the applications;

- (d) during the first three weeks of the statutory publication period, four public comments from a North District Council (NDC) member, the Chairman of Fanling District Rural Committee (FDRC), Kadoorie Farm & Botanic Garden Corporation (KBGC) and an individual were received. The NDC member supported the applications whereas the Chairman of FDRC indicated that he had no comment. The KFBG and the individual objected to the applications mainly on the grounds that the proposed developments were not in line with the planning intention; the reasons for rejecting the previous planning application (No. A/NE-LYT/400), which covered part of the sites, were still valid; no strong planning justifications had been provided to support the applications; and setting of undesirable precedent. The District Officer (North) conveyed that the Chairman of FDRC and the two Indigenous Inhabitant Representatives of Kwan Tei had no comment on the applications; and

- (e) the Planning Department (PlanD)’s views – PlanD had no objection to the applications based on the assessments set out in paragraph 11 of the Paper. Despite the proposed developments were not in line with the planning intention of “Agriculture” (“AGR”) zone and DAFC did not support the applications, the sites were vacant and mainly covered with grass and shrubs. Regarding the Interim Criteria for Consideration of Application for NTEH/Small House in New Territories, more than 50% of the footprints of the proposed Small Houses fell within the “V” zone of Kwan Tei Village. While land was still available within the “V” zone for Small

House development, it was insufficient to fully meet the future Small House demand. In terms of location, the sites were in close proximity to the existing village proper of Kwan Tei and there were approved Small House applications nearby. Given that the boundaries of the subject village 'environs' and "V" zone were in proximity to each other, the scope of further extending the village development into the "AGR" zone to the east was limited. Other concerned departments had no objection to or no adverse comment on the applications. Regarding the public comments, the assessments above were relevant.

5. Members had no question on the applications.

Deliberation Session

6. After deliberation, the Committee decided to approve the applications, on the terms of the applications as submitted to the Town Planning Board (TPB). Each of the permissions should be valid until 5.2.2020, 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 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.”

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

Agenda Item 5

Section 16 Application

[Open Meeting (Presentation and Question Sessions Only)]

A/NE-LYT/589 Proposed House (New Territories Exempted House - Small House) in
“Agriculture” Zone, Lot 1772 S.B in D.D. 76, Ma Mei Ha Leng Tsui,
Fanling
(RNTPC Paper No. A/NE-LYT/589)

Presentation and Question Sessions

8. 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) the 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 Director of Agriculture, Fisheries and Conservation (DAFC) did not support the application as the site had potential for agricultural rehabilitation. The Commissioner for Transport (C for T) considered that the proposed development should be confined within “Village Type Development” (“V”) zone as far as possible but the application could be tolerated unless it was rejected on other grounds. Other concerned departments had no objection to or no adverse comment on the application;
- (d) during the first three weeks of the statutory publication period, three public comments from the Chairman of Fanling District Rural Committee (FDRC), a North District Council (NDC) member and an individual were received. The Chairman of FDRC indicated no comment and the NDC member supported the application; whereas the individual objected to the

application mainly on the grounds that the proposed development was not in line with the planning intention; no strong planning justifications had been provided to support the application; and setting of undesirable precedent. The District Officer (North) conveyed that the Resident Representative of Leng Tsui had no comment on the application provided that the drainage works of the proposed Small House would be carried out properly while the Chairman of FDRC and the Indigenous Inhabitant Representative of Leng Tsui had no comment; 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. Despite the proposed development was not in line with the planning intention of “Agriculture” zone and DAFC did not support the application, the site was vacant and mainly covered with grass. Regarding the Interim Criteria for Consideration of Application for NTEH/Small House in New Territories, more than 50% of the footprint of the proposed Small House fell within the village ‘environs’ of Ma Mei Ha Leng Tsui and Leng Pei Tsuen village cluster and land available within the “V” zone was insufficient to meet the outstanding Small House applications and the future Small House demand forecast. In terms of location, the site was in close proximity to the existing village proper of Ma Mei Ha Leng Tsui and new Small Houses, and approved Small House applications at different stages of development nearby were forming a new village cluster in the locality. Other concerned departments had no objection to or no adverse comment on the application. Regarding the public comments, the assessments above were relevant.

9. In response to a Member's enquiry, Mr Wallace W.K. Tang, STP/STN, with reference to Plan A-2 of the Paper, explained that there were a number of approved Small House developments immediately adjacent to the site and some of the vegetation at the sites had been cleared, as observed in the aerial photograph in Plan A-3 of the Paper, for implementation of the approved developments.

Deliberation Session

10. 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 5.2.2020, 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.”

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

Agenda Item 6

Section 16 Application

[Open Meeting (Presentation and Question Sessions Only)]

A/NE-PK/78 Proposed House (New Territories Exempted House - Small House) in
“Agriculture” Zone, Lot 1582 S.B in D.D. 91, Kai Leng, Sheung Shui
(RNTPC Paper No. A/NE-PK/78)

Presentation and Question Sessions

12. 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) the 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 Director of Agriculture, Fisheries and Conservation (DAFC) did not support the application as the site possessed potential for agricultural rehabilitation. The Commissioner for Transport (C for T) considered that the proposed development should be confined within “Village Type Development” (“V”) zone as far as possible but the application could be tolerated unless it was rejected on other grounds. Other concerned departments had no objection to or no adverse comment on the application;
- (d) during the first three weeks of the statutory publication period, three public comments from a North District Council (NDC) member and two individuals were received. The NDC member indicated no comment on the application, whereas the two individuals objected to the application mainly on the grounds that village land should be reserved for indigenous villagers of their own clan; the proposed development was not in line with the planning intention; no strong planning justifications had been provided to support the application; and setting of undesirable precedent. The District Officer (North) conveyed that the incumbent NDC member supported the application, while the Chairman of Sheung Shui District Rural Committee and the Indigenous Inhabitant Representative and Resident Representative of Kai Leng had no comment; 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. Despite the proposed development was not in line with the planning intention of “Agriculture” zone and DAFC did not support the application, the site was mainly covered with grass and fruit trees and occupied by a temporary structure. Regarding the Interim Criteria for Consideration of

Application for NTEH/Small House in New Territories, more than 50% of the footprint of the proposed Small House fell within the village ‘environs’ of Kai Leng and land available within the “V” zone was insufficient to meet the outstanding Small House applications and the future Small House demand forecast. In terms of location, the site was in close proximity to the existing village proper of Kai Leng Village, and approved Small House applications at different stages of development nearby were forming a new village cluster in the locality. Other concerned departments had no objection to or no adverse comment on the application. Regarding the public comments, the assessments above were relevant.

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

13. Members had no question on the application.

Deliberation Session

14. 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 5.2.2020, 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 tree preservation and landscape proposals to the satisfaction of the Director of Planning or of the TPB.”

15. 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 arrived to join the meeting at this point.]

Agenda Item 7

Section 16 Application

[Open Meeting (Presentation and Question Sessions Only)]

A/ST/894 Renewal of Planning Approval for Temporary “Public Vehicle Park (excluding container vehicle)” for a Period of 3 Years in “Residential (Group A)” Zone, Section A of Sha Tin Town Lot No. 229, May Shing Court, Sha Tin

(RNTPC Paper No. A/ST/894)

16. The Secretary reported that the application was submitted by the Hong Kong Housing Authority (HKHA). The following Members had declared interests in the item:

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| Mr K.K. Ling
(the Chairman)
as Director of Planning | - | being a member of the Strategic Planning Committee (SPC) and Building Committee of HKHA; |
| Mr Martin W.C. Kwan
as Chief Engineer
(Works) of Home
Affairs Department | - | being an alternate member for the Director of Home Affairs who was a member of the SPC and Subsidised Housing Committee of HKHA; |
| Mr H.F. Leung | - | being a member of the Tender Committee of HKHA; |
| Ms Janice W.M. Lai | } | having current business dealings with HKHA; and |
| Mr Ivan C.S. Fu | | |
| Ms Christina M. Lee | - | her spouse owning a flat in Tai Wai. |

17. The Committee noted that Mr Ivan C.S. Fu had tendered apologies for being unable to attend the meeting. As the interests of the Chairman, Mr Martin W.C. Kwan, Mr H.F. Leung and Ms Janice W.M. Lai were direct, the Committee agreed that they should be invited to leave the meeting temporarily for the item. The Committee also agreed that Ms Christina M. Lee could stay in the meeting as the property of her spouse did not have a direct view of the site. The Vice-chairman took over the chairmanship of the meeting at this point.

[The Chairman, Mr Martin W.C. Kwan, Mr H.F. Leung and Ms Janice W.M. Lai left the meeting temporarily at this point.]

Presentation and Question Sessions

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

- (a) background to the application;
- (b) the renewal of planning approval for temporary public vehicle park (excluding container vehicle) under previous application No. A/ST/807 for a period of three years;
- (c) departmental comments – departmental comments were set out in paragraph 9 of the Paper. Concerned departments had no objection to or no adverse comment on the application;
- (d) during the first three weeks of the statutory publication period, three public comments from the Chairman of Sha Tin Rural Committee (STRC), the Incorporated Owners of May Shing Court (IO) and an individual were received. The Chairman of STRC supported the application whereas the IO and the individual objected to the application mainly on the grounds that the interests and rights of the residents would be affected; there were other public car parks in the vicinity; and the site could be used for community facilities. No local objection/view was received by the District Officer (Sha Tin); and

- (e) the Planning Department (PlanD)'s views – PlanD had no objection to the application based on the assessments set out in paragraph 11 of the Paper. The proposed renewal application complied with the Town Planning Board Guidelines No. 34B on Renewal of Planning Approval and Extension of Time for Compliance with Planning Conditions for Temporary Use or Development in that there was no significant change in planning circumstances since the previous temporary approval was granted nor a change in the land uses of the surrounding areas. There were no adverse planning implications arising from the renewal of the planning approval. Concerned departments consulted had no adverse comment or no objection to the application. Regarding the objecting public comments, to let out the surplus parking space for public vehicle park use was an effective way of utilizing public resources and the applicant had also clarified that priority was accorded to the residents in letting of monthly vehicle parking spaces. In that regard, an approval condition was recommended to be incorporated.

19. Members had no question on the application.

Deliberation Session

20. After deliberation, the Committee decided to approve the application on a temporary basis for a further period of 3 years until 26.3.2019, on the terms of the application as submitted to the Town Planning Board and subject to the following condition :

“ priority should be accorded to the residents of May Shing Court in the letting of the surplus vehicle parking spaces and the proposed number of vehicle parking spaces to be let to non-residents should be agreed with the Commissioner for Transport.”

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

[The Chairman, Mr Martin W.C. Kwan, Mr H.F. Leung, Ms Janice W.M. Lai and Ms Anita W.T. Ma returned to join the meeting at this point.]

Agenda Item 8

Section 16 Application

[Open Meeting (Presentation and Question Sessions Only)]

A/TP/597 Proposed House in “Village Type Development” Zone, Lot 440 RP
(Part) in D.D. 6, Pan Chung San Tsuen, Tai Po
(RNTPC Paper No. A/TP/597)

22. The Secretary reported that Dr W.K. Yau had declared an interest in the item for owing two properties in Tai Po. The Committee noted that Dr Yau had not yet arrived to join the meeting.

Presentation and Question Sessions

23. 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) the proposed house development;
- (c) departmental comments – departmental comments were set out in paragraph 8 of the Paper. The District Lands Officer/Tai Po, Lands Department (DLO/TP, LandsD) objected to the application as the site fell within the village ‘environs’ (‘VE’) of Pan Chung San Tsuen and was not covered by any Modification of Tenancy or Building Licence. Application from non-indigenous villagers for New Territories Exempted House (NTEH) and house developments on agricultural lots within ‘VE’ would not normally be entertained as land in ‘VE’ or “Village Type Development” (“V”) zone should primarily be reserved for Small House

developments by indigenous villagers under the Small House Policy. Other concerned 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 was received from an individual who expressed concern that the site should only be developed for residential purpose to meet the Small House demand. No local objection/view was received by the District Officer (Tai Po); and

[Professor Eddie C.M. Hui arrived to join the meeting at this point.]

- (e) the Planning Department (PlanD)'s views – PlanD did not support the application based on the assessments set out in paragraph 10 of the Paper. The site was an agricultural lot which fell entirely within the “V” zone and the ‘VE’ of Pan Chung San Tsuen. The applicant was not an indigenous villager and DLO/TP, LandsD objected to the application. According to the latest estimate of PlanD, there was insufficient land in the subject “V” zone to fully meet the Small House demand of the concerned villages. Land within “V” zone should be reserved for Small House development by indigenous villagers. The approval of the application for house development would set an undesirable precedent for similar applications within the subject “V” zone. The cumulative effect of approving such applications would reduce the land available within “V” zone for Small House developments. Regarding the public comment, the assessments above were relevant.

24. Members had no question on the application.

Deliberation Session

25. 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 “Village Type Development” (“V”) zoning for the area which is primarily intended for the development of Small Houses by indigenous villagers. There is no strong planning justification in the submission for a departure from the planning intention; and
- (b) the approval of the application would set an undesirable precedent for similar applications within the subject “V” zone. The cumulative effect of approving such applications would reduce the land available for Small House developments in the area.”

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

Fanling, Sheung Shui and Yuen Long East District

[Mr Otto K.C. Chan, 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 9

Section 16 Application

[Open Meeting (Presentation and Question Sessions Only)]

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/8B)

Presentation and Question Sessions

26. Mr Otto K.C. Chan, STP/FSYLE, presented the application and covered the

following aspects as detailed in the Paper :

- (a) background to the application;
- (b) the proposed temporary shop and services (store) for a period of three years;
- (c) departmental comments – departmental comments were set out in paragraph 10 of the Paper. Concerned departments had no objection to or no adverse comment on the application;
- (d) during the first three weeks of the statutory publication period, three public comments were received from two North District Council (NDC) members and an individual. The two NDC members indicated no comment on the application while the individual objected to the application mainly on the grounds that no technical document was provided to address the traffic impact; the proposed development was not in line with the planning intention; and setting of undesirable precedent. The District Officer (North) conveyed that the Chairman of Sheung Shui District Rural Committee, the NDC member of the subject constituency, the three Indigenous Inhabitant Representatives (IIRs) and Resident Representative (RR) of Sheung Shui Heung, and the IIR and RR of Wa Shan Tsuen had no comment on the proposal; and
- (e) the Planning Department (PlanD)'s views – PlanD had no objection to the application based on the assessments set out in paragraph 11 of the Paper. The proposed development was small in scale and the temporary approval of three years would not frustrate the long-term implementation of the “Government, Institution or Community” zone. Concerned departments had no objection to or no adverse comment on the application. Regarding the objecting public comment, the Commissioner for Transport had no objection to the application from traffic engineering viewpoint provided that the applicant would endeavour to avoid vehicles from getting into the site.

27. Members had no question on the application.

Deliberation Session

28. After deliberation, the Committee decided to approve the application on a temporary basis for a period of 3 years until 5.2.2019, on the terms of the application as submitted to the Town Planning Board (TPB) and subject to the following conditions :

- “(a) no operation between 7:30 p.m. and 9:00 a.m. on Mondays to Saturdays, as proposed by the applicant, is allowed on the application site during the planning approval period;
- (b) no operation on Sundays and public holidays, as proposed by the applicant, is allowed on the application site during the planning approval period;
- (c) no passage of vehicles is allowed on the application site, as proposed by the applicant, during the planning approval period;
- (d) the submission of drainage proposals within 6 months from the date of planning approval to the satisfaction of the Director of Drainage Services or of the TPB by 5.8.2016;
- (e) in relation to (d) above, the implementation of drainage proposals within 9 months from the date of planning approval to the satisfaction of the Director of Drainage Services or of the TPB by 5.11.2016;
- (f) the submission 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 5.8.2016;
- (g) in relation to (f) above, the implementation of landscape proposal within 9 months from the date of planning approval to the satisfaction of the Director of Planning or of the TPB by 5.11.2016;

- (h) the submission of proposals for fire service installations and water supplies for fire-fighting within 6 months from the date of planning approval to the satisfaction of the Director of Fire Services or of the TPB by 5.8.2016;
- (i) in relation to (h) above, the provision of fire service installations and water supplies for fire-fighting within 9 months from the date of planning approval to the satisfaction of the Director of Fire Services or of the TPB by 5.11.2016;
- (j) 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;
- (k) if any of the above planning conditions (d), (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 application site to an amenity area to the satisfaction of the Director of Planning or of the TPB.”

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

Agenda Item 10

Section 16 Application

[Open Meeting]

A/FSS/246 Proposed Shop and Services and/or Eating Place (in Wholesale Conversion of an Existing Building Only) in “Industrial” Zone, No. 2 Choi Fat Street, Sheung Shui
(RNTPC Paper No. A/FSS/246A)

30. The Secretary reported that MLA Architects (HK) Ltd. (MLA) and Ramboll Environ Hong Kong Ltd. (Environ) were two of the consultants of the applicant. The following Members had declared interests in the item:

Mr Ivan C.S. Fu - having current business dealings with Environ; and

Ms Janice W.M. Lai - having current business dealings with MLA and Environ.

31. The Committee noted that the applicant had requested for deferment of consideration of the application. The Committee also noted that Mr Ivan C.S. Fu had tendered apologies for being unable to attend the meeting and agreed that Ms Janice W.M. Lai could stay in the meeting as she had no involvement in the application.

32. The Committee noted that the applicant requested on 27.1.2016 for deferment of the consideration of the application for a period of one month to allow time for preparation of further information to address the comments of government departments. It was the applicant’s second request for deferment.

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

Agenda Item 11

Section 16 Application

[Open Meeting]

A/FSS/247

Proposed Eating Place, Private Club, Shop and Services (in Wholesale Conversion of an Existing Building Only) in "Industrial" Zone, No. 17 Lok Yip Road, Fanling
(RNTPC Paper No. A/FSS/247)

34. The Secretary reported that Ramboll Environ Hong Kong Ltd. (Environ) and AECOM Asia Co. Ltd. (AECOM) were two of the consultants of the applicant. The following Members had declared interests in the item:

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

Mr Ivan C.S. Fu
Ms Janice W.M. Lai } having current business dealings with Environ and AECOM.

35. The Committee noted that the applicant had requested for deferment of consideration of the application. The Committee noted that Mr Ivan C.S. Fu had tendered apologies for being unable to attend the meeting and agreed that Professor S.C. Wong and Janice W.M. Lai could stay in the meeting as they had no involvement in the application.

36. The Committee noted that the applicant requested on 29.1.2016 for deferment of the consideration of the application for a period of two weeks to allow time for preparation of responses to relevant government departments including the Buildings Department and Trade and Industry Department. It was the applicant's first request for deferment.

37. 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 weeks 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 12

Section 16 Application

[Open Meeting]

A/FSS/248 Proposed Office, Eating Place, Shop and Services (in Wholesale Conversion of an Existing Building Only) in "Industrial" Zone, No. 13 On Chuen Street, On Lok Tsuen, Fanling
(RNTPC Paper No. A/FSS/248)

38. The Secretary reported that MVA Systra Group (MVA) and Ramboll Environ Hong Kong Ltd. (Environ) were two of the consultants of the applicant. The following Members had declared interests in the item:

Mr Ivan C.S. Fu - having current business dealings with MVA and Environ; and

Ms Janice W.M. Lai - having current business dealings with Environ.

39. The Committee noted that the applicant had requested for deferment of consideration of the application. The Committee noted that Mr Ivan C.S. Fu had tendered apologies for being unable to attend the meeting and agreed that Ms Janice W.M. Lai could stay in the meeting as she had no involvement in the application.

40. The Committee noted that the applicant requested on 1.2.2016 for deferment of the consideration of the application for a period of two weeks to allow time for preparation of responses to relevant government departments and undertake any necessary updates to the assessments. It was the applicant's first request for deferment.

41. 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 weeks 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 13

Section 16 Application

[Open Meeting (Presentation and Question Sessions Only)]

A/YL-KTN/489 Temporary Animal Boarding Establishment with Ancillary Facilities
for a Period of 3 Years in "Agriculture" Zone, Lots 1486 (Part), 1489
(Part), 1493 (Part) and House Lot Block (Part) in D.D. 107 and
Adjoining Government Land, Kam Tin, Yuen Long
(RNTPC Paper No. A/YL-KTN/489A)

Presentation and Question Sessions

42. 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) the temporary animal boarding establishment with ancillary facilities for a period of three years;
- (c) departmental comments – departmental comments were set out in paragraph 9 of the Paper. Concerned 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 11 of the Paper. While the development was not in line with the planning intention of the “Agriculture” zone, the use of the site for animal boarding establishment on a temporary basis would not frustrate the planning intention and the Director of Agriculture, Fisheries and Conservation had no objection to the application. The development was considered not incompatible with the surrounding land uses. The technical requirements of concerned departments could be addressed by approval conditions. As the last three approvals were revoked due to non-compliance with approval conditions, shorter compliance periods were proposed to closely monitor the progress of compliance. Should the applicant fail to comply with the approval conditions again resulting in the revocation of the planning permission, sympathetic consideration would not be given by the Committee to any further application.

43. Members had no question on the application.

Deliberation Session

44. After deliberation, the Committee decided to approve the application on a temporary basis for a period of 3 years until 5.2.2019, 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 pm and 9:00 a.m., except for the overnight dog kennel, as proposed by the applicant, is allowed on the site during the planning approval period;
- (b) no reversing of vehicles into or out of the site is allowed at any time during the planning approval period;
- (c) the submission of proposal on appropriate mitigation measures to avoid disturbance/contamination to the fish ponds nearby within 3 months from the date of planning approval to the satisfaction of the Director of Agriculture, Fisheries and Conservation or of the TPB by 5.5.2016;
- (d) in relation to (c) above, the implementation of proposal on appropriate mitigation measures to avoid disturbance/contamination to the fish ponds nearby within 6 months from the date of planning approval to the satisfaction of the Director of Agriculture, Fisheries and Conservation or of the TPB by 5.8.2016;
- (e) the implementation of the accepted tree preservation and landscape proposal within 3 months from the date of planning approval to the satisfaction of the Director of Planning or of the TPB by 5.5.2016;
- (f) the implementation of the accepted 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 5.5.2016;

- (g) 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 5.5.2016;
- (h) if any of the above planning conditions (a) or (b) is not complied with during the planning approval period, the approval hereby given shall cease to have effect and shall be revoked immediately without further notice;
- (i) if any of the above planning conditions (c), (d), (e), (f) or (g) is not complied with by the specific 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 application site to an amenity area to the satisfaction of the Director of Planning or of the TPB.”

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

Agenda Item 14

Section 16 Application

[Open Meeting]

A/YL-KTN/502 Proposed Six Houses (New Territories Exempted House) in “Agriculture” Zone, Lots 948 S.A ss.3, 948 S.A ss.4, 948 S.A ss.5, 948 S.A ss.6, 948 S.A ss.7, 948 S.A ss.8, 948 S.A ss.9 s.A, 948 S.A ss.9 RP and 948 S.A ss.10 in D.D. 109, Tai Kong Po, Yuen Long
(RNTPC Paper No. A/YL-KTN/502)

46. The Committee noted that a replacement paper was sent to Members before the meeting.

47. The Committee noted that the applicant requested on 1.2.2016 for deferment of the consideration of the application for a period of two months to allow time to address the comments of relevant department. It was the applicant's first request for deferment.

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

Agenda Item 15

Section 16 Application

[Open Meeting (Presentation and Question Sessions Only)]

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), 1478 RP (Part) in D.D. 106,
Kam Sheung Road, Pat Heung
(RNTPC Paper No. A/YL-KTS/681B)

Presentation and Question Sessions

49. 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) the proposed temporary public vehicle park for a period of three years;
- (c) departmental comments – departmental comments were set out in paragraph 9 of the Paper. The Director of Agriculture, Fisheries and Conservation (DAFC) had reservation on the application as the site still possessed potential to be used for plant nursery or green house. Other concerned departments had no objection to or no adverse comment on the application;
- (d) during the first three weeks of the statutory publication period, two public comments were received from Designing Hong Kong Ltd. (DHK) and an individual. Both of them objected to the application mainly on the grounds that the proposed development was not in line with the planning intentions; adverse traffic, drainage and/or visual impacts; and setting of undesirable precedent. The District Officer (Yuen Long) had received objections from the Yuen Long District Council Member of the concerned constituency and the Village Representatives of Tin Sum Tsuen and Shek Wu Tong Tusen mainly on the grounds of adverse traffic, drainage, environmental and/or ‘fung-shui’ impacts; adequate car parking spaces in the area; and the site should be retained for Small House development and agricultural use; and
- (e) the Planning Department (PlanD)’s views – PlanD did not support the application based on the assessments set out in paragraph 11 of the Paper. The proposed development was not in line with the planning intention of the “Agriculture” zone and the DAFC had reservation on the application. It was also not compatible with the rural character of the surrounding environment. The proposed development was also considered incompatible with the village settlement. Compared with the previous application (No. A/YL-KTS/351) rejected in 2005, the current application involved an increased scale and there had been no major change in planning circumstances nor exceptional grounds for deviation from the Committee’s previous decision. The three approved similar applications for temporary public car park, which covered the same site, involved a

much smaller scale of development than the current application and majority (about 97.4%) of that site was located in the “V” zone. Regarding the public comments, the assessments above were relevant.

50. Members had no question on the application.

Deliberation Session

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

“ 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 to retain fallow arable land with good potential for rehabilitation for cultivation and other agricultural purposes. It is also not in line with the planning intention of the “Village Type Development” zone which is to reflect existing recognised and other villages and to provide land considered suitable for village expansion and reprovisioning of village houses affected by Government projects. There is no strong planning justification in the submission for departure from such planning intentions, even on a temporary basis.”

Agenda Item 16

Section 16 Application

[Open Meeting]

A/YL-KTS/682 Temporary Open Storage of Freezer Vehicles, Air-conditioned Compartments and Cooling Machinery Components for Vehicles for Sale, and Installation and Maintenance Workshop for Freezer Vehicles for a Period of 3 Years in “Other Specified Uses” annotated “Rural Use” Zone, Lots 401 (Part), 404 (Part), 405 RP (Part), 406 RP, 408 RP (Part), 409 and 410 (Part) in D.D. 106, Pat Heung, Yuen Long (RNTPC Paper No. A/YL-KTS/682A)

52. The Committee noted that the applicant requested on 19.1.2016 for deferment of the consideration of the application for a period of two months to allow time for preparing fire services installations proposal in response to departmental comments. It was the applicant’s second request for deferment.

53. After deliberation, the Committee decided to defer a decision on the application as requested by the applicant pending the submission of further information from the applicant. The Committee agreed that the application should be submitted for its consideration within two months from the date of receipt of further information from the applicant. If the further information submitted by the applicant was not substantial and could be processed within a shorter time, the application could be submitted to an earlier meeting for the Committee’s consideration. The Committee also agreed to advise the applicant that two months were allowed for preparation of the submission of the further information. Since it was the second deferment 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 17

Section 16 Application

[Open Meeting (Presentation and Question Sessions Only)]

A/YL-PH/725 Proposed Temporary Public Vehicle Park (Private Cars and Light Goods Vehicles only) for a Period of 3 Years in “Residential (Group D)” Zone, Lots 78 S.A (Part), 88 (Part), 89 (Part), 91 (Part), 92 (Part), 96 (Part), 97 (Part), 98 (Part), 99 (Part) and 100 (Part) in D.D. 108 and Adjoining Government Land, Pat Heung, Yuen Long
(RNTPC Paper No. A/YL-PH/725)

54. The Secretary reported that Ms Janice W.M. Lai had declared an interest in the item as her family members owned a property in Pat Heung. The Committee agreed that Ms Lai could stay in the meeting as the property of her family members did not have a direct view of the site.

Presentation and Question Sessions

55. 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) the proposed temporary public vehicle park (private cars and light goods vehicles only) for a period of three years;
- (c) departmental comments – departmental comments were set out in paragraph 9 of the Paper. Concerned departments had no objection to or no adverse comment on the application;
- (d) during the first three weeks of the statutory publication period, four public comments were received from the villagers of Ta Shek Wu and three individuals. They raised concerns/objected to the application mainly on the grounds that the site was not suitable for car park use; the site was

occupied with unauthorised structures and unauthorised development which were subject to enforcement action; the development would generate environmental pollution and perpetuate the inefficient use of land; and the continued approval of similar applications on a temporary basis constituted the current land use problem. 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 11 of the Paper. Although the proposed temporary public vehicle park use was not in line with the planning intention of the “Residential (Group D)” zone, it could satisfy some of the local parking demand and approval of the application on a temporary basis would not frustrate the long-term planning intention. The proposed development was not incompatible with the surrounding land uses. Concerned departments had no objection to or no adverse comment on the application and their technical requirements could be addressed by incorporation of suitable approval conditions. Regarding the public comments, the assessments above were relevant.

56. Members had no question on the application.

Deliberation Session

57. After deliberation, the Committee decided to approve the application on a temporary basis for a period of 3 years until 5.2.2019, on the terms of the application as submitted to the Town Planning Board (TPB) and subject to the following conditions :

- “(a) no vehicles without valid licences issued under the Road Traffic Ordinance are allowed to be parked/stored on the site at any time during the planning approval period;
- (b) no medium or heavy goods vehicles exceeding 5.5 tonnes, including container tractors/trailers, as defined in the Road Traffic Ordinance, as

proposed by the applicant, are allowed to be parked/stored on or enter/exit the site at any time during the planning approval period;

- (c) no dismantling, maintenance, repairing, cleansing, paint spraying or other workshop activities, as proposed by the applicant, shall be carried out on 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) no operation shall commence on the site prior to the provision of natural terrain hazard mitigation measures, including the submission of an as-built record, to the satisfaction of the Head of the Geotechnical Engineering Office of Civil Engineering and Development Department;
- (f) in relation to (e) above, the natural terrain hazard mitigation measures implemented on the site shall be maintained at all times during the planning approval period;
- (g) 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 5.5.2016;
- (h) 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 5.8.2016;
- (i) in relation to (h) 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 5.11.2016;
- (j) 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 5.8.2016;

- (k) in relation to (j) 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 5.11.2016;
- (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; and
- (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.”

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

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

Agenda Item 18

Section 16 Application

[Open Meeting]

A/YL-NSW/244 Proposed Filling of Land for Permitted New Territories Exempted Houses (Small Houses) in “Village Type Development” Zone, Lots 3782, 3755 RP, 3780 S.B RP, 3756 S.C RP, 3756 S.C ss.2 and 3755 S.B in D.D. 104, Pok Wai, Yuen Long
(RNTPC Paper No. A/YL-NSW/244)

59. The Committee noted that a replacement paper was sent to Members before the meeting.

60. The Committee noted that the applicant requested on 1.2.2016 for deferment of the consideration of the application for a period of two months to allow time for preparation of further information to address departmental comments. It was the applicant's first request for deferment.

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

Agenda Item 19

Section 16 Application

[Open Meeting]

A/YL-NTM/320 Temporary Open Storage of Containers and Cargo Handling and Forwarding Facilities for a Period of 2 Years in "Comprehensive Development Area" Zone, Various Lots in D.D. 104 and Adjoining Government Land, Ngau Tam Mei, Yuen Long
(RNTPC Paper No. A/YL-NTM/320B)

62. The Committee noted that the applicant requested on 26.1.2016 for deferment of the consideration of the application for a period of two months to allow time for the technical consultants to complete additional/further studies to address the environmental issues. It was the applicant's third request for deferment.

63. After deliberation, the Committee decided to defer a decision on the application as requested by the applicant pending the submission of further information from the

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

Agenda Item 20

Section 16 Application

[Open Meeting]

A/YL-NTM/329 Temporary Open Storage of Containers and Cargo Handling and Forwarding Facilities for a Period of 2 Years in "Comprehensive Development Area" Zone, Lots 1750 (Part), 1751 (Part), 1753 (Part), 1796 S.D ss.1 (Part), 1768 (Part), 1769, 1770 (Part), 1771, 1772 S.A (Part), 1798, 1799 and 1800 (Part) in D.D. 104 and Adjoining Government Land, Chuk Yau Road, Ngau Tam Mei, Yuen Long
(RNTPC Paper No. A/YL-NTM/329)

64. The Committee noted that the applicant requested on 26.1.2016 for deferment of the consideration of the application for a period of two months to allow time for preparation of further information to address traffic issues. It was the applicant's first request for deferment.

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

meeting for the Committee's consideration. The Committee also agreed to advise the applicant that two months were allowed for preparation of the submission of the further information, and no further deferment would be granted unless under very special circumstances.

[Ms Jainice W.M. Lai returned to join the meeting at this point.]

Agenda Item 21

Section 16 Application

[Open Meeting]

A/YL-NTM/330 Temporary Public Vehicle Park (Including Private Cars and Container Vehicles) for a Period of 5 Years in "Open Storage" Zone, Lots 111 RP (Part), 112 RP (Part) and 113 in D.D. 105 and Adjoining Government Land, Ngau Tam Mei, Yuen Long
(RNTPC Paper No. A/YL-NTM/330)

66. The Committee noted that the applicant requested on 29.1.2016 for deferment of the consideration of the application for a period of two months to allow time for preparation of further information to address traffic issues. It was the applicant's first request for deferment.

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

Agenda Item 22

Section 16 Application

[Open Meeting]

A/YL-ST/483 Proposed Temporary Chilled Meat Storage Facilities for a Period of 3 Years in “Undetermined” Zone, Government Land at junction of Castle Peak Road - Chau Tau and Lok Ma Chau Road, San Tin, Yuen Long
(RNTPC Paper No. A/YL-ST/483)

68. The Committee noted that the applicant requested on 29.1.2016 for deferment of the consideration of the application for a period of one month to allow time for preparation of responses to address departmental comments. It was the applicant’s first request for deferment.

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

Agenda Item 23

Section 16 Application

[Open Meeting (Presentation and Question Sessions Only)]

A/YL-ST/484 Temporary Retail Shop (Container Tractors, Medium Goods Vehicles, Vehicle Parts and Building Materials) for a Period of 3 Years in “Residential (Group D)” Zone, Lots 204 RP (Part), 331 S.B RP (Part), 332 S.B RP, 333 S.B. RP (Part), 356 (Part), 357 (Part), 358 (Part), 359 (Part) and 361 S.B (Part) in D.D. 105 and Adjoining Government Land, San Tin, Yuen Long
(RNTPC Paper No. A/YL-ST/484)

Presentation and Question Sessions

70. 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) the temporary retail shop (container tractors, medium goods vehicles (MGV), vehicle parts and building materials) for a period of three years;
- (c) departmental comments – departmental comments were set out in paragraph 10 of the Paper. Concerned departments had no objection to or no adverse comment on the application;
- (d) during the first three weeks of the statutory publication period, two public comments were received from a District Council member and an individual. The District Council member objected to the application without giving specific reason whereas the individual raised objection mainly on the ground of inappropriate change of land use. 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. The temporary retail shop with about 62% of the site area used for open storage of container tractors, MGVs, vehicle parts and building materials for sale on site was akin to an open storage with commercial activities and the possible impacts of the development should be considered with reference to open storage uses. The site fell within Category 2 areas under the Town Planning Board Guidelines No. 13E for Application for Open Storage and Port Back-up Uses (TPB PG-No. 13E) and the application was in line with the TPB PG-No. 13E in that there were a number of open storage yards in the vicinity and there was no immediate permanent development proposal or program for the site; concerned departments had no objection to or no adverse comment on the application; there was no environmental complaint related to the site in the past three years; and the site (in whole or in part) was the subject of five previously approved planning applications mainly for temporary retail shop or vehicle repair workshop since 1999. The site also fell within the Wetland Buffer Area in the Town Planning Board Guidelines No. 12C for Application for Developments within Deep Bay Area and the Director of Agriculture, Fisheries and Conservation had no comment on the application from nature conservation point of view. The technical concerns of relevant departments could be addressed by incorporation of suitable approval conditions. Regarding the public comments, the assessments above were relevant.

71. Members had no question on the application.

Deliberation Session

72. After deliberation, the Committee decided to approve the application on a temporary basis for a period of 3 years until 5.2.2019, 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 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 car washing, vehicle repair, dismantling, paint spraying or other workshop activity is allowed on the site at any time during the planning approval period;
- (d) the drainage facilities on the site shall be maintained at all times during the planning approval period;
- (e) the submission of a photographic 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 5.5.2016;
- (f) 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 5.8.2016;
- (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 the Director of Fire Services or of the TPB by 5.11.2016;
- (h) the submission of proposal on provision of buffer zone within the site fronting Castle Peak Road – San Tin to avoid queuing on Castle Peak Road – San Tin within 6 months from the date of planning approval to the satisfaction of the Commissioner for Transport or of the TPB by 5.8.2016;
- (i) in relation to (h) above, the implementation of proposal on provision of buffer zone within the site fronting Castle Peak Road – San Tin to avoid queuing on Castle Peak Road – San Tin within 9 months from the date of planning approval to the satisfaction of the Commissioner for Transport or of the TPB by 5.11.2016;

- (j) the implementation of tree preservation proposal within 6 months from the date of planning approval to the satisfaction of Director of Planning or of the TPB by 5.8.2016;
- (k) 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 5.8.2016;
- (l) if any of the above planning conditions (a), (b), (c) or (d) is not complied with during the planning approval period, the approval hereby given shall cease to have effect and shall be revoked immediately without further notice; and
- (m) if any of the above planning conditions (e), (f), (g), (h), (i), (j) or (k) is not complied with by the specified date, the approval hereby given shall cease to have effect and shall on the same date be revoked without further notice.”

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

[The Chairman thanked Mr Otto K.C. Chan, Mr Kepler S.Y. Yuen and Mr K.T. Ng, STP/FSYLE, for their attendance to answer Members' enquiries. They left the meeting at this point.]

Tuen Mun and Yuen Long West District

Agenda Item 24

Section 12A Application

[Open Meeting]

Y/YL-HT/2 Application for Amendment to the Approved Ha Tsuen Outline Zoning Plan No. S/YL-HT/10 and Approved Ping Shan Outline Zoning Plan No. S/YL-PS/16, To rezone the application site from “Residential (Group D)” and “Green Belt” to “Residential (Group A)”, Lots 1308 RP, 1510 RP, 1511, 1513 (Part), 1514, 1515, 1521 (Part), 1524 (Part), 3937 (Part) and 3938 in D.D. 124 and Adjoining Government Land, Hung Shui Kiu, Yuen Long

(RNTPC Paper No. Y/YL-HT/2)

74. The Secretary reported that Masterplan Ltd. (Masterplan), LWK & Partners Architects Ltd. (LWK), Ove Arup & Partners Hong Kong Ltd. (Arup) and Ramboll Environ Hong Kong Ltd. (Environ) were four of the consultants of the applicant. The following Members had declared interests in the item:

Professor S.C. Wong - being a consultant of Arup;

Mr Ivan C.S. Fu - being a director and shareholder of LWK and having current business dealings with Masterplan, Arup and Environ; and

Ms Janice W.M. Lai - having current business dealings with Environ; and her spouse being a shareholder of a company which owned two pieces of land in Ha Tsuen.

75. The Committee noted that the applicant had requested for deferment of consideration of the application. The Committee noted that Mr Ivan C.S. Fu had tendered apologies for being unable to attend the meeting and agreed that Professor S.C. Wong and Ms Janice W.M. Lai could stay in the meeting as they had no involvement in the application; and

the two pieces of land of Ms Lai's spouse did not have a direct view of the site.

76. The Committee noted that the applicant requested on 25.1.2016 for deferment of the consideration of the application for a period of two months to allow time for preparation of further information to address departmental comments. It was the applicant's first request for deferment.

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

Agenda Item 25

Section 12A Application

[Open Meeting]

Y/YL/11 Application for Amendment to the Draft Yuen Long Outline Zoning Plan No. S/YL/22, To rezone the application site from "Open Space" to "Other Specified Uses" annotated "Art Storage and Public Open Space", Lots 2281 S.A, 2282 RP, 2283 RP, 2960 RP and 2964 S.B in D.D. 120 and Adjoining Government Land, Yuen Long
(RNTPC Paper No. Y/YL/11)

78. The Secretary reported that the application was submitted by Winpo Development Ltd., a subsidiary of New World Development Co. Ltd. (NWD), and Ove Arup & Partners Hong Kong Ltd. (Arup) was the consultant of the applicant. The following Members had declared interests in the item:

Professor S.C. Wong - being a consultant of Arup;

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

Ms Janice W.M. Lai - having current business dealings with NWD.

79. The Committee noted that the applicant had requested for deferment of consideration of the application. The Committee noted that Mr Ivan C.S. Fu had tendered apologies for being unable to attend the meeting and agreed that Professor S.C. Wong could stay in the meeting as he had no involvement in the application. As the interest of Ms Janice W.M. Lai was direct, the Committee agreed that she could stay in the meeting but should refrain from participating in the discussion.

80. The Committee noted that the applicant requested on 18.1.2016 for deferment of the consideration of the application for a period of two months to allow time for preparation of further information to address the comments from various government departments. It was the applicant's first request for deferment.

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

[Ms Stella Y. Ng, Ms Jessica Y.C. Ho 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.]

Agenda Item 26

Section 16 Application

[Open Meeting (Presentation and Question Sessions Only)]

A/TM-LTYYY/303 Temporary Shop and Services (Retail Shop) for a Period of 5 Years in “Village Type Development” Zone, Lot 694 S.L ss.1 in D.D. 130 and Adjoining Government land, No. 28 Lam Tei Main Street, Tuen Mun (RNTPC Paper No. A/TM-LTYYY/303)

Presentation and Question Sessions

82. Ms Stella Y. Ng, STP/TMYLW, said that there was an editorial error in the last sentence of paragraph 11.1 of the Paper. The reference made to the temporary approval being sought should be five years instead of three years. She then presented the application and covered the following aspects as detailed in the Paper :

- (a) background to the application;
- (b) temporary shop and services (retail shop) for a period of five years;
- (c) departmental comments – departmental comments were set out in paragraph 9 of the Paper. Concerned departments had no objection to or no adverse comment on the application;
- (d) during the first three weeks of the statutory publication period, one supporting public comment was received from a Tuen Mun District Council member. 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. Whilst the temporary retail shop was not entirely in line with the planning intention of the “Village Type Development” zone, the development could provide retail facilities to meet the demand in the area and approval of the

application on a temporary basis for five years would not jeopardise the long-term planning intention. The development was not incompatible with the surrounding land uses. Concerned departments had no objection to or no adverse comment on the application and their concerns/requirements could be addressed by imposing approval conditions.

83. In response to a Member's query, the Secretary explained that for planning applications on a temporary basis, if a change in the planning circumstances was anticipated in the near future, a shorter approval period could be considered so as to monitor the situation. For the current application, the approval period being sought was five years.

Deliberation Session

84. After deliberation, the Committee decided to approve the application on a temporary basis for a period of 5 years until 5.2.2021, on the terms of the application as submitted to the Town Planning Board (TPB) and subject to the following conditions :

- “(a) no operation between 10:00 p.m. and 8:00 a.m., as proposed by the applicant, is allowed on the site during the planning approval period;
- (b) a minimum horizontal clearance of 500mm from Lam Tei Main Street and a minimum vertical clearance of 3.5m over the road verge, as proposed by the applicant, shall be maintained at all times during the planning approval period to the satisfaction of the Commissioner for Transport or of the TPB;
- (c) 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 5.8.2016;
- (d) in relation to (c) 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 5.11.2016;

- (e) 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 5.8.2016;
- (f) in relation to (e) 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 5.11.2016;
- (g) if any of the above planning conditions (a) or (b) is not complied with during the planning approval period, the approval hereby given shall cease to have effect and shall be revoked immediately without further notice;
- (h) if any of the above planning conditions (c), (d), (e) or (f) is not complied with by the specified date, the approval hereby given shall cease to have effect and shall on the same date be revoked without further notice; and
- (i) upon expiry of the planning permission, the reinstatement of the site to an amenity area to the satisfaction of the Director of Planning or of the TPB.”

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

Agenda Item 27

Section 16 Application

[Open Meeting]

A/TM-LTYYY/304 Proposed Temporary Industrial Use (Food Processing Factory) for a Period of 3 Years in “Residential (Group C)” and “Residential (Group D)” Zones, Lot 1150 RP in D.D. 130, near Wong Kong Wai Road, Tuen Mun
(RNTPC Paper No. A/TM-LTYYY/304)

86. The Committee noted that the applicant requested on 15.1.2016 for deferment of

the consideration of the application for a period of two months to allow time for preparation of further information to address the comments of the Environmental Protection Department. It was the applicant's first request for deferment.

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

Agenda Item 28

Section 16 Application

[Open Meeting]

A/TM-LTY Y/305 Proposed Temporary Shop and Services (Real Estate Agency) and Public Vehicle Park (Private Cars) for a Period of 3 Years in "Residential (Group D)" Zone, Lots 1211 S.C (Part), 1243 S.B (Part), 1247 RP (Part), 1248 (Part) and 1249 (Part) in D.D. 130, Fuk Hang Tsuen, Lam Tei, Tuen Mun
(RNTPC Paper No. A/TM-LTY Y/305)

88. The Committee noted that the applicant requested on 25.1.2016 for deferment of the consideration of the application for a period of two months to allow time for preparation of further information to address the comments of the Transport Department. It was the applicant's first request for deferment.

89. After deliberation, the Committee decided to defer a decision on the application as requested by the applicant pending the submission of further information from the

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

Agenda Item 29

Section 16 Application

[Open Meeting (Presentation and Question Sessions Only)]

A/YL-PS/511 Renewal of Planning Approval for Temporary Open Storage of New Vehicles (Private Cars, Taxis, Light Goods Vehicles and Light Buses Only) for a Period of 3 Years in "Recreation" and "Village Type Development" Zones, Lots 88 RP (Part), 89 (Part), 90, 91 RP (Part), 92 RP, 93 to 105, 106 (Part), 107 (Part), 108, 109, 110 (Part), 111, 112 (Part), 113 (Part), 233 (Part), 234 (Part), 235 (Part), 236 (Part), 295 (Part), 296, 297, 298 S.A to S.D, 298 RP, 299, 300, 301 (Part), 302 (Part), 303 to 305, 306 (Part), 312 (Part), 313 (Part), 314 (Part), 316 (Part), 317 (Part), 318 and 319 (Part) in D.D. 126 and Adjoining Government Land near Fung Ka Wai, Ping Shan, Yuen Long (RNTPC Paper No. A/YL-PS/511)

Presentation and Question Sessions

90. Ms Stella Y. Ng, STP/TMYLW, presented the application and covered the following aspects as detailed in the Paper :

- (a) background to the application;
- (b) the renewal of planning approval for temporary open storage of new

vehicles (private cars, taxis, light goods vehicles and light buses only) under previous application No. A/YL-PS/405 for a period of three years;

- (c) departmental comments – departmental comments were set out in paragraph 10 of the Paper. Concerned departments had no objection to or no adverse comment on the application;
- (d) during the first three weeks of the statutory publication period, two public comments were received from a Yuen Long District Council Member and an individual. They both objected to the application mainly on the grounds that the development was not in line with the planning intentions; it discouraged land owners to carry out development in accordance with the zoning; inefficient use of land; adverse impact on the environment and agricultural land; traffic concerns and potential danger caused by delivery vehicles; and rejection of such applications would encourage the government and businesses to clear up the countryside and make optimal use of land zoned for community use and housing. 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 further period of three years based on the assessments set out in paragraph 12 of the Paper. Although the development was not in line with the planning intentions of the “Recreation” (“REC”) and “Village Type Development” zones, there was no known development program for the “REC” zone and approval of the application on a temporary basis for three years would not frustrate the long term planning intentions. The applied use was not incompatible with the adjoining uses mainly comprising temporary warehouse, open storage yards, vehicle park and war game field. Concerned departments had no objection to or no adverse comment on the application. The application was generally in line with Town Planning Board Guidelines No. 34B on Renewal of Planning Approval and Extension of Time for Compliance with Planning Conditions for Temporary Use or Development in that there was no material change in planning circumstances since the previous temporary

approval was granted; adverse planning implications arising from the renewal of the planning approval were not envisaged; all conditions under the previous approval had been complied with; and the approval period sought was the same as that of the previous approval. The site fell mostly within Category 3 areas under Town Planning Board Guidelines No. 13E for Application for Open Storage and Port Back-up Uses (TPB PG-No. 13E) and the application was also considered in line with TPB PG-No. 13E in that the site was granted with previous approvals; the applicant had complied with all the approval conditions; and the concerns of the government departments and local residents could be addressed through the implementation of approval conditions. Regarding the public comments, the assessments above were relevant.

91. Members had no question on the application.

Deliberation Session

92. After deliberation, the Committee decided to approve the application on a temporary basis for a further period of 3 years until 15.3.2019, 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 9:30 a.m., as proposed by the applicant, is allowed on the site during the planning approval period;
- (b) no operation on Sundays and public holidays, as proposed by the applicant, is allowed on the site during the planning approval period;
- (c) no medium or heavy goods vehicles exceeding 5.5 tonnes as defined in the Road Traffic Ordinance, buses exceeding 16 seats, container vehicles, container tractors and trailers are allowed to be parked/enter on the site at any time during the planning approval period;
- (d) no vehicle is allowed to queue back to or reverse onto/from public road at any time during the planning approval period;

- (e) the delivery route to and from the site via Tin Wah Road, as proposed by the applicant, should be adhered to at all times during the planning approval period;
- (f) the existing fencing on the site should be maintained at all times during the planning approval period;
- (g) the existing drainage facilities on the site shall be maintained at all times during the planning approval period;
- (h) the submission of the condition record of the existing drainage facilities on the site within 3 months from the date of commencement of the renewed planning approval to the satisfaction of the Director of Drainage Services or of the TPB by 16.6.2016;
- (i) the provision of fire extinguisher(s) within 6 weeks from the date of commencement of the renewed planning approval to the satisfaction of the Director of Fire Services or of the TPB by 27.4.2016;
- (j) the submission of fire service installations proposal within 6 months from the date of commencement of the renewed planning approval to the satisfaction of the Director of Fire Services or of the TPB by 16.9.2016;
- (k) in relation to (j) above, the implementation of fire service installations proposal within 9 months from the date of commencement of the renewed planning approval to the satisfaction of the Director of Fire Services or of the TPB by 16.12.2016;
- (l) the submission of tree preservation proposal within 6 months from the date of commencement of the renewed planning approval to the satisfaction of the Director of Planning or of the TPB by 16.9.2016;
- (m) in relation to (l) above, the implementation of tree preservation proposal

within 9 months from the date of commencement of the renewed planning approval to the satisfaction of the Director of Planning or of the TPB by 16.12.2016;

- (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 site to an amenity area to the satisfaction of the Director of Planning or of the TPB.”

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

Agenda Item 30

Section 16 Application

[Open Meeting (Presentation and Question Sessions Only)]

A/YL-PS/512 Temporary Public Vehicle Park (Private Cars) for a Period of 3 Years
in “Residential (Group A) 2” Zone, Lot 2329 RP in D.D. 124, Hung
Shui Kiu, Ping Shan, Yuen Long
(RNTPC Paper No. A/YL-PS/512)

94. Members noted that replacement pages (10 to 12) of the Paper to amend paragraphs 11.3 and 12.2 had been sent to them.

Presentation and Question Sessions

95. Ms Stella Y. Ng, STP/TMYLW, presented the application and covered the following aspects as detailed in the Paper :

- (a) background to the application;
- (b) the temporary public vehicle park (private cars) for a period of three years;
- (c) departmental comments – departmental comments were set out in paragraph 9 of the Paper. Concerned 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 was received from an individual objecting to the application mainly on the grounds that the site should be developed into residential purpose; the applied use was an inefficient land use; and if there was an acute need for parking facilities in the district, the owner could apply for a multi-storey parking facility. 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 11 of the Paper. Whilst the development was not entirely in line with the planning intention of the “Residential (Group A) 2” zone, it could provide parking spaces to meet the demand in the area. The approval of the application on a temporary basis for three years would not frustrate the long term development of the area. The temporary vehicle park was not incompatible with the surrounding uses and would unlikely create significant adverse traffic, drainage and landscape impacts on the surrounding areas. Relevant departments had no objection to or no adverse comment on the application and their technical concerns could be addressed through imposing approval conditions. Regarding the public comment, the assessments above were relevant.

96. Members had no question on the application.

Deliberation Session

97. After deliberation, the Committee decided to approve the application on a temporary basis for a period of 3 years until 5.2.2019, 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 vehicle washing, vehicle repair, dismantling, paint spraying or other workshop activity is allowed on the site at any time during the planning approval period;
- (c) only private cars as defined in the Road Traffic Ordinance, as proposed by the applicant, are allowed to enter/be parked on the site at all times during the planning approval period;
- (d) a notice shall be posted at a prominent location of the site to indicate that only private cars as defined in the Road Traffic Ordinance are allowed to enter/be parked on the site at all times during the planning approval period;
- (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 is allowed to queue back to or reverse onto/from public road at any time 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 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 5.5.2016;
- (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 5.8.2016;
- (j) in relation to (i) 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 5.11.2016;
- (k) 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 5.8.2016;
- (l) in relation to (k) 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 5.11.2016;
- (m) 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 5.5.2016;
- (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 site to an amenity area to the satisfaction of the Director of Planning or of the TPB.”

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

Agenda Item 31

Section 16 Application

[Open Meeting (Presentation and Question Sessions Only)]

A/TM/481 Proposed Eating Place/Shop and Services and Office (Wholesale Conversion of an Existing Building Only) in “Industrial” Zone, Tuen Mun Town Lot No. 102, 4 Kin Fat Lane, Tuen Mun
(RNTPC Paper No. A/TM/481B)

99. The Secretary reported that Ove Arup & Partners Hong Kong Ltd. (Arup), Ramboll Environ Hong Kong Ltd. (Environ) and WCWP International Ltd. (WCWP) were three of the consultants of the applicant. The following Members had declared interests in the item:

Professor S.C. Wong - being a consultant of Arup;

Mr Ivan C.S. Fu - having current business dealings with Arup, Environ and WCWP; and

Ms Janice W.M. Lai - having current business dealings with Environ.

100. The Committee noted that Mr Ivan C.S. Fu had tendered apologies for being unable to attend the meeting and agreed that Professor S.C. Wong and Ms Janice W.M. Lai could stay in the meeting as they had no involvement in the application.

Presentation and Question Sessions

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

- (a) background to the application;
- (b) the proposed wholesale conversion of the building for eating place/shop and services and office;
- (c) departmental comments – departmental comments were set out in paragraph 10 of the Paper. The Director-General of Trade and Industry (DG of TI) expressed concern on the further depletion of industrial land as the 2014 Area Assessments of Industrial Land in the Territory (Area Assessments) had already forecasted an increasing demand for industrial floor space while the total industrial stock in Hong Kong would not be able to meet the future demand for industrial use. Other concerned 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 was received from an individual who opined that sufficient hourly carparking spaces instead of monthly rental parking for cars/lorries should be provided at the site to prevent illegal parking and traffic congestion. No local objection/view was received by the District Officer (Tuen Mun); and
- (e) the Planning Department (PlanD)'s views – PlanD had no objection to the application based on the assessments made in paragraph 12 of the Paper. The application was for conversion of the industrial floor spaces within an existing industrial building for eating place/shop and services/office uses and the proposed converted building was considered not incompatible with the adjacent land uses. Although DG of TI was concerned about the further depletion of industrial land resulting from the approval of the application and had reservation in that regard, the application was in line

with the measures introduced by the Government in 2010 to encourage the redevelopment or conversion of industrial buildings. The application was also generally in compliance with Town Planning Board Guidelines No. 25D for Use/Development within “Industrial” (“I”) Zone in that the location of the proposed development was easily accessible by public transport; the provision of parking and loading/unloading facilities had met the minimum requirements of Hong Kong Planning Standards and Guidelines; and a number of applications for wholesale conversion of existing industrial buildings for commercial uses as well as shop and services use within the same “I” zone or the adjacent “I” zone near Tuen Mun town centre had been considered/approved by the Committee. Other concerned departments had no objection to or no adverse comment on the application. Based on the 2014 Area Assessments recommendations, the subject “I” zone would not be rezoned for other uses. As the planning approval would be for the lifetime of the existing building only, and upon redevelopment, the site would need to conform to the zoning and development restrictions on the Outline Zoning Plan, it would not jeopardise the long-term planning intention of the site for general industrial uses to meet the future demand. An advisory clause was recommended to indicate clearly such intention. Regarding the public comment, the planning assessments above were relevant.

102. In response to the Chairman’s enquiry on whether the building was a purpose-designed godown with features to facilitate vertical movement of goods between different floors, Ms Jessica Y.C. Ho, STP/TMYLW, said that the building was a typical industrial buildings with a relatively larger footprint and currently used for storage of large furniture. There was a carpark with entrances on the northern and southern sides on the ground floor of the building that had access to large goods lifts to facilitate loading/unloading of the furniture. In response to the Chairman’s further enquiry, Ms Ho made reference to Plan A-1 of the Paper and said that the seven similar applications for wholesale conversion approved by the Committee between 2011 and 2016 were located in Areas 9 and 12. However, she did not have detailed information on the latest commercial developments and land use status within the “Other Specified Uses” annotated “Business” zone located to the southeast of the application site at the moment.

Deliberation Session

103. The Chairman remarked that for upcoming similar applications in the area, additional information and analysis regarding the overall transformation of the area should be provided by PlanD to facilitate the Committee's consideration. For the subject application, quite a number of similar applications had been approved in the nearby area.

104. 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 5.2.2020, 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 services installations and water supplies for fire fighting to the satisfaction of the Director of Fire Services or of the TPB;
- (b) 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;
- (c) the submission and implementation of sewerage improvement proposal at the applicant's costs, as proposed by the applicant, to the satisfaction of the Director of Drainage Services or of the TPB; and
- (d) the submission and implementation of landscape proposal to the satisfaction of the Director of Planning or of the TPB.”

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

Agenda Item 32

Section 16 Application

[Open Meeting (Presentation and Question Sessions Only)]

A/TM/482 Proposed Eating Place/Shop and Services (Wholesale Conversion of an Existing Building Only) in “Industrial” Zone, Castle Peak Town Lot No. 24, 15 San On Street, Tuen Mun
(RNTPC Paper No. A/TM/482B)

106. The Secretary reported that Ove Arup & Partners Hong Kong Ltd. (Arup) and Ramboll Environ Hong Kong Ltd. (Environ) were two of the consultants of the applicant. The following Members had declared interests in the item:

Professor S.C. Wong - being a consultant of Arup;

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

Ms Janice W.M. Lai - having current business dealings with Environ.

107. The Committee noted that Mr Ivan C.S. Fu had tendered apologies for being unable to attend the meeting and agreed that Professor S.C. Wong and Ms Janice W.M. Lai could stay in the meeting as they had no involvement in the application.

Presentation and Question Sessions

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

- (a) background to the application;
- (b) the proposed wholesale conversion of the building for eating place/shop and services;

- (c) departmental comments – departmental comments were set out in paragraph 10 of the Paper. The Director-General of Trade and Industry (DG of TI) expressed concern on the further depletion of industrial land as the 2014 Area Assessments of Industrial Land in the Territory (Area Assessments) had already forecasted an increasing demand for industrial floor space while the total industrial stock in Hong Kong would not be able to meet the future demand for industrial use. Other concerned departments had no objection to or no adverse comment on the application;
- (d) no public comment was received during the statutory publication period and no local objection was received by the District Officer (Tuen Mun); and
- (e) the Planning Department (PlanD)’s views – PlanD had no objection to the application based on the assessments made in paragraph 12 of the Paper. The application was for conversion of the industrial floor spaces within an existing industrial building for eating place/shop and services uses and the proposed converted building was considered not incompatible with the adjacent land uses. Although DG of TI was concerned about the further depletion of industrial land resulting from the approval of the application and had reservation in that regard, the application was in line with the measures introduced by the Government in 2010 to encourage the redevelopment or conversion of industrial buildings. The application was also generally in compliance with Town Planning Board Guidelines No. 25D for Use/Development within “Industrial” (“I”) Zone in that the location of the proposed development was easily accessible by public transport; the provision of parking and loading/unloading facilities had met the minimum requirements of Hong Kong Planning Standards and Guidelines; and a number of applications for wholesale conversion of existing industrial buildings for commercial uses as well as shop and services use within the same “I” zone or the adjacent “I” zone near Tuen Mun town centre had been considered/approved by the Committee. Other concerned departments had no objection to or no adverse comment on the application. Based on the 2014 Area Assessments recommendations, the

subject “I” zone would not be rezoned for other uses. As the planning approval would be for the lifetime of the existing building only, and upon redevelopment, the site would need to conform to the zoning and development restrictions on the Outline Zoning Plan, it would not jeopardise the long-term planning intention of the site for general industrial uses to meet the future demand. An advisory clause was recommended to indicate clearly such intention.

109. Members had no question on the application.

Deliberation Session

110. Members noted that according to the 2014 Area Assessments, there were six industrial buildings, consisted of mainly warehouse and workshops, within the “Other Specified Uses” annotated “Business” (“OU(B)”) zone to the north of the subject “I” zone. None of the six buildings was involved in wholesale conversion applications and there was no indication that the subject “OU(B)” zone was undergoing transformation to commercial uses.

111. After further 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 5.2.2020, 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 services installations and water supplies for fire fighting to the satisfaction of the Director of Fire Services or of the TPB;
- (b) 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;
- (c) the submission and implementation of the sewerage improvement proposal

at the applicant's costs, as proposed by the applicant, to the satisfaction of the Director of Drainage Services or of the TPB; and

- (d) the submission and implementation of landscape proposal to the satisfaction of the Director of Planning or of the TPB.”

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

General Discussion on Applications for Wholesale Conversion of Industrial Buildings

113. Arising from the deliberation of the last two planning applications (i.e. No. A/TM/481 and A/TM/482), Members had a general discussion on how future applications for wholesale conversion of industrial buildings should be dealt with.

114. In response to the Chairman's request, the Secretary explained that the policy initiatives on “Measures to Encourage Wholesale Conversion in “Industrial” (“I”), “Other Specified Uses” annotated “Business” (“OU(B)”) and “Commercial” (“C”) Zones” (the Policy Initiatives), which was announced by the Chief Executive in the 2009-10 Policy Address and aimed to offer financial incentives for industrial building owners to apply for wholesale conversion of industrial buildings to better utilise these existing premises to meet Hong Kong's changing social and economic needs, would end on 31 March 2016. As a result, an increased number of wholesale conversion applications had been submitted to the Committee for consideration recently. On the other hand, according to the recommendations of the 2014 Area Assessments of Industrial Land in the Territory (Area Assessments), further large-scale rezoning of land from “I” to other uses such as residential or “OU(B)” uses was not recommended. The Chairman remarked that wholesale conversion of some industrial buildings had in fact provided new floor space for creative industries, recreation and commercial uses, which were not permitted to co-exist with other industrial uses in industrial buildings due to fire safety concerns. In considering applications for wholesale conversion, various planning considerations, including the Policy Initiatives and recommendations from the 2014 Area Assessments should be taken into account, and the Committee should strike a balance among the different factors when considering those applications. In addition, the Planning Department (PlanD) should be

requested to provide additional information and analysis regarding the overall transformation of a wider larger area around the application site, to facilitate the Committee's consideration of the overall situation of the area.

115. In response to a Member's enquiry, the Chairman explained that according to the Policy Initiatives, owners of industrial buildings might apply at a nil waiver fee for change in use of the entire existing industrial buildings during the lifetime of the building or until expiry of the current lease, whichever was earlier, provided that the eligibility criteria could be met, i.e. (a) industrial buildings aged 15 years or above and situated in "I", "C" or "OU(B)" zones; (b) joint application by all owners of the building; (c) no increase in the total GFA and no excessive site coverage after the conversion, as well as the building height restriction under the planning regime; (d) the buildings could not be reverted to industrial use during the waiver period; and (e) full market premium would be payable when the buildings were redeveloped in future. The Policy Initiatives was promulgated to encourage revitalisation and utilisation of vacant premises and floor spaces in the industrial buildings and to accommodate new uses arising from the changing economy which were incompatible with typical industrial uses.

116. The Chairman further explained that as a regular review on the usage of floor spaces within industrial buildings in the Territory, the Area Assessments were conducted by PlanD at roughly a 5-year interval. Based on the results of the previous Area Assessments, various sites had been rezoned from "I" to other zonings including "Comprehensive Development Area", "OU(B)" and "Residential (Group E)" to meet the different needs of the community. However, in the latest round of review, i.e. the 2014 Area Assessments, it was noted that the vacancy rate of industrial floor space had decreased and stabilised and hence further large-scale rezoning of land from "I" to other uses was no longer recommended. Nevertheless, wholesale conversion of industrial buildings at individual industrial sites could still be pursued by way of Section 16 applications. In view of the above, upon the expiry of the Policy Initiatives, further applications for wholesale conversion of industrial buildings might need to be substantiated with additional information and justifications, including information on the existing non-industrial uses and demand and supply of non-industrial GFA in the area.

[Dr W.K. Yau arrived to join the meeting at this point.]

117. A Member asked whether the industrial buildings upon conversion could accommodate the non-industrial uses in technical terms and if redeveloping the entire building would be a better alternative as there were concerns on the potential interface issue between the converted building and other existing industrial buildings in the area. The Chairman responded that for wholesale conversion applications, technical requirements including those on parking, loading/unloading spaces and fire safety, etc. had to be addressed to the satisfaction of the concerned departments. In general, industrial buildings were designed with floor loading capacity and fire service installations requirements exceeding those of other types of buildings, and hence they should be able to accommodate a wide range of alternative uses from the technical perspective. The question on whether to adaptively reuse or redevelop the building would be subject to the decision of individual owners and market forces. As for the concern on potential interface issue, there were no major compatibility issues between industrial and commercial buildings and many successful examples of those mixed neighbourhoods, with old industrial buildings converted or redeveloped into high-quality office buildings, could be found in East Kowloon, Kwai Chung, Tsuen Wan and Cheung Sha Wan areas.

118. Members noted that the points raised in the general discussion would be taken into account in consideration of future applications for wholesale conversion of industrial buildings.

[Mr David Y.T. Lui left the meeting temporarily at this point.]

Agenda Item 33

Section 16 Application

[Open Meeting (Presentation and Question Sessions Only)]

A/YL-HT/1002 Temporary Open Parking for Trailer, Tractor, Lorry and Open Storage of Dry Goods (Daily Necessities), Parts, Construction Machinery, Plastic Bottle and Machinery with Ancillary Workshop and 6 Loading/Unloading Bays for a Period of 3 Years in “Undetermined” Zone, Lots 1903 RP, 1905 RP, 1921, 1922 RP (Part) ,1943 (Part) , 1945 (Part), 1946, 1947 (Part), 1948 (Part), 1949 (Part), 1950 (Part), 1953 (Part), 1954 (Part), 1955 RP (Part) and 1961 RP (Part) in D.D. 125 and Adjoining Government Land, Ha Tsuen, Yuen Long
(RNTPC Paper No. A/YL-HT/1002)

119. 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 agreed that Ms Lai could stay in the meeting as the two pieces of land of her spouse did not have a direct view of the site.

120. Members noted that replacement pages (11 to 13 of the Paper and Page 2 of Appendix VI) of the Paper to amend paragraphs 12.4, 12.5, 13.2 of the Paper and advisory clause (g) in Appendix VI had been sent to them.

Presentation and Question Sessions

121. 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) the temporary open parking for trailer, tractor, lorry and open storage of dry goods (daily necessities), parts, construction machinery, plastic bottle and machinery with ancillary workshop and six loading/unloading bays for a period of three 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 uses along the access road (Ping Ha Road) and environmental nuisance was expected. The Chief Town Planner/Urban Design and Landscape, Planning Department (CTP/UD&L, PlanD) had reservation on the application as there was inadequate information regarding the treatment of existing trees and the landscape provision within the site and the impact on existing resources could not be fully ascertained. Other concerned 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) PlanD's views – PlanD considered that the temporary use could be tolerated for a period of three years based on the assessments set out in paragraph 12 of the Paper. The site fell within Category 1 areas under the Town Planning Board Guidelines No. 13E for Application for Open Storage and Port Back-up Uses (TPG PG-No. 13E). The applied use was considered not incompatible with the surrounding uses in the “Undetermined” zone. While CTP/UD&L, PlanD had reservation on the application, he considered that the site was situated in an area of rural landscape character dominated by open storage, temporary structures and scattered trees and the proposed use was not incompatible with the surrounding environment. Although DEP did not support the application as there were sensitive uses along the access road, there was no environmental complaint against the site over the past three years. The technical concerns raised by concerned departments could be addressed by approval conditions.

122. Members had no question on the application.

Deliberation Session

123. After deliberation, the Committee decided to approve the application on a temporary basis for a period of 3 years until 5.2.2019, 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 8:30 a.m., as proposed by the applicant, is allowed on the site during the planning approval period;
- (b) no operation on Sundays and public holidays, as proposed by the applicant, is allowed on the site during the planning approval period;
- (c) no vehicle is allowed to queue back to or reverse onto/from the public road at any time during the planning approval period;
- (d) the existing drainage facilities shall be maintained at all times during the planning approval period;
- (e) the submission of a condition record of the existing drainage facilities within 3 months from the date of planning approval to the satisfaction of the Director of Drainage Services or of the TPB by 5.5.2016;
- (f) 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 5.8.2016;
- (g) in relation to (f) 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 5.11.2016;
- (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 18.3.2016;

- (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 5.8.2016;
- (j) in relation to (i) 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 5.11.2016;
- (k) 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;
- (l) if any of the above planning conditions (e), (f), (g), (h), (i) or (j) is not complied with by the above specified date, the approval hereby given shall cease to have effect and shall on the same date be revoked without further notice; and
- (m) 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.”

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

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

Agenda Items 34 and 35

Section 16 Applications

[Open Meeting (Presentation and Question Sessions Only)]

A/YL-HT/1003 Proposed House (New Territories Exempted House - Small House) in “Recreation” and “Village Type Development” Zones, Lot 603 S.A ss.6 in D.D. 125, Tseung Kong Wai, Ha Tsuen, Yuen Long
(RNTPC Paper No. A/YL-HT/1003)

A/YL-HT/1004 Proposed 5 Houses (New Territories Exempted Houses – Small Houses) in “Recreation” Zone, Lots 603 S.A ss.1, 603 S.A ss.2, 603 S.A ss.3, 603 S.A ss.4 and 603 S.A ss.5 in D.D. 125, Tseung Kong Wai, Ha Tsuen, Yuen Long
(RNTPC Paper No. A/YL-HT/1004)

125. The Committee noted that the two applications were similar in nature and the sites were located in close proximity to each other. The Committee agreed that they would be considered together.

126. 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 temporarily.

Presentation and Question Sessions

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

- (a) background to the applications;
- (b) the proposed house(s) (New Territories Exempted House(s) (NTEH) - Small House(s)) at the two sites respectively;
- (c) departmental comments – departmental comments were set out in

paragraph 10 and Appendix IV of the Papers. The District Lands Officer/Yuen Long, Lands Department (DLO/YL, LandsD) advised that the sites were outside the village ‘environs’ (‘VE’) of Tseung Kong Wai. Other concerned departments had no objection to or no adverse comment on the applications;

- (d) during the first three weeks of the statutory publication period, five public comments were received from Designing Hong Kong Ltd. and four individuals. They objected to both applications mainly on the grounds that the proposed developments were not in line with the planning intention of the “Recreation” (“REC”) zone; setting of undesirable precedent; the sites might fall outside the ‘VE’ of Tseung Kong Wai and the “V” zone; the applicants were not verified indigenous villager of Tseung Kong Wai; the proposed developments might involve cross-village application or criminal offences by selling rights to build Small Houses between developers and indigenous villagers; lack of environmental, landscape, drainage, traffic and sewerage impact assessment; potential environmental pollution and traffic congestion; and concerns on shortage of parking, right-of-way and fire safety. No local objection/view was received by the District Officer (Yuen Long); and

- (e) the Planning Department (PlanD)’s views – PlanD did not support the applications based on the assessments set out in paragraph 12 of the Papers. The proposed developments were not in line with the planning intention of the “REC” zone and there was no strong planning justification in the submissions for a departure from the planning intention. From the latest estimate by PlanD, about 30.69 ha of land (equivalent to about 1,229 Small House sites) were available within the subject “V” zone. Although the land available could not fully meet the outstanding Small House applications and 10-year Small House demand forecast (i.e. about 48.36 ha of land which was equivalent to about 1,934 Small House sites), there was still land available within the “V” zone for Small House development, in particular for meeting the outstanding Small House applications for the concerned villages. The applications did not comply with the Interim

Criteria for Consideration of Application for New Territories Exempted House/Small House in the New Territories in that more than 50% of the sites and the footprints of the proposed Small Houses fell outside the ‘VE’ of any recognised villages and the “V” zone of Ha Tsuen and DLO/YL, LandsD also advised that the subject Small House applications would be rejected under the Small House Policy even though the applicants were indigenous villagers. There was no exceptional circumstance to justify approval of the applications. It was considered more appropriate to concentrate the proposed Small House developments close to the existing village cluster within the “V” zone for orderly development pattern, efficient use of land and provision of infrastructures and services. Regarding the public comments, the planning assessments above were relevant.

128. Members had no question on the applications.

Deliberation Session

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

For application No. A/YL-HT/1003

- “(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 more than 50% of the proposed Small House footprint falls outside “Village Type Development” zone or the village ‘environs’. There is no exceptional circumstances to justify approval of the application;
- (b) the proposed development is not in line with the planning intention of the “Recreation” (“REC”) zone for recreational developments for the use of the general public. There is no strong planning justification provided in the submission to justify a departure from the planning intention; and

- (c) approval of the application would set an undesirable precedent for similar applications in the “REC” zone.”

For application No. A/YL-HT/1004

- “(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 more than 50% of the proposed Small House footprints fall outside “Village Type Development” zone or the village ‘environs’. There is no exceptional circumstances to justify approval of the application;
- (b) the proposed development is not in line with the planning intention of the “Recreation” (“REC”) zone for recreational developments for the use of the general public. There is no strong planning justification provided in the submission to justify a departure from the planning intention; and
- (c) approval of the application would set an undesirable precedent for similar applications in the “REC” zone.”

[Mr David Y.T. Lui returned to join the meeting and Ms Anita W.T. Ma left the meeting temporarily at this point.]

Agenda Item 36

Section 16 Application

[Open Meeting]

A/YL-LFS/282 Proposed Public Utility Installation (Package Substation) and
Excavation of Land (1.8m) in “Village Type Development” Zone,
Government Land in D.D. 129, Lau Fau Shan Road, Sha Kong Wai
South, Yuen Long
(RNTPC Paper No. A/YL-LFS/282)

130. The Secretary reported that the application was submitted by CLP Power Hong

Kong Ltd. (CLP). The following Members had declared interests in the item:

- | | |
|---------------------|--|
| Dr W.K. Yau | - being Member of the Education Committee and the Energy Resources Education Committee of CLP; and |
| Ms Christina M. Lee | - being the Secretary-General of the Hong Kong Metropolitan Sports Events Association that had obtained sponsorship from CLP before. |

131. The Committee noted that the applicant had requested for deferment of consideration of the application. The Committee agreed that Dr W.K. Yau and Ms Christina M. Lee could stay in the meeting as they had no involvement in the application.

132. The Committee noted that the applicant requested on 25.1.2016 for deferment of the consideration of the application for a period of two months to allow time to prepare further information to address departmental comments. It was the applicant's first request for deferment.

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

[Ms Janice W.M. Lai returned to join the meeting at this point.]

Agenda Item 37

Section 16 Application

[Open Meeting (Presentation and Question Sessions Only)]

A/YL-TT/371 Renewal of Planning Approval for Temporary “Shop and Services (Real Estate Agency)” for a Period of 3 Years in “Village Type Development” Zone, Lot 4888 RP (Part) in D.D. 116 and Adjoining Government Land, Tai Tong, Yuen Long
(RNTPC Paper No. A/YL-TT/371)

Presentation and Question Sessions

134. 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) the renewal of planning approval for temporary shop and services (real estate agency) under previous application No. A/YL-TT/310 for a period of three years;
- (c) departmental comments – departmental comments were set out in paragraph 10 of the Paper. Concerned 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

[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 use could be tolerated for a further period of three years based on the assessments set out in paragraph 12 of the Paper. Although the

applied use was not entirely in line with the planning intention of the “Village Type Development” zone, there was no Small House application approved/under processing at the site. The continuation of the applied use for a further period of three years at the site would not frustrate the long-term use of the area. The application was generally in line with Town Planning Board Guidelines No. 34B on Renewal of Planning Approval and Extension of Time for Compliance with Planning Conditions for Temporary Use or Development in that there had been no material change in planning circumstances since the previous approval was granted; the approval conditions had been complied with; and the three-year approval period sought was of the same timeframe as the previous approval. Concerned departments had no objection to or no adverse comment on the application and significant adverse environmental, traffic, landscape and drainage impacts on the surrounding area were not envisaged.

135. Members had no question on the application.

Deliberation Session

136. After deliberation, the Committee decided to approve the application on a temporary basis for a further period of 3 years until 15.3.2019, 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 10:00 a.m., as proposed by the applicant, is allowed on the site during the planning approval period;
- (b) no parking of vehicles, as proposed by the applicant, is allowed on the site at any time during the planning approval period;
- (c) the submission of fire service installations proposal within 6 months from the date of commencement of the renewed planning approval to the satisfaction of the Director of Fire Services or of the TPB by 16.9.2016;
- (d) in relation to (c) above, the implementation of fire service installations

proposal within 9 months from the date of commencement of the renewed planning approval to the satisfaction of the Director of Fire Services or of the TPB by 16.12.2016;

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

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

Agenda Item 38

Section 16 Application

[Open Meeting]

A/YL-TYST/776 Temporary Warehouse for Storage of Clothes and Household Products and Logistics Centre for a Period of 3 Years in “Undetermined” Zone, Lots 747 (Part), 748 (Part), 749 (Part), 750 (Part), 752 (Part), 753 (Part), 754 (Part), 757 (Part), 758 (Part), 759 (Part), 760 S.B (Part), 761, 762, 763, 764 S.A (Part), 771 (Part), 789 (Part), 793 (Part), 794, 795, 796, 797, 798 (Part) and 804 RP (Part) in D.D. 117 and Adjoining Government Land, Kung Um Road, Yuen Long
(RNTPC Paper No. A/YL-TYST/776)

138. The Committee noted that the applicant requested on 20.1.2016 for deferment of the consideration of the application for a period of two months to allow time for preparation

of further information to address departmental comments. It was the applicant's first request for deferment.

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

Agenda Item 39

Section 16 Application

[Open Meeting (Presentation and Question Sessions Only)]

A/YL-TYST/777 Renewal of Planning Approval for Temporary "Open Storage of Construction Machinery" for a Period of 3 Years in "Undetermined" Zone, Lots 1231 S.A ss.1 (Part) and 1231 S.B RP (Part) in D.D. 119, Tong Yan San Tsuen, Yuen Long
(RNTPC Paper No. A/YL-TYST/777)

Presentation and Question Sessions

140. 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) the renewal of planning approval for temporary open storage of construction machinery under previous application No. A/YL-TT/631 for a

period of three 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 in the immediate vicinity and environmental nuisance was expected. Other concerned 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 was received from an individual who raised concerns on the inefficient use of land. 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 further period of three years based on the assessments set out in paragraph 12 of the Paper. The applied use was not in conflict with the planning intention of the “Undetermined” (“U”) zone and its continuation for a further period of three years would not frustrate the long-term use of the area. The application was generally in line with Town Planning Board Guidelines No. 34B on Renewal of Planning Approval and Extension of Time for Compliance with Planning Conditions for Temporary Use or Development in that there had been no material change in planning circumstances since the previous approval was granted; the approval conditions had been complied with; and the three-year approval period sought was of the same timeframe as the previous approval. The site fell within Category 1 areas under the Town Planning Board Guidelines No. 13E for Application for Open Storage and Port Back-up Uses (TPB PG-No. 13E). Although DEP did not support the application, there was no environmental complaint against the site in the past three years. Other concerned departments had no adverse comments on the application. The application was also generally in line with TPB PG-No. 13E in that the concerns of relevant departments were technical in nature which could be addressed through the implementation of approval

conditions; and there were similar approved applications in that part of the “U” zone. Regarding the public comment, the assessments above were relevant.

141. Members had no question on the application.

Deliberation Session

142. In response to a Member’s enquiry, Mr Vincent T.K. Lai, STP/TMYLW, said that according to the Director of Environmental Protection, no environmental complaint against the site had been received in the past three years.

143. After further deliberation, the Committee decided to approve the application on a temporary basis for a further period of 3 years until 1.3.2019, 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 public holidays, as proposed by the applicant, is allowed on the site during the planning approval period;
- (c) no repairing, dismantling, maintenance, cleaning or any other workshop activities are allowed on the site at any time during the planning approval period;
- (d) no vehicle is allowed to queue back to or reverse onto/from public road at any time during the planning approval period;
- (e) 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 commencement of the renewed planning

approval to the satisfaction of the Director of Drainage Services or of the TPB by 2.6.2016;

- (g) the submission of tree preservation proposal within 6 months from the date of commencement of the renewed planning approval to the satisfaction of the Director of Planning or of the TPB by 2.9.2016;
- (h) in relation to (g) above, the implementation of tree preservation proposal within 9 months from the date of commencement of the renewed planning approval to the satisfaction of the Director of Planning or of the TPB by 2.12.2016;
- (i) the provision of fire extinguisher(s) with valid fire certificate (FS251) within 6 weeks from the date of commencement of the renewed planning approval to the satisfaction of the Director of Fire Services or of the TPB by 13.4.2016;
- (j) the submission of fire service installations proposal within 6 months from the date of commencement of the renewed planning approval to the satisfaction of the Director of Fire Services or of the TPB by 2.9.2016;
- (k) in relation to (j) above, the implementation of fire service installations proposal within 9 months from the date of commencement of the renewed planning approval to the satisfaction of the Director of Fire Services or of the TPB by 2.12.2016;
- (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 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 VIII of the Paper.

[The Chairman thanked Ms Stella Y. Ng, Ms Jessica Y.C. Ho and Mr Vincent T.K. Lai, STPs/TMYLW, for their attendance to answer Members’ enquiries. They left the meeting at this point.]

Agenda Item 40

Any Other Business

145. There being no other business, the meeting closed at 4:15 p.m..