

TOWN PLANNING BOARD

Minutes of 554th Meeting of the Rural and New Town Planning Committee held at 2:30 p.m. on 8.4.2016

Present

Director of Planning
Mr Raymond K.W. Lee

Chairperson

Professor K.C. Chau

Ms Janice W.M. Lai

Mr H.F. Leung

Dr F.C. Chan

Mr David Y.T. Lui

Mr Peter K.T. Yuen

Mr Philip S.L. Kan

Mr Alex T.H. Lai

Dr Lawrence K.C. Li

Mr Stephen L.H. Liu

Miss Winnie W.M. Ng

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
Ms Christine K.C. Tse

Secretary

Absent with Apologies

Mr H.W. Cheung

Vice-chairman

Mr Ivan C.S. Fu

Ms Christina M. Lee

Dr C.H. Hau

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 Dennis C.C. Tsang

Opening Remarks

1. The Chairman said that it was the first meeting of the Rural and New Town Planning Committee (the Committee) for the term 2016-2018. He was pleased to announce that Mr H.W. Cheung had been appointed as the Vice-chairman of the Committee and then introduced the five new Members, Dr C.H. Hau, Mr Alex T.H. Lai, Dr Lawrence K.C. Li, Mr Stephen L.H. Liu and Miss Winnie W.M. Ng, who joined the Committee for the term and extended a welcome to them. Members also noted that Mr Cheung and Dr Hau had tendered apologies for being unable to attend the meeting and Miss Ng had not yet arrived to join the meeting.

Agenda Item 1

Confirmation of the Draft Minutes of the 553rd RNTPC Meeting held on 18.3.2016

[Open Meeting]

2. The draft minutes of the 553rd RNTPC meeting held on 18.3.2016 were confirmed without amendments.

[Dr F.C. Chan, Mr Philip S.L. Kan and Miss Winnie W.M. Ng arrived to join the meeting at this point.]

Agenda Item 2

Matters Arising

[Open Meeting]

3. The Secretary reported that on 8.1.2016, the Committee decided to approve a planning application No. A/YL-TT/370. The minutes were confirmed at the meeting on 22.1.2016. Subsequently, a typographical error was spotted on the due date for compliance with an approval condition on the submission of records of the existing drainage facilities in paragraph 164 of the confirmed minutes and an amendment page was tabled at the meeting for Members' reference. It was proposed that condition (d) as shown on page 101 of the minutes be revised as follows:

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

6. The Committee noted that Mr Fu had tendered apologies for being unable to attend the meeting. As Ms Lai had no involvement in the application, the Committee agreed that she could stay in the meeting.

Presentation and Question Sessions

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

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

Mr Kevin C.P. Ng - Senior Town Planner/ Fanling, Sheung Shui and Yuen Long East (STP/FSYLE)

Mr Ian Brownlee
Mr Benson Poon
Mr Calvin Chiu
Mrs Maggie Brooke
Ms Monique Wong
Mr Chris Foot
Mr Eric Chih

} the applicants' representatives

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

The Proposal

(a) the application was to rezone the site from "Recreation" ("REC") (about 99.5% of the site area) and "Comprehensive Development Area" ("CDA")

(about 0.5% of the site area) to “Other Specified Uses” annotated “Integrated Development with Residential, Farming and Community Facilities” (“OU(RFC)”) for a proposed integrated development with residential, farming and community facilities;

(b) the major proposed development parameters were as follows:

Site Area	:	20,700m ²
Total gross floor area (GFA)	:	74,520m ²
Residential flats	:	47,250m ²
Youth hostel	:	5,890m ²
Residential Care Home for the Elderly (RCHE)	:	18,240m ²
Community market	:	3,140m ²
Maximum plot ratio (PR)	:	3.6
Site coverage		
Domestic above 15m	:	Not more than 39%
Non-domestic below 15m	:	Not more than 48%
Maximum building height (BH)		
Number of storeys	:	17 (including one basement level for car park and other supporting facilities)
mPD	:	63.5 (BH stepped down from north to south)
Number of blocks	:	2
Number of units		
Residential flats	:	538
Youth hostel	:	204 beds (of about 78 flats)
RCHE	:	270 beds
Market stalls	:	120
Roof-top farm plots	:	73 (with a GFA of about 7,380m ²)

[Professor K.C. Chau arrived to join the meeting at this point.]

(c) a set of schedule of uses for the “OU(RFC)” zone had also been proposed

by the applicants and uses including ‘Flat’, ‘Residential Institution’, ‘Social Welfare Facility’ and ‘Market’ were proposed to be under Column 2 of the “OU(RFC)” zone where planning permission would be required;

- (d) the proposed development was anticipated to be completed by 2022;

Justifications from the Applicants

- (e) the justifications put forth by the applicants in support of the application were set out in paragraph 2 of the Paper;

Departmental Comments

- (f) the departmental comments were set out in paragraph 9 of the Paper and highlighted as follows:
 - (i) the Commissioner for Transport did not support the application as the submitted Traffic Impact Assessment was considered not acceptable;
 - (ii) the Director of Environmental Protection had reservation on the application given that the information submitted by the applicants could not demonstrate that the proposed development would not be subject to adverse environmental nuisances/impacts, and that the Sewerage Impact Assessment had not taken into account the sewage flow from some of the existing/planned developments and sewage pumping stations in the area that would be connected to the Shek Wu Hui Sewage Treatment Works (SWHSTW);
 - (iii) the Chief Engineer/Mainland North, Drainage Services Department had reservation on the application as the applicants had failed to demonstrate that there was sufficient capacity of the SWHSTW to cater for the proposed development;
 - (iv) the Chief Town Planner/Urban Design & Landscape, Planning Department (CTP/UD&L, PlanD) had reservation on the application as

the technical feasibility of the landscape and tree preservation proposal were in doubt. The proposal would also result in a development substantially higher and larger in bulk than the surrounding existing developments, resulting in a significant departure from the character of the area;

- (v) the Chief Architect/Central Management Division 2, Architectural Services Department had reservation on the compatibility of the massing of the proposed development from the urban design point of view; and
- (vi) the District Officer (North), Home Affairs Department (DO(N), HAD) advised that strong objections against the proposed development had been received from the local community, including the Vice-chairman of the North District Council (NDC) cum the incumbent NDC member, the ex-incumbent NDC member, the Resident Representatives of Kwu Tung (South) and Kwu Tung (North) and a group of villagers in Tung Yuen, mainly on the grounds that the proposed development would overload the existing road network and sewerage facilities; it would cause adverse ecological impacts on Sheung Yue River and the natural environment of Kwu Tung South; the proposed community market would affect the business of the existing stall owners; and the structures of nearby squatters would be affected during the construction phase;

Public Comments

- (a) during the two public inspection periods, a total of 79 public comments were received, including 75, mainly from those who had submitted their objections to DO(N), HAD, objecting to the application, and four comments, including one from a NDC member, two from the Chairman of the Sheung Shui District Rural Committee, and one from Hong Kong and China Gas Company Limited providing general views;
- (b) the main grounds of the objections were similar to those received by DO(N),

HAD. Other major grounds of the objections were:

- (i) the site had a high potential for community farming or agricultural recreational use;
- (ii) there was no requirement for a new market and RCHE in the vicinity of the site;
- (iii) the site should be used for incinerator, columbarium use, public housing, agriculture use or reserved for villagers affected by the development of North East New Territories New Development Areas (NENT NDAs); and
- (iv) the approval of the application would set an undesirable precedent for similar rezoning applications for high-rise residential development; and

PlanD's Views

- (c) PlanD did not support the application based on the assessments set out in paragraph 11 of the Paper, which were summarised as follows:
 - (i) the proposed development was considered not compatible with the low-rise and low-density context of Kwu Tung South area. The proposed development intensity would result in a development substantially higher and larger in bulk than the surrounding existing developments;
 - (ii) the technical assessments submitted by the applicants, including the Traffic Impact Assessment (TIA), Noise Impact Assessment (NIA), Land Contamination Assessment and Sewerage Impact Assessment (SIA) were not acceptable to the concerned government departments while departments' concerns on the Drainage Impact Assessment and the Quantitative Risk Assessment had yet to be addressed by the

applicants. No Geotechnical Planning Review Report had been submitted. The proposed compensatory planting was far below the standard requirement and the applicants had failed to demonstrate that sufficient landscape along the northern boundary of the site would be provided; and

- (iii) the approval of the application would set an undesirable precedent for similar rezoning applications. The cumulative effect of approving such similar applications would result in adverse impacts such as traffic and sewerage impacts on the surrounding areas.

9. The Chairman then invited the applicants' representatives to elaborate on the application. With the aid of a PowerPoint presentation, Mr Ian Brownlee made the following main points:

- (a) the departmental comments were largely technical in nature while the issues on air quality and traffic noise had been addressed. Departmental concerns should not warrant the rejection reason of the application;
- (b) the Government sold a piece of land to the east of the site in 2014 for housing development, with a maximum PR of 3.6 which was higher than the surrounding existing developments. The technical issues relating to the land sale site would be addressed by way of control under the lease. The same approach could be applied to the proposed development;
- (c) the proposed development was a private-sector initiative. The Committee should focus on the principles of the proposed development instead of the technical aspect which could be dealt with at the detailed design stage when a planning application was submitted under section 16 of the Town Planning Ordinance. The Paper, which focused on the technical aspect of the proposed development, had ignored the fact that the development context in Kwu Tung area would experience massive changes due to the NDA developments; the Ho Tung Family, who was the owner of the site, had a long history of association with the local community providing community

facilities and land for the local farming activities; and the proposed development was to address the social problems faced by the local residents, including insufficient provision of housing, elderly homes, and land for farming;

- (d) the proposed development was in line with the following government policies but had not been reflected in the Paper:

Housing Supply Policy

- (i) the proposed development would provide 538 flats for the sandwich middle class;

Long-Term Land Supply Policy

- (ii) the site was within walking distance to the Kwu Tung North (KTN) NDA. The proposed KTN Railway Station would bring about a higher development intensity of the area and the proposed development represented a better utilisation of the land resources as compared to the current zonings;

New Agriculture Policy 2014

- (iii) the New Agriculture Policy recognised the need to support agriculture in Hong Kong. The proposed roof-top farm plots were properly planned and the Agriculture, Fisheries and Conservation Department considered that the proposal was feasible;

Elderly Care Policy

- (iv) according to the policy address 2015, the Chief Executive pledged to provide more RCHE. The proposed development would provide 270 beds for the RCHE. The Social Welfare Department had no in-principle objection to the proposal; and

Youth Hostel Scheme Policy

- (v) the policy address 2015 stated that government would co-operate with the private sector and non-government organisations (NGOs) to build youth hostels. The Home Affairs Bureau (HAB) welcomed any NGOs to explore the feasibility of developing sites for youth hostels if they owned the land. The applicants indicated that they would proceed to seek policy support for the proposed youth hostel if planning permission was obtained;
- (e) the proposed development was scheduled for completion in 2022 to complement the KTN NDA development in that it would provide private housing for residents affected by the NDA development, and its stepped building height design would be compatible with the NDA development;
- (f) the proposed PR of 3.6 was in line with the development intensity of the sale site located to the east and the NDA development; and
- (g) the site fell within the study area of the Planning and Engineering Study for Kwu Tung South – Feasibility Study (the Study) which commenced in 2012. No information of the findings/recommendations of the Study had been announced and the date of completion of the Study was unknown. As the northern part of the Study Area was close to the KTN NDA, opportunity should be taken to developing the area so as to provide housing, elderly homes, youth hostel and farm plots.

10. With the aid of a PowerPoint presentation, Mr Poon elaborated the major components of the proposed development as summarised in paragraph 1.2 of the Paper and highlighted the innovative and sustainable design merits of the proposal as follows:

- (a) innovative architectural form with stepped height building design would be adopted;

- (b) the roof-top would be used for farming; community market would be provided on the ground floor; and communal space would be provided under the buildings;
- (c) the Sustainable Building Guidelines would be adopted to allow air ventilation, provision of adequate green coverage and building set back. The design would be fine-tuned at the s.16 application stage; and
- (d) buildings would be set back to address the traffic noise issue; road junctions would be improved and underground car parking would be provided so that the ground floor would be freed up for pedestrians and cycling.

11. Mr Poon summarised that the proposed development was in line with a number of policy objectives, addressed urgent social issues, and brought about community and planning gains to the local residents. The proposed uses were compatible with the surrounding existing developments and its scale of development was also compatible with the future development context in light of the changing development intensity brought about by the KTN NDA; and departmental concerns could be addressed in the section 16 stage and in the lease conditions.

12. A Member asked who would own the flats and whether any study had been carried out on the viability of the proposed development. Mr Ian Brownlee responded that the proposed development was a genuine proposal from a family of long benevolent history in the area and was not for profit-making. The flats would remain in the ownership of the land owner and the proposed development was to supplement the provision of flats by renting them out to people who could not afford to buy their own flat and were not eligible for public rental housing. The target residents of the youth hostel were the young working adults. In response to another Member's question, Mr Brownlee said that the proposed average room size of the youth hostel was about 200 sq ft.

13. A Member asked why departments' concerns on the technical issues were not dealt with in the current application. In response, Mr Brownlee said that the level of details of some of the technical issues requested by the government departments was beyond the rezoning application. For instance, details of the Level of Service of the footpaths requested by the Transport Department were not available. For the subject application, the consideration should focus on the appropriateness of the proposed rezoning/uses instead of the technical details. He

did not consider that there was any insurmountable problem regarding sewage treatment and road junction improvement aspects based on the comments of the concerned departments.

14. In response to the same Member's concerns on gas safety risk, Mr Calvin Chiu said that the safety risk of the gas pipe running along Kam Hang Road was subject to the distribution of the future population. To minimise the gas safety risk, the applicants had incorporated the terraced building design so that the lowest density development would be located close to Kam Hang Road and the Quantitative Risk Assessment had concluded that the gas safety risk was at an acceptable level.

15. A Member said that the proposed development had some innovative ideas and asked whether there were any proposals for youth hostel and urban farming under the Study being conducted by the government. Ms Maggie M.Y. Chin, DPO/FSYLE, said that the main objective of the Study was to identify area with potential for housing development, particularly in abandoned agricultural land and area close to the KTN NDA, and to examine the needs for corresponding upgrading of infrastructure and supporting facilities. The government had also taken the opportunity to investigate the potential for agricultural rehabilitation in the southern part of Kwu Tung South while HAB had been exploring the potential for development of youth hostel and similar facilities in the area. In response to a Member's question, Ms Chin said that the Study had not recommended any specific type of housing.

16. A Member asked whether the site fell within the Study Area and whether the findings of the Study had a bearing on PlanD's recommendation of not supporting the application. Two other Members enquired on the Study objectives and planning proposals covering the site under the Study and asked whether the approval of the application would affect the planning proposals being considered under the Study. Ms Chin said that Kwu Tung South, which covered about 500 ha, was generally a rural area comprising agricultural land, villages and low-density developments of plot ratios ranging from 0.2 to 0.4 in the southern part. The Study Area, which covered about 20 ha, was in the northern part of Kwu Tung South. While the site fell within the Study Area and the Study was on-going, planning applications within the Study Area would be assessed based on the extant OZP, taking into account relevant planning considerations, including compatibility of the proposed development with surrounding developments in terms of the proposed use(s) and scale of development, impacts on environment and infrastructure and the possibility of setting an undesirable precedent for similar applications. Ms Chin continued to say that planning application for a proposed residential

development with a PR of 2.1 to the immediate east of the site, which was subject to a maximum PR of 0.4 under the OZP, had been received. Should the subject application be approved, more planning applications for higher development intensities in Kwu Tung South might follow.

17. In response to a Member's enquiry, Ms Chin said that the sale site mentioned by Mr Brownlee was located close to Fanling/Sheung Shui New Town and had an area of about 1.4 ha. It was subject to a maximum PR of 3.6 and estimated to provide about 515 flats. Mr Brownlee said that if the sale site, which was not covered by any statutory plan, was allowed to have a PR of 3.6, it would be logical that the development potential of other sites in the area be maximised. With regard to Members' earlier concern on whether approval of the application would pre-empt the recommendations of the Study, he remarked that the Study had been undertaken for four years and no recommendations had so far been made. Noting Members' support in the concept and ideas of the proposed development, he suggested that the proposed development concept could be considered in the Study, even if the s.12A application was not agreed by the Committee.

18. A Member asked whether approval of the rezoning application would set a precedent for rezoning future similar applications. Ms Chin responded that the subject application was the first of such type in the areas covered by the OZP and that each planning application would be considered on its own merits. Mr Brownlee said that a precedent would be set only when a scheme was similar in the zoning and proposed uses to another scheme. He said that the subject application was unique in terms of the proposed development components and it would only be a good precedent, if approved. In terms of the proposed development intensity, the government had already set a precedent by increasing the PR to 3.6 at the sale site.

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

Deliberation Session

20. The Chairman said that the application was for rezoning the site from “REC” to “OU(RFC)”. In considering the application, Members might take into account whether the proposed zoning was appropriate for the site; whether there were any insurmountable technical problems; and whether the application should be assessed based on the extant OZP given that the Study was still on-going.

21. A Member was concerned that the proposed development at the site might affect the long term planning of Kwu Tung South, and was dissatisfied that some unresolved technical issues were left to the detailed design stage. The Member considered that it was premature to approve the application.

22. A Member noted that the proposed development had some innovative ideas but was not convinced that the application should be approved as the applicants failed to demonstrate that there were no insurmountable technical issues. The sale site referred to by the applicants was not relevant to the subject application as it was not covered by any OZP and had a different site context. Another Member concurred and said that it was premature to agree to the rezoning application.

23. Regarding the applicants’ proposal to deal with the technical issues by way of control under the lease conditions, Mr Edwin W.K. Chan, Assistant Director/Regional 3, Lands Department, said that the lease might not be an appropriate mechanism to control implementation of the proposed development comprising various elements of subsidised housing, elderly housing and youth hostel to be run by NGOs.

24. Mr K.F. Tang, Assistant Director (Environmental Assessment), Environmental Protection Department (EPD), said that EPD’s reservation on the application was due to lack of sufficient information from the applicant to demonstrate that there would be no adverse and unacceptable environmental impacts arising from the proposed development. That did not mean that the environmental concerns might be insurmountable. For sewage disposal, the applicant could propose onsite sewage treatment and disposal arrangements to satisfy the requirements of EPD, or depending on the actual completion dates of the proposed development and the proposed expansion of the SWHSTW, connection to public sewerage network for treatment at the expanded SWHSTW would also be viable. For the noise concern, the applicant could provide further information to demonstrate that adequate

mitigation measures would be provided to address the concern.

25. A Member opined that the innovative ideas of the proposal were a merit and could be considered in the Study even if the application was not agreed by the Committee, as suggested by the applicants. Another Member did not consider the technical issues a fundamental problem, but was concerned about how the site could be made use of in the overall context of the Study. Given that the Study was still on-going with planning recommendations not yet available, this Member considered it premature to lend support to the application at the moment, and supported the suggestion that the innovative ideas of the proposal could be considered in the on-going Study.

26. In conclusion, Members generally considered that the applicants had failed to demonstrate that the technical problems were not insurmountable, and noted that the lease conditions might not be an appropriate mechanism to control the implementation of the various components of the proposed development. While Members generally did not support the application, they agreed that the innovative concept and ideas of the proposed development could be considered in the on-going Study.

27. After further deliberation, the Committee decided not to agree to the application for the reasons:

- “(a) the proposed development parameters including plot ratio and building height are significantly higher than the surrounding areas and are considered incompatible with the low-rise and low-density character of Kwu Tung South area;
- (b) the applicants have failed to demonstrate that the proposed rezoning for the proposed development is acceptable from the perspective of traffic, drainage, sewerage, environmental, geotechnical, landscape and risk impacts; and
- (c) the approval of the rezoning application would set an undesirable precedent for similar rezoning applications. The cumulative effect of approving such similar applications would result in adverse impacts such as traffic

and sewerage impacts on the surrounding areas.”

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

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

Sai Kung and Islands District

Agenda Item 4

Section 16 Application

[Open Meeting]

A/SK-HC/256 Proposed Excavation of Land (1m in depth) for Permitted Agricultural Use in “Green Belt” zone, Lot 130 (Part) in D.D. 247, Ho Chung, Sai Kung, New Territories
(RNTPC Paper No. A/SK-HC/256A)

28. The Committee noted that the applicants requested on 5.4.2016 for deferment of the consideration of the application for one month so as to allow time for the concerned Government departments, including the Water Supplies Department and the Geotechnical Engineering Office, Civil Engineering and Development Department to respond to the latest further information on the proposed mitigation measures to address pollution on watercourse and slope stability near the site submitted by the applicant. It was the second time that the applicants requested for deferment of the application.

29. After deliberation, the Committee decided to defer a decision on the application as requested by the applicants. The Committee agreed that the application should be submitted for its consideration within one month when the departmental comments were available. Since it was the second deferment of the application, the Committee agreed to advise the applicants that a total of two months had been allowed for preparation of submission of further information and for departments to provide comments, and no further deferment would be granted unless under very special circumstances.

Sha Tin, Tai Po and North District

Agenda Items 5 to 9

Section 16 Applications

[Open Meeting]

- A/DPA/NE-TT/74 Proposed House (New Territories Exempted House - Small House) in Area designated as “Unspecified Use” area, Lots 887 S.B, 888 S.B, 889 S.B, 890 S.C and 891 S.C in D.D. 289, Uk Tau, Tai Po, New Territories
- A/DPA/NE-TT/75 Proposed House (New Territories Exempted House - Small House) in Area designated as “Unspecified Use” area, Lots 887 RP, 888 RP, 889 RP and 890 RP in D.D. 289, Uk Tau, Tai Po, New Territories
- A/DPA/NE-TT/76 Proposed House (New Territories Exempted House - Small House) in Area designated as “Unspecified Use” area, Lot 886 S.C in D.D. 289, Uk Tau, Tai Po, New Territories
- A/DPA/NE-TT/77 Proposed House (New Territories Exempted House - Small House) in Area designated as “Unspecified Use” area, Lots 854 S.F and 857 S.B in D.D.289, Uk Tau, Tai Po, New Territories
- A/DPA/NE-TT/78 Proposed House (New Territories Exempted House - Small House) in Area designated as “Unspecified Use” area, Lots 857 S.D and 862 S.A in D.D. 289, Uk Tau, Tai Po, New Territories
-
- (RNTPC Paper No. A/DPA/NE-TT/74 to 78A)

30. The Secretary reported that the five section 16 applications for proposed houses (New Territories Exempted House - Small House) were similar in nature and the application sites were located in close proximity to one another and within the same “Unspecified Use” area. The Committee agreed that the applications should be considered together.

31. The Committee noted that the applicants requested on 8.3.2016 for deferment of

the consideration of the applications for two months so as to allow time for the preparation of further information to address the comments of relevant government departments. It was the second time that the applicants requested for deferment of the applications.

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

Fanling, Sheung Shui and Yuen Long East District

[Mr Kevin C.P. Ng, Senior Town Planner/Fanling, Sheung Shui and Yuen Long East (STP/FSYLE), was invited to the meeting at this point.]

Agenda Item 10

Section 16 Application

[Open Meeting (Presentation and Question Sessions Only)]

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

33. Dr Lawrence K.C. Li declared interest in the item as he was a member of the Hong Kong Golf Club, which was located to the north of the site. The Committee noted that his interest was indirect and agreed that he could stay in the meeting.

Presentation and Question Sessions

34. Mr Kevin C.P. Ng, STP/FSYLE, presented the application and covered the following aspects as detailed in the Paper :

- (a) background to the application;
- (b) the proposed petrol filling station (PFS) with ancillary facilities including office, shop and services, public toilet, public car park and excavation of land;
- (c) departmental comments – departmental comments were set out in paragraph 10 of the Paper and highlighted as follows:
 - (i) the Commissioner for Transport did not support the application and requested that the applicants should review the traffic flow at the vehicular egresses, consider and illustrate all possible traffic movements to and from the proposed PFS and review the proposed design of the junction of Fan Kam Road/access road to Tai Lung;
 - (ii) the Director of Environmental Protection did not support the application as the applicants had not submitted any information to demonstrate that the proposed development would not induce adverse environmental nuisances/impact;
 - (iii) the Director of Fire Services commented that the proposed development was not desirable from fire safety point of view taking into consideration the fact that the site was located in close proximity to some existing graves and the Permitted Burial Ground

No. N/S/9B;

- (iv) the Chief Town Planner/Urban Design and Landscape, Planning Department (CTP/UD&L, PlanD) had strong reservation on the application from the landscape planning point of view as the site was previously occupied by lush mature trees and significant disturbance to the landscape resources and landscape character had occurred in from January to September 2012. The approval of the subject application would set an undesirable precedent to encourage site modification and large scale vegetation clearance before submitting planning applications;
 - (v) the Chief Engineer 1/Major Works, Highways Department commented that the site would likely be interfacing with the Improvement to Fan Kam Road project; no buildings or any structures should be erected on the areas designated as 'Road' on the OZP; and the proposed egress points would likely affect the existing slopes along Fan Kam Road. The treatment of those slopes and the extent of those man-made slopes would also affect the location of the compensatory tree under the Fan Kam Road project and the extent of land acquisition;
 - (vi) the Commissioner of Police commented that the impact on the traffic flow could not be assessed as no assessment on the peak hours of weekdays was conducted in the Junction Capacity Assessment in the Traffic Impact Assessment; and
- (d) during the first three weeks of the statutory publication period, a total of 80 public comments were received. Among them, 76 were from an ex-North District Council (NDC) member, the Indigenous Inhabitant Representatives (IIR), Resident Representatives (RR) and villagers of nearby villages; the Deed of Mutual Covenant Manager, the Owners' Committee (OC) and residents of The Green; the Kadoorie Farm and Botanic Garden Corporation; Designing Hong Kong Limited; and individuals raising objection to or adverse comments on the application. An individual

supported the application, the Chairman of the Sheung Shui District Rural Committee offered general comments, and two comments from a NDC member indicated that the nearby residents should be consulted. The comments were set out in paragraph 11.4 and Appendix III d of the Paper and the key concerns were summarised as follows:

- (i) the proposed development was not in line with the planning intention of “GB” zone and would generate adverse impacts on the surroundings in terms of visual character and environmental quality;
- (ii) the need for the proposed PFS was doubtful as over 10 PFSs were available in Sheung Shui, Fanling and Kam Tin;
- (iii) Fan Kam Road was narrow with heavy traffic. The proposed PFS would greatly increase the vehicular traffic and the run-in/run-out arrangement of the proposed PFS would pose road safety issues;
- (iv) the increase in vehicular traffic would generate adverse air quality and noise impact on the residents in the vicinity. The petroleum containing methylbenzene and suspended particulates would pose adverse air quality and health impacts on the residents and the farmland in the vicinity;
- (v) the proposed PFS would pose risks on the domestic uses in the vicinity of the site and would have a higher risk of fire hazard as burial grounds and graves were in the close vicinity;
- (vi) the proposed development would result in adverse impact on the landscape character of the locality. There might have been unauthorized tree felling at the site. The principle of not tolerating any ‘destroy first, build later’ activities should be upheld; and
- (vii) the proposed development might affect the existing water mains underneath the site;

- (e) the District Officer (North), Home Affairs Department advised that a resident of The Green supported the application while the incumbent NDC member, IIR, RR and villagers/residents of nearby villages, the Chairman of the OC and residents of The Green, the Manager of China Overseas Property Services Limited and individuals objected to the application mainly on the grounds similar to those summarised under (i) to (v) of the public comments above; and

- (f) PlanD's views – PlanD did not support the application based on the assessments set out in paragraph 12 of the Paper. The proposed development did not comply with the Town Planning Board Guidelines No. 10 on Application for Development within “Green Belt” zone under Section 16 of the Town Planning Ordinance (TPB PG-No. 10) in that there were no exceptional circumstances to justify the application and the applicants had failed to demonstrate that the proposed development would not be the source of pollution; the proposed PFS was not desirable from fire safety point of view as it was located in close proximity to some existing graves and the permitted burial ground; the applicants had failed to demonstrate that the proposed development would not cause adverse traffic, environmental and sewerage impacts on the surrounding areas; and there were strong local objections and public comments against the application.

35. Members had no question on the application.

Deliberation Session

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

- “(a) the proposed development is not in line with the planning intention of the “Green Belt” (“GB”) zone which is primarily for defining the limits of urban and sub-urban development areas by natural features and to contain urban sprawl as well as to provide passive recreational outlets and there is a

general presumption against development within this zone. There is no strong planning justification in the submission for a departure from the planning intention;

- (b) the proposed development does not comply with the Town Planning Board Guidelines for Application for Development within Green Belt Zone under Section 16 of the Town Planning Ordinance (TPB PG-No. 10) in that there are no exceptional circumstances to justify the application and the applicants have failed to demonstrate that the proposed development would not be the source of pollution;
- (c) the applicants have failed to demonstrate that the proposed development would not cause adverse traffic, environmental, sewerage, landscape and fire safety impacts on the surrounding areas; and
- (d) the approval of the application would set an undesirable precedent for other similar applications within the “GB” zone. The cumulative effect of approving such similar applications would result in a general degradation of the natural environment, and adverse traffic, environmental, sewerage, landscape and fire safety impacts on the surrounding areas.”

[The Chairman thanked Mr Kevin C.P. Ng, STP/FSYLE, for his attendance to answer Members’ enquiries. Mr Ng left the meeting at this point.]

Agenda Item 11

Section 16 Application

[Open Meeting]

A/YL-NSW/245 Proposed Land Filling for Access Road Leading to a Site for Permitted Agricultural Use in “Village Type Development” zone and area shown as ‘Road’, Government Land adjoining Lot 3566 RP in D.D. 104 and near Lamp Pole FA8260, Castle Peak Road-Tam Mi, Nam Sang Wai, Yuen Long
(RNTPC Paper No. A/YL-NSW/245)

37. The Committee noted that the applicant requested on 24.3.2016 for deferment of the consideration of the application for two months for preparation of further information to address departmental comments. It was the first time that the applicant requested for deferment of the application.

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

Agenda Item 12

Section 16 Application

[Open Meeting]

A/YL-PH/729 Temporary Open Storage of Vehicles, Vehicle Parts and Construction Materials for a Period of 3 Years in “Residential (Group D)” zone, Lots 3017 S.B ss.2, 3017 S.B ss.3, 3017 S.B ss.4, 3017 S.B ss.5, 3017 S.B ss.6 (Part), 3017 S.B ss.7 (Part), 3017 S.B ss.8 (Part) in D.D. 111 and adjoining Government Land, Wang Toi Shan, Pat Heung, Yuen Long (RNTPC Paper No. A/YL-PH/729)

39. The Secretary reported that Ms Janice W.M. Lai had declared interest in the item as her family member owned a house in Pat Heung. As the property of Ms Lai’s family member did not have a direct view of the site, the Committee agreed that she could stay in the meeting.

40. The Committee noted that the applicant requested on 22.3.2016 for deferment of the consideration of the application for two months to address the comments of the Transport Department. It was the first time that the applicant requested for deferment of the application.

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

Tuen Mun and Yuen Long West District

Agenda Item 13

Section 12A Application

[Open Meeting]

Y/YL/10 Application for Amendment to the Approved Yuen Long Outline Zoning Plan No. S/YL/21, To rezone the application site from “Government, Institution or Community” to “Residential (Group A)1”, Lots 2231 RP, 2232, 2233, 2235, 2236, 2237, 2238, 2239 (Part), 2240 (Part), 2241 (Part), 2296 (Part), 2297 (Part), 2300 (Part), 2302 (Part), 2303 (Part), 2304 RP, 2305 (Part), 2306 RP (Part) and 2497 RP (Part) in D.D. 120 and adjoining Government Land, Yuen Long, New Territories
(RNTPC Paper No. Y/YL/10A)

42. The Secretary reported that Ove Arup & Partners Hong Kong Limited (Arup) was the consultant of the applicants. The following Members had declared interests in the item:

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

Mr Alex T.H. Lai - his firm having current business dealings with Arup

43. The Committee noted that Mr Fu had tendered apologies for being unable to attend the meeting. As Mr Lai had no involvement in the application, the Committee agreed that he could stay in the meeting.

44. The Committee noted that the applicants requested on 22.3.2016 for deferment of the consideration of the application for two months so as to allow time for the applicants to address the comments from various government departments. It was the second time that the applicants requested for deferment of the application.

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

[Mr Vincent T.K. Lai, Ms Stella Y. Ng and Ms Bonita K.K. Ho, Senior Town Planners/Tuen Mun and Yuen Long West (STPs/TMYLW), were invited to the meeting at this point.]

Agenda Item 14

Section 16 Application

[Open Meeting (Presentation and Question Sessions Only)]

A/YL-HT/991 Proposed Temporary Place of Recreation, Sports or Culture (Hobby Farm) for a Period of 3 Years in "Coastal Protection Area" zone, Lots 209 (Part), 214 S.A (Part), 214 RP, 215 S.A (Part), 215 S.B (Part), 220 and 221 (Part) in D.D. 128 and Adjoining Government Land, Lau Fau Shan, Yuen Long

(RNTPC Paper No. A/YL-HT/991A)

46. The Secretary reported that Ms Janice W.M. Lai had declared 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 owned by her spouse's company did not have a direct view of the site.

Presentation and Question Sessions

47. 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 proposed temporary place of recreation, sports or culture (hobby farm) for a period of 3 years;
- (c) departmental comments – departmental comments were set out in paragraph 9 of the Paper. The Chief Town Planner/Urban Design and Landscape, Planning Department (CTP/UD&L, PlanD) had some reservation on the application from the landscape perspective;
- (d) during the first three weeks of the statutory publication period, two public comments were received. The Kadoorie Farm & Botanic Garden Corporation commented that the principle of conserving the rural and natural environment should be adhered to and any deliberate action to destroy the environment would not be tolerated. A member of the public objected to the application on the ground that the development under application would degrade the “Coastal Protection Area” (“CPA”) zone. 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 11 of the Paper. The site was currently under active cultivation and the proposed development would be mainly related to agricultural activities. Approving the application on a temporary basis would not undermine the long-term planning intention of the “CPA” zoning. The proposed development was considered not incompatible with the surrounding areas. Given the scale of the development, no major adverse impact on environment, drainage, traffic and landscape was expected. To address the concern of CTP/UD&L, PlanD, approval conditions requiring the applicant to submit and implement a tree preservation and a landscape

proposal were recommended. Regarding the objecting public comment, the planning considerations and assessments above were relevant.

48. Members had no question on the application.

Deliberation Session

49. After deliberation, the Committee decided to approve the application on a temporary basis for a period of 3 years until 8.4.2019, on the terms of the application as submitted to the Town Planning Board (TPB) and subject to the following conditions :

- “(a) no operation between 7:00 p.m. to 9:00 a.m., as proposed by the applicant, is allowed on the site during the planning approval period;
- (b) no land filling or increase in site formation level is allowed on the site at any time during the planning approval period;
- (c) a clearance of at least 1m from all the trees at the site, as proposed by the applicant, shall be maintained at all times during the planning approval period;
- (d) no barbecue activity is allowed on the site at any time during the planning approval period;
- (e) no public announcement system is allowed on the site, as proposed by the applicant, at any time during the planning approval period;
- (f) no public vehicle park is allowed on site at any time during the planning approval period;
- (g) no vehicle is allowed to queue back to or reverse onto/from the public road at any time during the planning approval period;
- (h) the implementation of the accepted drainage proposal within 6 months from

the date of planning approval to the satisfaction of the Director of Drainage Services or of the TPB by 8.10.2016;

- (i) the implemented drainage facilities shall be maintained at all times during the planning approval period;
- (j) the submission of a tree preservation and landscape proposal within 6 months from the date of planning approval to the satisfaction of the Director of Planning or of the TPB by 8.10.2016;
- (k) in relation to (j) above, the implementation of the tree preservation and landscape proposal within 9 months from the date of planning approval to the satisfaction of the Director of Planning or of the TPB by 8.1.2017;
- (l) the submission of a fire service installations proposal within 6 months from the date of planning approval to the satisfaction of the Director of Fire Services or of the TPB by 8.10.2016;
- (m) in relation to (l) above, the implementation of the fire service installations proposal within 9 months from the date of planning approval to the satisfaction of the Director of Fire Services or of the TPB by 8.1.2017;
- (n) if the above planning condition (a), (b), (c), (d), (e), (f), (g) or (i) 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), (j), (k), (l), or (m) 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
- (p) upon expiry of the planning permission, the reinstatement of the site to amenity area to the satisfaction of the Director of Planning or of the TPB.”

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

Agenda Item 15

Section 16 Application

[Open Meeting]

A/YL-HT/1012 Proposed Temporary Place of Recreation, Sports or Culture (Hobby Farm) for a Period of 1 Year in “Coastal Protection Area” zone, Lot 593 S.A in D.D. 128, Ha Tsuen, Yuen Long
(RNTPC Paper No. A/YL-HT/1012)

51. The Secretary reported that Ms Janice W.M. Lai had declared 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 owned by her spouse’s company did not have a direct view of the site.

52. The Committee noted that the applicant requested on 18.3.2016 for deferment of the consideration of the application for two months to allow time to prepare further information to address departmental comments. It was the first time that the applicant requested for deferment of the application.

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

Agenda Item 16

Section 16 Application

[Open Meeting (Presentation and Question Sessions Only)]

A/YL-HT/1013 Proposed Temporary Shop and Services (Real Estate Agency) for a Period of 3 Years in “Village Type Development” zone, Lot 977 RP (Part) in D.D. 125, Sik Kong Tsuen, Ha Tsuen, Yuen Long
(RNTPC Paper No. A/YL-HT/1013)

54. The Secretary reported that Ms Janice W.M. Lai had declared 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 owned by her spouse’s company did not have a direct view of the site.

Presentation and Question Sessions

55. 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 proposed temporary shop and services (real estate agency) for a period of 3 years;
- (c) departmental comments – departmental comments were set out in paragraph 9 of the Paper. The Chief Town Planner/Urban Design and Landscape, Planning Department (CTP/UD&L, PlanD) had reservation on the application as adverse landscape impact had taken place at the site and its vicinity. The approval of the application might set an undesirable precedent of encouraging applicants to clear and form the site before planning permission was obtained;
- (d) no public comment was received during the first three weeks of the

statutory publication period. 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 11 of the Paper. The District Lands Officer/Yuen Long, Lands Department advised that no Small House application had been received for the site. The approval of the application on a temporary basis of 3 years would not jeopardise the long-term development of the area. Given the small-scale of the proposed development, it would not cause significant adverse environmental, visual, traffic or drainage impact on the surrounding areas. To address the concern on landscape aspect, approval conditions on the submission and implementation of a tree preservation and landscape proposal were recommended.

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 8.4.2019, on the terms of the application as submitted to the Town Planning Board (TPB) and subject to the following conditions :

- “(a) no operation between 8:00 p.m. and 9:00 a.m., as proposed by the applicant, is allowed on the site during the planning approval period;
- (b) the implementation of the accepted drainage proposal within 6 months from the date of planning approval to the satisfaction of the Director of Drainage Services or of the TPB by 8.10.2016;
- (c) in relation to (b) above, the implemented drainage facilities on the site shall be maintained at all times during the planning approval period;
- (d) the submission of a tree preservation and landscape proposal within

6 months from the date of planning approval to the satisfaction of the Director of Planning or of the TPB by 8.10.2016;

- (e) in relation to (d) above, the implementation of the tree preservation and landscape proposal within 9 months from the date of planning approval to the satisfaction of the Director of Planning or of the TPB by 8.1.2017;
- (f) the submission of a fire service installations proposal within 6 months from the date of planning approval to the satisfaction of the Director of Fire Services or of the TPB by 8.10.2016;
- (g) in relation to (f) above, the implementation of the fire service installations proposal within 9 months from the date of planning approval to the satisfaction of the Director of Fire Services or of the TPB by 8.1.2017;
- (h) if any of the above planning conditions (a) or (c) is not complied with during the planning approval period, the approval hereby given shall cease to have effect and shall be revoked immediately without further notice;
- (i) if any of the above planning conditions (b), (d), (e), (f) or (g) is not complied with by the above specified date, the approval hereby given shall cease to have effect and shall on the same date be revoked without further notice; and
- (j) upon expiry of the planning permission, the reinstatement of the site to an amenity area to the satisfaction of the Director of Planning or of the TPB.”

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

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

Agenda Item 17

Section 16 Application

[Open Meeting (Presentation and Question Sessions Only)]

A/YL-PS/492 Temporary Public Vehicle Park (Private Cars and Light Goods Vehicles) for a Period of 3 Years in “Village Type Development” Zone, Lots 258 S.A (Part), 258 RP (Part), 262 RP (Part), 263 (Part), 264 (Part), 265, 267 RP and 268 RP in D.D. 122, and adjoining Government Land, Ping Shan, Yuen Long, New Territories
(RNTPC Paper No. A/YL-PS/492B)

Presentation and Question Sessions

59. 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 and light goods vehicles) for a period of 3 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 two statutory publication periods, two public comments from the same member of the public were received. The commenter objected to the application mainly on the grounds that the site should be used for village house development; villagers having cars should use the ground floor of their houses for car parking; the approval of the application would set an undesirable precedent; and the approval of the application would allow inefficient and inappropriate land use to proliferate. 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. The District Lands Officer/Yuen Long, Lands Department advised that no Small House application had been received for the site. The approval of the application on a temporary basis of 3 years would not frustrate the long-term planning intention of the “Village Type Development” zone. Regarding the two public comments, the planning considerations and assessments above were relevant.

60. Members had no question on the application.

Deliberation Session

61. After deliberation, the Committee decided to approve the application on a temporary basis for a period of 3 years until 8.4.2019, 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 medium and heavy goods vehicles exceeding 5.5 tonnes, including container tractors/trailers, as defined in the Road Traffic Ordinance (RTO) are allowed to be parked/stored on or enter/exit the site, as proposed by the applicant, at any time during the planning approval period;
- (c) a notice shall be posted at a prominent location of the site to indicate that no medium and heavy goods vehicles exceeding 5.5 tonnes, including container tractors/trailers, as defined in the RTO are allowed to be parked/stored on or enter/exit the site at any time during the planning approval period;
- (d) no vehicle without valid licence issued under the RTO is allowed to be

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

- (e) 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;
- (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 submission of drainage proposal within 6 months from the date of the planning approval to the satisfaction of the Director of Drainage Services or of the TPB by 8.10.2016;
- (h) in relation to (g) above, the implementation of drainage proposal within 9 months from the date of the planning approval to the satisfaction of the Director of Drainage Services or of the TPB by 8.1.2017;
- (i) in relation to (h) above, the implemented drainage facilities shall be maintained at all times during the planning approval period;
- (j) the submission of fire service installations proposal within 6 months from the date of the planning approval to the satisfaction of the Director of Fire Services or of the TPB by 8.10.2016;
- (k) in relation to (j) above, the implementation of fire service installations proposal within 9 months from the date of the planning approval to the satisfaction of the Director of Fire Services or of the TPB by 8.1.2017;
- (l) the implementation of the accepted landscape proposal within 6 months from the date of the planning approval to the satisfaction of the Director of Planning or of the TPB by 8.10.2016;
- (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 8.7.2016;

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

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

Agenda Item 18

Section 16 Application

[Open Meeting]

A/YL-PS/507 Proposed 2 Houses (New Territories Exempted Houses) in “Residential (Group E)2” zone, Lot 581 (Part) in D.D. 122, Yung Yuen Road, Ping Shan, Yuen Long, New Territories
(RNTPC Paper No. A/YL-PS/507A)

63. The Committee noted that the applicant requested on 16.3.2016 for deferment of the consideration of the application for two months so as to allow sufficient time to address the comments of the Environmental Protection Department. It was the second time that the applicant requested for deferment of the application.

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

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

Agenda Item 19

Section 16 Application

[Open Meeting]

A/YL-PS/515 Temporary Rural Communal Public Vehicle Park for Private Cars, 5.5 Tonnes Goods Vehicles, Coaches and 24 Tonnes Goods Vehicles for a Period of 3 Years in "Village Type Development" zone, Lots 429, 430 (Part), 431 (Part), 436 (Part), 437 (Part), 438 S.A, 438 R.P.(Part), 446 (Part), 447 (Part) and 449 R.P.(Part) in D.D. 122, Hang Mei Tsuen, Ping Shan, Yuen Long, New Territories
(RNTPC Paper No. A/YL-PS/515)

65. The Committee noted that the applicant requested on 31.3.2016 for deferment of the consideration of the application for two months so as to allow additional time to address the comments of the Transport Department. It was the first time that the applicant requested for deferment of the application.

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

could be processed within a shorter time, the application could be submitted to an earlier meeting for the Committee's consideration. The Committee also agreed to advise the applicant that two months were allowed for preparation of the submission of further information, and no further deferment would be granted unless under very special circumstances.

Agenda Item 20

Section 16 Application

[Open Meeting]

A/YL-TYST/784 Proposed Temporary Dog Kennel cum Dog Recreation Centre for a Period of 3 Years in "Residential (Group D)" zone, Lots 702 RP (Part), 705 RP (Part), 706 RP (Part), 707, 708, 709, 710, 711, 712, 713, 714 (Part), 715, 716, 717, 718, 719 (Part), 720 (Part), 752 (Part), 753 (Part), 754 RP (Part) and 757 RP in D.D. 121 and adjoining Government Land, Tong Yan San Tsuen, Yuen Long, New Territories
(RNTPC Paper No. A/YL-TYST/784)

67. The Committee noted that the applicant requested on 31.3.2016 for deferment of the consideration of the application for two months so as to allow time for preparation of further information to address the comments of the Director of Environmental Protection. It was the first time that the applicant requested for deferment of the application.

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

Agenda Item 21

Section 16 Application

[Open Meeting (Presentation and Question Sessions Only)]

A/YL-TYST/785 Proposed Temporary Shop and Services (Real Estate Agency) for a Period of 3 Years in “Residential (Group B) 1” zone, Lots 1023 S.B RP, 1033 S.C, 1034 S.A RP (Part) in D.D. 121 and adjoining Government Land, Tong Yan San Tsuen, Yuen Long, New Territories (RNTPC Paper No. A/YL-TYST/785)

Presentation and Question Sessions

69. Ms Bonita K.K. Ho, STP/TMYLW, 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 (real estate agency) for a period of 3 years;
- (c) departmental comments – departmental comments were set out in paragraph 9 of the Paper. The Chief Town Planner/Urban Design and Landscape, Planning Department (CTP/UD&L, PlanD) had reservation on the application as it was observed that the existing vegetation on the site had been removed for erection of a temporary structure. Approval of the application would set an undesirable precedent for site modification prior to obtaining planning approval. There was also insufficient room for the continued healthy growth of the trees according to the proposed landscape and tree preservation plan;
- (d) no public comment was received during the first three weeks of the statutory publication period. 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 11 of the Paper. There was no known programme to implement the “Residential (Group B)1” zone. The temporary approval of the application would not frustrate the long-term planning intention of the zoned use. The concerns on the landscape aspect could be addressed by imposing relevant approval conditions.

70. Members had no question on the application.

Deliberation Session

71. After deliberation, the Committee decided to approve the application on a temporary basis for a period of 3 years until 8.4.2019, on the terms of the application as submitted to the Town Planning Board (TPB) and subject to the following conditions :

- “(a) no operation between 8:00 p.m. and 9:00 a.m., as proposed by the applicant, is allowed on the site during the planning approval period;
- (b) no vehicle is allowed to be parked/stored on or enter/exit the site, as proposed by the applicant, at any time during the planning approval period;
- (c) the submission of a revised drainage proposal within 6 months from the date of planning approval to the satisfaction of the Director of Drainage Services or of the TPB by 8.10.2016;
- (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 8.1.2017;
- (e) in relation to (d) above, the implemented drainage facilities on the site shall be maintained at all times during the planning approval period;

- (f) the submission of landscape proposal within 6 months from the date of planning approval to the satisfaction of the Director of Planning or of the TPB by 8.10.2016;
- (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 8.1.2017;
- (h) the submission of fire service installations proposal within 6 months from the date of planning approval to the satisfaction of the Director of Fire Services or of the TPB by 8.10.2016;
- (i) in relation to (h) above, the implementation of fire service installations proposal within 9 months from the date of planning approval to the satisfaction of the Director of Fire Services or of the TPB by 8.1.2017;
- (j) if any of the above planning conditions (a), (b) or (e) is not complied with during the planning approval period, the approval hereby given shall cease to have effect and shall be revoked immediately without further notice;
- (k) if any of the above planning conditions (c), (d), (f), (g), (h) or (i) is not complied with by the specified date, the approval hereby given shall cease to have effect and shall on the same date be revoked without further notice;
and
- (l) upon expiry of the planning permission, the reinstatement of the site to an amenity area to the satisfaction of the Director of Planning or of the TPB.”

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

Agenda Item 22

Section 16 Application

[Open Meeting (Presentation and Question Sessions Only)]

A/YL-TYST/786 Temporary Open Storage of Scrap Metal and Plastic with Ancillary Workshop for a Period of 3 Years in “Undetermined” zone, Lots 1449 (Part), 1450 (Part), 1454 (Part), 1458 (Part) and 1459 (Part) in D.D. 119, Tong Yan San Tsuen, Yuen Long, New Territories
(RNTPC Paper No. A/YL-TYST/786)

Presentation and Question Sessions

73. Ms Bonita K.K. Ho, STP/TMYLW, presented the application and covered the following aspects as detailed in the Paper :

- (a) background to the application;
- (b) the temporary open storage of scrap metal and plastic with ancillary workshop for a period of 3 years;
- (c) departmental comments – departmental comments were set out in paragraph 10 of the Paper. The Director of Environmental Protection (DEP) did not support the application as there were sensitive receivers (i.e. residential structures) located to the south and northeast and in the vicinity, and environmental nuisance was expected;
- (d) no public comment was received during the first three weeks of the statutory publication period. 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 applied use was not in conflict with the planning intention of the “Undetermined” (“U”) zone.

The approval of the application on a temporary basis would not frustrate the long-term development of the area. The development was not incompatible with the surrounding uses in the “U” zone. Under the Town Planning Board Guidelines for Application for Open Storage and Port Back-up Uses (TPB PG-No. 13E), the site fell within Category 1 areas which were considered suitable for open storage and port back-up uses; relevant proposals had been submitted to demonstrate that the proposed use would not generate adverse impacts; and the technical concerns of relevant government departments could be addressed through the implementation of approval conditions. Although DEP did not support the application, no environmental complaint was received in the past 3 years and the environmental concern could be addressed by the imposition of relevant approval conditions. Other concerned departments had no objection to or no adverse comment on the application.

74. In response to a Member’s question, Ms Bonita K.K. Ho, STP/TMYLW, said that the previous planning permission was revoked as the applicant had failed to comply with the approval condition on the implementation of drainage proposal. The same applicant had submitted a drainage proposal for the subject application which the Drainage Services Department had no objection to. Should the subject application be approved and the applicant fail to comply with any approval conditions, the planning permission would be revoked.

Deliberation Session

75. After deliberation, the Committee decided to approve the application on a temporary basis for a period of 3 years until 8.4.2019, on the terms of the application as submitted to the Town Planning Board (TPB) and subject to the following conditions :

- “(a) no operation between 7:00 p.m. and 9:00 a.m., as proposed by the applicant, is allowed on the site during the planning approval period;
- (b) no operation on Sundays and public holidays, as proposed by the applicant, is allowed on the site during the planning approval period;

- (c) no storage or handling (including loading and unloading) of used electrical appliances, computer/electronic parts (including cathode-ray tubes) or any other types of electronic waste, as proposed by the applicant, is allowed on the site at any time during the planning approval period;
- (d) no dismantling, repairing, cleansing or other workshop activities, except in Structures 4 and 7, as proposed by the applicant, are allowed on the site at any time during the planning approval period;
- (e) no medium or heavy goods vehicles exceeding 5.5 tonnes, including container tractors/trailers, as defined in the Road Traffic Ordinance are allowed to be parked/stored on or enter/exit the site, as proposed by the applicant, 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 provision of boundary fence on the site within 3 months from the date of planning approval to the satisfaction of the Director of Planning or of the TPB by 8.7.2016;
- (h) the submission of a revised drainage proposal within 3 months from the date of planning approval to the satisfaction of the Director of Drainage Services or of the TPB by 8.7.2016;
- (i) in relation to (h) above, the implementation of drainage proposal within 6 months from the date of planning approval to the satisfaction of the Director of Drainage Services or of the TPB by 8.10.2016;
- (j) in relation to (i) above, the implemented drainage facilities on the site shall be maintained at all times during the planning approval period;
- (k) the submission of 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 8.7.2016;

- (l) in relation to (k) above, the implementation of tree preservation and landscape proposal within 6 months from the date of planning approval to the satisfaction of the Director of Planning or of the TPB by 8.10.2016;
- (m) the provision of fire extinguisher(s) with valid fire certificate (FS 251) within 6 weeks from the date of planning approval to the satisfaction of the Director of Fire Services or of the TPB by 20.5.2016;
- (n) the submission of fire service installations proposal within 3 months from the date of planning approval to the satisfaction of the Director of Fire Services or of the TPB by 8.7.2016;
- (o) in relation to (n) above, the implementation of fire service installations proposal within 6 months from the date of planning approval to the satisfaction of the Director of Fire Services or of the TPB by 8.10.2016;
- (p) if any of the above planning conditions (a), (b), (c), (d), (e), (f) or (j) is not complied with during the planning approval period, the approval hereby given shall cease to have effect and shall be revoked immediately without further notice;
- (q) if any of the above planning conditions (g), (h), (i), (k), (l), (m), (n) or (o) is not complied with by the specified date, the approval hereby given shall cease to have effect and shall on the same date be revoked without further notice; and
- (r) upon expiry of the planning permission, the reinstatement of the site to an amenity area to the satisfaction of the Director of Planning or of the TPB.”

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

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

Agenda Item 23

Any Other Business

Section 16A Application

[Open Meeting]

A/KTN/12-2 Application for Extension of Time for Compliance with Planning Conditions, Lots 1397 RP (Part), 1400 S.B ss.2 (Part), 1400 S.B ss.3 (Part), 1400 S.B RP (Part) in D.D. 95 and Adjoining Government Land, No. H32, Ho Sheung Heung, Sheung Shui, New Territories

77. The Secretary reported that a paper on the item was tabled at the meeting for Members' consideration. She said that an application for extension of time (EOT) for compliance with approval conditions (a) and (b) by six months under application No. A/KTN/12 was received on 21.3.2016. The applicant was required to comply with approval condition (a) on the submission and implementation of a drainage proposal, and approval condition (b) on the provision of fire service installations and water supplies for firefighting by 27.3.2016. As the planning permission had been revoked on 27.3.2016, the Committee was recommended not to consider the application.

78. After deliberation, the Committee agreed that the application for EOT for compliance with planning conditions could not be considered for reason that the planning permission had been revoked on 27.3.2016.

79. There being no other business, the meeting closed at 5:15 p.m..