

TOWN PLANNING BOARD

Minutes of 556th Meeting of the Rural and New Town Planning Committee held at 2:30 p.m. on 13.5.2016

Present

Director of Planning
Mr K.K. Ling

Chairman

Mr H.W. Cheung

Vice-chairman

Professor K.C. Chau

Mr Ivan C.S. Fu

Ms Janice W.M. Lai

Ms Christina M. Lee

Dr F.C. Chan

Mr David Y.T. Lui

Mr Peter K.T. Yuen

Mr Philip S.L. Kan

Dr Billy C.H. Hau

Dr Lawrence K.C. Li

Mr Stephen L.H. Liu

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

Mr H.F. Leung

Mr Alex T.H. Lai

Miss Winnie W.M. Ng

In Attendance

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

Assistant Town Planner/Town Planning Board
Mr Harris K.C. Liu

Agenda Item 1

Confirmation of the Draft Minutes of the 555th RNTPC Meeting held on 22.4.2016

[Open Meeting]

1. The draft minutes of the 555th RNTPC meeting held on 22.4.2016 were confirmed without amendments.

Agenda Item 2

Matters Arising

[Open Meeting]

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

Fanling, Sheung Shui and Yuen Long East District

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

Agenda Item 3

Section 12A Application

[Open Meeting (Presentation and Question Sessions only)]

Y/YL-MP/3 Application for Amendment to the Approved Mai Po & Fairview Park Outline Zoning Plan No. S/YL-MP/6, To rezone the application site from “Recreation” and “Residential (Group C)” to Option 1 – “Residential (Group C) 1”, or Option 2 – “Other Specified Uses” annotated “Bike Kiosk and Eating Place” and “Residential (Group C) 1”, or Option 3 – “Residential (Group D)”, Lots 3054 S.A RP (Part), 3200 RP (Part), 3200 S.A RP, 3201 RP (Part), 3202 (Part), 3203 RP, 3204 RP, 3205 RP, 3156 RP, 3211 RP, 3212 RP, 3213 RP, 3214 S.A, 3214 S.B, 3215, 3216, 3217, 3218 RP (Part), 3250 S.B ss.23 RP (Part), 3250 S.B ss.33 RP (Part) in D.D. 104, and Adjoining Government Land, Yuen Long
(RNTPC Paper No. Y/YL-MP/3C)

3. The Secretary reported that the application was submitted by Capital Chance Limited, which was a subsidiary of Sun Hung Kai Properties Limited (SHK). AECOM Asia Co. Limited (AECOM), Ramboll Environ Hong Kong Limited (Environ) and Urbis Limited (Urbis) were three 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 SHK,
Ms Janice W.M. Lai] AECOM, Environ and Urbis;
- Mr Stephen L.H. Liu - having current business dealings with SHK;
- Dr Billy C.H. Hau - having current business dealings with AECOM;
- Ms Christina M. Lee - being the Secretary-General of the Hong Kong Metropolitan Sports Events Association which obtained sponsorship from SHK before; and
- Dr Lawrence K.C. Li - co-owning with his spouse a house in Mai Po & Fairview Park area.

4. The Committee noted that Mr Ivan C.S. Fu, Ms Janice W.M. Lai and Ms Christina M. Lee had not yet arrived to join the meeting. Since the interest of Mr Stephen L.H. Liu was direct, the Committee agreed that he should be invited to leave the meeting temporarily for the item. The Committee noted that Dr Billy C.H. Hau had no involvement in the application and Dr Lawrence K.C. Li's property did not have a direct view of the application site, and agreed that they could stay in the meeting.

[Mr Stephen L.H. Liu left the meeting temporarily at this point.]

Presentation and Question Sessions

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

- Ms Maggie M.Y. Chin - District Planning Officer/Fanling, Sheung Shui and Yuen Long East (DPO/FSYLE)
- Mr K.T. Ng - Senior Town Planner/Fanling, Sheung Shui and Yuen Long East (STP/FSYLE)

Ms Margaret Chan]	
Mr Adams Au]	
Mr Paul Leader]	
Mr Kenneth Li]	applicant's representatives
Mr Tim Osborne]	
Mr Henry Ng]	
Mr Sun Kwok Kee]	

6. The Chairman extended a welcome and explained the procedure of the hearing. He then invited Ms Maggie M.Y. Chin, DPO/FSYLE, to brief Members on the background of the application. With the aid of a PowerPoint presentation, Ms Maggie M.Y. Chin presented the application and covered the following aspects as detailed in the Paper.

The Proposal

- (a) the applicant proposed to rezone the site from “Recreation” (“REC”) (about 98.3% of the site area) and “Residential (Group C)” (“R(C)”) (about 1.7% of the site area) to one of the following options for a proposed residential cum commercial development with a plot ratio (PR) of 0.2 and building height of 2 storeys (6.6m) above one storey of basement car park and/or ancillary plant room:
 - (i) Option 1: “R(C)1” zone;
 - (ii) Option 2: “R(C)1” zone (about 94.7% of the site area) and “Other Specified Uses” annotated “Bike Kiosk and Eating Place” (“OU(BK&EP)”) zone;
 - (iii) Option 3: “Residential (Group D)” (“R(D)”) zone;
- (b) the site, with an area of about 89,160m², comprised a northern and southern portion connected by a narrow strip of Government land. The northern portion of the site, which fell within the Wetland Buffer Area (WBA), would reserve as a private local open space. A small area at the northern

portion of the site was proposed for bike kiosk and eating place, which were to complement the Government's proposed cycle track project to be implemented between the site and Yau Pok Road. The southern portion of the site was for residential development. The major proposed development parameters of the indicative scheme were as follows:

Site Area	89,160 m ² (about)
Total Domestic GFA	17,225 m ² (about)
Total Non-Domestic GFA	607 m ² (about)
- Plant Nursery Shelter	137 m ²
- Eating Place	392 m ²
- Bike Kiosk	78 m ²
Plot Ratio (PR)	0.2
Site Coverage (SC)	20%
No. of Storeys	2 storeys above one storey of basement car park
Building Height (BH)	6.6m above ground
No. of Houses	106

- (c) a set of schedule of uses for the three options had been proposed by the applicant. For Option 1, residential use would be a Column 1 use, whereas commercial uses (i.e. eating place and bike kiosk) would be a Column 2 use requiring planning permission. For Option 2, residential and commercial uses under the respective zone would be Column 1 uses and further planning permission would not be required. For Option 3, both residential and commercial uses as well as pond filling and land filling/excavation would require planning permission from the Board. Among the three options, Option 1 was the applicant's preferred option;

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

Departmental Comments

- (d) departmental comments were set out in paragraph 10 of the Paper. The Director of Agriculture, Fisheries and Conservation (DAFC) had no adverse comment on the application, but raised concern on Options 1 and 2 if the applicant took forward a different development scheme. The District Lands Officer/Yuen Long (DLO/YL) advised that it would be preferable that the narrow piece of Government land in front of Lot 3208RP be excluded from the site to release any possible development potential of the lot. Other concerned departments consulted had no objection to or no adverse comment on the application;

Public Comments

- (e) during the four public inspection periods, a total of 234 public comments were received, with 154 supporting, 79 objecting and one requested for more information on the technical assessments. The main supporting reasons were that the development was in line with Government policy to increase housing supply, would preserve the wetland and conserve the natural environment, would achieve the balance between wetland protection and the development, was compatible with the surrounding residential neighbourhood, and provided an opportunity to improve environment;
- (f) 79 objecting comments were submitted by Yuen Long District Council members, the San Tin Rural Committee, green groups, Fairview Park Property Management Limited, residents and tenants of Fairview Park and individuals. Their major views were summarised as follows:
- (i) having environmental, visual, traffic, sewerage, air quality and ecological impacts on the surrounding areas and would cause flooding, security and hygiene problems;
 - (ii) setting an undesirable precedent;

- (iii) adversely affecting the habitats of wild animals and birds in the wetland area;
- (iv) nearby infrastructure was insufficient and road network was already saturated;
- (v) damaging to Fung Shui of Chuk Yuen Tsuen; and
- (vi) the northern portion of the site would eventually be used for house development;

PlanD's Views

- (g) PlanD had no objection to rezoning the site to an appropriate zone(s) to take forward the proposed residential cum commercial development based on the assessments set out in paragraph 12 of the Paper, which were summarised as follows:
 - (i) since the designation of the "REC" zone, no recreation development had been implemented and the site was currently vacant;
 - (ii) the proposed development was not incompatible with the surrounding uses and the proposed development intensity was also comparable to the existing/approved residential developments adjoining the site;
 - (iii) the submitted Ecological Impact Assessment concluded that the proposed development would adhere to the principle of "no-net-loss in wetland" and comply with the Town Planning Board Guidelines No. 12C;
 - (iv) other technical assessments conducted confirmed the technical feasibility of the proposed development and no insurmountable

problem was envisaged. Concerned departments had no objection to or no adverse comment on the application and the submitted technical assessments;

- (v) with regard to DAFC's concern as mentioned in paragraph 6(d) above, it should be noted that the proposed development was a designated project under the Environmental Impact Assessment (EIA) Ordinance. The EIA report submitted by the applicant was approved and an Environmental Permit (EP) was granted by the Director of Environmental Protection (DEP); and
- (vi) regarding DLO/YL's comment on the exclusion of the concerned Government land, the applicant proposed that the development would only be implemented upon completion of the cycle track project, and a right-of-way on the concerned Government land and the proposed cycle track would be provided for Lot 3208RP to access Yau Pok Road.

7. The Chairman then invited the applicant's representatives to elaborate on the application. With the aid of a PowerPoint presentation, Mr Kenneth Li made the following main points:

Justifications of the Application

- (a) the site was surrounded by a number of existing and approved residential developments, including Fairview Park, Palm Springs, as well as residential developments in Yau Mei San Tsuen and Chuk Yuen Tsuen etc.;
- (b) despite designation of the area as "REC" since 1994, no permanent recreation development had ever been approved. A land use review conducted in support of the application concluded that excessive land was reserved for recreation use and a number of limitations in the surrounding areas hindered a long term and suitable recreation development at the site;

- (c) the infrastructure provision in the area had been improved and was sufficient to support more residential developments;
- (d) the rezoning application was in line with the Government policy in increasing housing supply; and
- (e) the EIA report of the proposed development was approved in 2014 and an EP was granted under the EIA Ordinance. The EIA report concluded that the proposed development would not create unacceptable ecological, environmental and landscape impacts and was compatible with surrounding land uses;

Appropriateness of “R(C)1” Zone

- (f) part of the site and the residential development adjoining the site (i.e. Fairview Park) were already zoned “R(C)”. The proposed development was in line with the planning intention of “R(C)” zone which was intended primarily for low-rise, low-density residential developments where commercial uses serving the residential neighbourhood might be permitted on application; and
- (g) a subzone of “R(C)” which allowed a specific set of development parameters was not uncommon in other areas.

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

- (a) the applicant had reviewed other land use zoning options and considered them not appropriate for the site;
- (b) the planning intention of “Other Specified Uses” annotated “Comprehensive Development to include Wetland Restoration Area” (“OU(CDWRA)”) zone was to provide incentive for the restoration of degraded wetlands adjoining existing fish ponds and to phase out existing

sporadic open and port back-up uses. Since the site was not occupied by open storage and port back-up uses and not adjoining to any fish ponds, “OU(CDWRA)” was not a suitable zoning for the proposed development;

- (c) the planning intention of “Other Specified Uses” annotated “Comprehensive Development and Wetland Protection Area” (“OU(CDWPA)”) zone was to allow comprehensive low-density residential development provided that all the existing continuous and contiguous fish ponds were protected and conserved. Since there was no existing continuous and contiguous fish ponds within the site, rezoning the site to “OU(CDWPA)” was considered inappropriate;
- (d) the planning intention of the “R(D)” zone was to improve and upgrade the existing temporary structure through redevelopment. However, no existing temporary structure was found within the site. Rezoning the site to “R(D)” was not suitable;
- (e) the planning intention of “Comprehensive Development Area” (“CDA”) zone was to facilitate land assembly for comprehensive development. Since the application site was largely under a single ownership and the process of land assembly had been completed, “CDA” was not a suitable zoning for the proposed development.

Development Proposal

9. A Member noted that the northern portion of the site was proposed for a landscaping area and asked whether that portion could be retained as “REC” zone. Ms Margaret Chan said that three options, including an option to develop both the northern and southern portions for residential use, had been evaluated during the preparation of EIA report. The findings indicated that residential development in the northern portion would create significant adverse ecological, environmental and visual impacts on the surrounding areas. In addition, having considered neighbouring residents’ views on preserving the natural environment and given the location of the northern portion within WBA, greenery and open space uses were hence proposed in the northern portion.

10. The same Member asked whether proposing all residential development in the southern portion of the site, together with existing and approved residential developments in the vicinity of the site, would overstrain infrastructural capacity in the area. There were also questions on the environmental and ecological considerations for the proposed landscaping area in the northern portion of the site. In response, Ms Margaret Chan said that the site area of the northern and southern portions were 4.6 ha and 4.24 ha respectively and the technical assessments on ecological, traffic, sewerage, landscape, visual and other aspects concluded that the proposed scheme under the application was the most favourable option and would not cause significant adverse impact to the surrounding areas with the implementation of appropriate mitigation measures (e.g. noise barrier). The existing pond within the northern portion of the site, which was located within the WBA, would be retained and enlarged to enhance its ecological value. At the request of the Chairman, Ms. Maggie M.Y. Chin, DPO/FSYLE, supplemented that the northern portion of the site, which fell within WBA, was in close proximity to fish ponds zoned "Conservation Area" and a site zoned "OU(CDWPA)" which both fell within Wetland Conservation Area (WCA). Locating residential development further away from the fish ponds and the "OU(CDWPA)", which were of ecological significance, could help minimize disturbance to those areas.

11. With landscaping area proposed for the northern portion, the same Member asked whether that portion of the site would be privatized if the rezoning application was approved. At the request of the Chairman, Ms. Maggie M.Y. Chin, DPO/FSYLE, said the site only covered a strip of Government land of about 6,867m², which was mainly the narrow strip of land connecting the northern and southern portions as well as along Yau Pok Road. She said that the applicant had proposed to reserve an area of 4,775m² in the northern portion for bike kiosk and eating place uses which complemented the Government's cycle track project and would be open for public use. As for the development intensity of surrounding residential developments, Ms Chin said that the Fairview Park to the west of the site fell within the "R(C)" zone with a maximum PR of 0.4 and two other approved residential developments to the east of the site fell within the "R(D)" zone with a maximum PR of 0.2. While the proposed development had an overall PR of 0.2, with all the residential development proposed in the southern portion, the effective PR of the southern portion would be approximately 0.4, which was comparable to that of the neighbouring Fairview Park development.

12. A Member noted that a narrow strip of Government land was included in the application site and might cause right-of-way issue with regard to an adjacent private lot. The Member asked whether the applicant would consider pursuing the proposed development under two separate planning applications. In response, Mr Kenneth Li said that both the northern and southern portions were submitted as one single scheme in the EIA report, and the Member's suggestion would result in a material change to the approved scheme in the EIA report. He considered it more appropriate to submit the same scheme under the current rezoning application.

13. Having noted that the landscaping area in the northern portion of the site was proposed for private use of future residents of the development, a Member enquired whether the approval of the rezoning application would affect the provision of recreation site in the area. In response, Ms Maggie Chin, DPO/FSYLE, explained that the site was designated as "REC" zone in 1994, which was intended for the development of active and/or passive recreation and tourism/eco-tourism. Since the designation of the "REC" zone, two temporary planning permissions for golf course use covering the site had been granted. Since the site was largely under private ownership, the planning intention of the "REC" site could only be realized through private initiatives. Ms Margaret Chan supplemented that a total of 22 ha of land was zoned "REC" on the Mai Po and Fairview Park Outline Zoning Plan and the current application only involved 8 ha of land zoned "REC". Although two temporary planning permissions for golf course use had been granted, subsequent application for the same use was rejected by the Committee mainly for the reason of creating nuisance to nearby residential and school uses.

14. In response to the same Member's question, Ms Margaret Chan confirmed that, apart from an area of 4,775m² in the northern portion (bike kiosk and eating place) which would be open to the public, the proposed landscaping area would be a private open space for future residents as sufficient greenery and private open space should be provided according to relevant guidelines and regulations. With reference to Drawing Z-5 of the Paper, Ms Chan also pointed out that the plant nursery would be located at the northern part of the site for seedling plants and storing associated tools and equipments.

15. A Member asked whether additional or alternative recreational uses would be

provided in the northern portion of the site. In response, Mr Kenneth Li said that given the characteristics of the site and the surrounding areas, the landscaping area, which was on private land, was proposed for passive recreational use and would need to meet the requirement on open space provision under the Hong Kong Planning Standards and Guidelines.

Environmental Aspect

16. A Member enquired if the EP had imposed conditions restricting residential development in the northern portion. Ms Margaret Chan replied in the negative but pointed out that the proposed scheme under the application was the same scheme approved in the EIA report, and any changes to the proposed scheme would require the resubmission of EIA report for approval under the EIAO.

17. A Member enquired on the details of the conditions imposed under the EP. Another Member noted in paragraph 2.4 of the EP that there was a clause requiring the enhancement of the ecological linkage between the proposed landscape pond in the northern portion and the Ngau Tam Mei Channel and asked whether such clause was a recommendation or condition under the EP. In response, Ms Margaret Chan said that a copy of EP was submitted as part of the further information dated 4.5.2016 (Appendix Ij of the Paper) under the application. She said that paragraph 2.4 was a condition imposed under the EP, which required the submission of a plan for construction, operation and management of the proposed landscape pond to DAFC and DEP for approval one month before the commencement of the project. Subject to the Committee's approval of the application and modification of land lease under the Lands Department, Ms Chan said that the plan would be submitted under the EP before the commencement of the project. The same Member further asked whether the proposed scheme under the application was the finalized layout. At the request of the Chairman, Mr. K.F. Tang, Assistant Director (Environmental Assessment) of Environmental Protection Department, explained that the proposed layout together with the associated environmental assessments formed part of the approved EIA report. The applicant should adhere to the approved scheme and the recommendations made in the EIA report. For the subject development, the Advisory Council on the Environment considered that the ecological linkage to the fishponds to the north of the site and Ngau Tam Mei Channel should be strengthened as far as possible. In that regard, special conditions had

been stipulated in the EP requesting submissions to address the said issue in the detailed design stage and for relevant departments' approval. The proposed scheme under the application, even if approved by the Committee, might be subject to change in order to fulfil the conditions under the EP.

18. A Member asked whether the EIA report had taken into account the cumulative impact of surrounding approved residential developments on the Ngau Tam Mei Channel. Mr Tim Osborne, with reference to the findings of an ecological survey of water birds conducted from March 2015 to February 2016, concluded that the cumulative increase in disturbance to those bird species would be insignificant. Ms Margaret Chan supplemented that the concerned cumulative impact had been taken into account in the EIA report, which was available on EPD's website.

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

Deliberation Session

20. A Member had no objection to residential development in the southern portion of the site but considered that the northern portion should be retained as "REC" zone.

21. A Member supported the rezoning application in principle but considered that planning permission should be required for the proposed development to ensure that the detailed layout of the proposed development and the cumulative impact to the Ngau Tam Mei Channel would be scrutinized and considered by the Committee. Besides, the interface issue of the proposed commercial uses in the northern portion of the site with a planned residential development in Yau Mei San Tsuen in its close proximity should also be addressed in the planning application.

22. A Member considered the proposed landscaping area in the northern portion for

conservation purpose acceptable and concurred with the view of putting in place a suitable mechanism so as to ensure that the proposed landscaping area would be properly designed, implemented and managed. Another Member expressed similar views and said that retaining the northern portion, which was under private ownership, as “REC” might lead to abandonment and degradation of that portion of land.

23. Members generally had no objection to the proposed scheme under the application but considered that a suitable land use zoning with appropriate requirement to ensure the acceptability of the future development at the site. To facilitate the development, the Chairman said that PlanD could be requested to take into account Members’ concerns in working out an appropriate zoning with suitable development requirements for the site, which would be submitted for the Committee’s consideration. In proposing development in the northern portion of the site, the applicant should also take into account Members’ concern on enhancing the ecological linkage to the Ngau Tam Mei Channel and the fishponds within the WCA.

24. After further deliberation, the Committee decided to agree to the application for rezoning the site for the proposed residential cum commercial development. PlanD would work out an appropriate zoning with suitable development requirements for the site. The proposed amendments to the approved Mai Po and Fairview Park Outline Zoning Plan (OZP) No. S/YL-MP/6 would be submitted to the Committee for approval prior to gazetting under section 5 of the Town Planning Ordinance upon reference back of the OZP for amendment by the Chief Executive in Council.

25. The Committee also agreed to advise the applicant to note Members’ concern on enhancing the ecological linkage of the site to the Ngau Tam Mei Channel and the fishponds within WCA.

[Mr Stephen L.H. Liu returned to join and Ms Christina M. Lee and Mr David Y.T. Lui left the meeting at this point. Mr Ivan C.S. Fu and Ms Janice W.M. Lai arrived to join the meeting at this point.]

Sai Kung and Islands District

Agenda Item 4

Section 12A Application

[Open Meeting]

Y/I-DB/2 Application for Amendment to the Approved Discovery Bay Outline Zoning Plan No. S/I-DB/4, To rezone the application site from “Other Specified Uses” annotated “Staff Quarters (5)” to “Residential (Group C) 12”, Area 6f, Lot 385 RP & Ext. (Part) in D.D. 352, Discovery Bay, Lantau Island
(RNTPC Paper No. Y/I-DB/2)

26. The Secretary reported the application was submitted by Hong Kong Resort Company Limited (HKRCL). Masterplan Limited (Masterplan) was the consultant of the applicant. The following Members had declared interests in the item:

- | | |
|--------------------------------|---|
| Mr K.K. Ling
(the Chairman) | - owning a property at Discovery Bay area; |
| Mr Stephen L.H. Liu | - having current business dealings with HKRCL; |
| Mr Ivan C.S. Fu | - having current business dealings with Masterplan;
and |
| Ms Christina M. Lee | - being a director of a company which owned 4 pieces
of land in Lantau Island. |

27. The Committee noted that Ms Christina M. Lee had already left the meeting. As the applicant had requested for deferral of consideration of the application, the Committee agreed that Mr Stephen L.H. Liu could stay in the meeting but should refrain from participating in the discussion. Since Mr K.K. Ling’s property did not have a direct view of the application site and Mr Ivan C.S. Fu had no involvement in the application, the Committee agreed that they could stay in the meeting.

28. The Committee noted that the applicant on 15.4.2016 requested for deferment of the consideration of the application for two months in order to allow time for preparation of further information to address the comments of relevant government departments. It was the first time that the applicant requested for deferment of the application.

29. 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 5

Section 12A Application

[Open Meeting]

Y/I-DB/3

Application for Amendment to the Approved Discovery Bay Outline Zoning Plan No. S/I-DB/4, To rezone the application site from “Other Specified Uses” annotated “Staff Quarters (1)”, “Other Specified Uses” annotated “Service Area”, “Other Specified Uses” annotated “Dangerous Goods Store/Liquefied Petroleum Gas Store”, “Other Specified Uses” annotated “Pier (3)”, “Other Specified Uses” annotated “Petrol Filling Station”, “Other Specified Uses” annotated “Marina” and “Government, Institution or Community” to “Residential (Group C) 13”, “Government, Institution or Community”, “Other Specified Uses” annotated “Residential Above Service Area” and “Other Specified Uses” annotated “Promenade” and to extend the Outline Zoning Plan boundary beyond the existing seawall and zone it as “Residential (Group C) 13” and “Other Specified Uses” annotated “Promenade”, Area 10b, Lot 385 RP & Ext. (Part) in D.D. 352, Discovery Bay, Lantau Island
(RNTPC Paper No. Y/I-DB/3)

30. The Secretary reported that the application was submitted by Hong Kong Resort Company Limited (HKRCL). Masterplan Limited (Masterplan) was the consultant of the applicant. The following Members had declared interests in the item:

- | | |
|--------------------------------|---|
| Mr K.K. Ling
(the Chairman) | - owning a property at Discovery Bay area; |
| Mr Stephen L.H. Liu | - having current business dealings with HKRCL; |
| Mr Ivan C.S. Fu | - having current business dealings with Masterplan;
and |
| Ms Christina M. Lee | - being a director of a company which owned 4
pieces of land in Lantau Island. |

31. The Committee noted that Ms Christina M. Lee had already left the meeting. As the applicant had requested for deferral of consideration of the application, the Committee agreed that Mr Stephen L.H. Liu could stay in the meeting but should refrain from participating in the discussion. Since Mr K.K. Ling's property did not have a direct view of the application site and Mr Ivan C.S. Fu had no involvement in the application, the Committee agreed that they could stay in the meeting.

32. The Committee noted that the applicant on 15.4.2016 requested for deferment of the consideration of the application for two months in order to allow time for preparation of further information to address the comments of relevant government departments. It was the first time that the applicant requested for deferment of the application.

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 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 6

Section 12A Application

[Open Meeting]

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

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

Ms Janice W.M. Lai - having current business dealings with DSD; and

Mr David Y.T. Lui - co-owning with his spouse 2 houses in Clearwater Bay area.

35. The Committee noted that Mr David Y.T. Lui had already left the meeting. As the applicant had requested for deferral of consideration of the application, the Committee agreed that Ms Janice W.M. Lai could stay in the meeting but should refrain from participating in the discussion.

36. The Committee noted that the applicant on 26.4.2016 requested for deferment of the consideration of the application for two months in order to allow time for preparation of further information to address the comments of relevant government departments. It was the fourth time that the applicant requested for deferment of the application.

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 three months from the date of receipt of further information from the applicant. If the further information submitted by the applicant was not substantial and could be processed within a shorter time, the application could be submitted to an earlier meeting for the Committee's consideration. The Committee also agreed to advise the applicant that two months were allowed for preparation of the submission of the further information. Since it was the fourth deferment of the application and a total of seven months had been allowed, this was the last deferment and no further deferment would be granted.

Fanling, Sheung Shui and Yuen Long East District

Agenda Item 7

Section 12A Application

[Open Meeting]

Y/NE-KTS/7

Application for Amendment to the Approved Kwu Tung South Outline Zoning Plan No. S/NE-KTS/14, To rezone the application site from “Agriculture” to “Residential (Group C) 6”, Lots 1263 RP (Part), 1271, 1273, 1274, 1275, 1276, 1277, 1278, 1280, 1281, 1282, 1283, 1284, 1285, 1286, 1287, 1289, 1290, 1291, 1292, 1293, 1294, 1295, 1296, 1299, 1300, 1301, 1303, 1304, 1305, 1306, 1307, 1308, 1309, 1310, 1311, 1312, 1313, 1314 S.A, 1314 RP, 1316, 1317, 1318, 1319 (Part), 1321, 1322, 1330 (Part), 1338 RP (Part), 1339, 1340, 1341, 1342, 1343, 1345 S.A, 1345 S.B, 1345 S.C, 1346, 1347, 1348, 1349, 1350, 1351, 1352, 1353, 1354, 1355, 1356, 1357, 1358 RP, 1362 RP (Part), 1363, 1364 RP (Part), 1369 RP, 1370 RP, 1378 RP (Part), 1379 RP (Part), 1730 and 1794 in D.D. 100 and Lots 1 and 2 (Part) in D.D. 108 and Adjoining Government Land, Kwu Tung South, New Territories (RNTPC Paper No. Y/NE-KTS/7B)

38. The Secretary reported that the application was submitted by Rand Development Limited. AECOM Asia Co. Limited (AECOM), Ramboll Environ Hong Kong Limited (Environ) and MVA Hong Kong Limited (MVA) were three 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 AECOM, Environ and MVA; |
| Ms Janice W.M. Lai | - having current business dealings with AECOM and Environ; and |
| Dr Billy C.H. Hau | - having current business dealings with AECOM. |

39. Since Mr Ivan C.S. Fu, Ms Janice W.M. Lai and Dr Billy C.H. Hau had no involvement in the application, they could stay in the meeting.

40. The Committee noted that the applicant on 27.4.2016 requested for deferment of the consideration of the application for two months in order to allow time for preparation of further information to address the comments of the Agriculture, Fisheries and Conservation Department, Planning Department and Food and Health Bureau on the previous further information submitted on 22.2.2016. It was the third 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 three months from the date of receipt of further information from the applicant. If the further information submitted by the applicant was not substantial and could be processed within a shorter time, the application could be submitted to an earlier meeting for the Committee's consideration. The Committee also agreed to advise the applicant that two months were allowed for preparation of the submission of the further information. Since it was the third deferment of the application and a total of six months had been allowed, no further deferment would be granted unless under very special circumstances.

Sai Kung and Islands District

[Mr William W.T. Wong, Senior Town Planner/Sai Kung and Islands (STP/SKIs), was invited to the meeting at this point.]

Agenda Item 8

Section 16 Application

[Open Meeting (Presentation and Question Sessions Only)]

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

Presentation and Question Sessions

42. With the aid of a PowerPoint presentation, Mr William W.T. Wong, STP/SKIs, presented the application and covered the following aspects as detailed in the Paper :

- (a) background to the application;
- (b) the temporary place of recreation for a period of five years;
- (c) departmental comments – departmental comments were set out in paragraph 10 of the Paper. The Chief Building Surveyor/New Territories East 2 and Rail of Buildings Department (CBS/NTE2 & Rail, BD) had reservation on the application as the existing structure at the site was not New Territories Exempted House. The Chief Engineer/Consultants Management Division of Drainage Services Department (CE/CMD, DSD) advised that a sewage treatment plant, namely Wo Mei Sewage Treatment Plant (WMSTP), was planned to commence construction in 2018 at the car park near the Nam Pin Wai Road Roundabout and had no objection to the application on a temporary basis for a period of two years. The

Commissioner for Transport (C for T) had no adverse comment on the application provided that the traffic impact assessment (TIA) should be reviewed in future application for renewal. Other concerned departments consulted had no objection to or no adverse comment on the application;

- (d) during the first three weeks of the two statutory publication periods, a total of 73 comments were received. A District Council Member commented that there were different views from the public and noted that approval of the application would improve the environment. The remaining public comments from individuals raised objection to the application on the grounds that the proposed development would create noise and nuisance to the local residents as well as traffic congestion and illegal parking problems in the area; the proposed commercial use was illegal; the change of agricultural use would adversely affect the quality of life, and there was a number of public complaints regarding the current use at the site; and

- (e) the Planning Department (PlanD)'s views – PlanD considered that the temporary use could be tolerated for a period of two years based on the assessments set out in paragraph 12 of the Paper. The proposed use was not entirely not in conflict with the planning intention of the “Green Belt” (“GB”) zone and was not incompatible with the character of the surrounding areas with mainly 2 to 3-storey village houses mixed with shrubs and trees. The application generally met the Town Planning Board Guidelines No. 10 on Application for Development within “GB” zone under Section 16 of the Town Planning Ordinance as no site formation, land filling and extensive clearance of existing natural vegetation was involved. The Director of Agriculture, Fisheries and Conservation and the Chief Town Planner/Urban Design and Landscape of PlanD had no adverse comment on or no objection to the application. As for complaints on illegal parking and noise nuisance, C for T considered that the public parking spaces at Nam Pin Wai Road Roundabout and near Heung Chung Road would be able to meet the parking demand and the Commissioner of Police had no objection to the application. Relevant approval conditions were recommended to minimize possible nuisance. Nevertheless, CE/CMD, DSD advised that the construction of

WMSTP was planned to commence in 2018. 2-year temporary approval period instead of five years should be granted to closely monitor the situation of the site. C for T also indicated that the TIA would be reviewed in future application for renewal of the planning permission. Regarding the objecting public comments, the assessments above were relevant.

43. A Member enquired on the justification for recommending 2-year approval period. In response, Mr William W.T. Wong, STP/SKIs, said that the public car park near the Nam Pin Wai Road Roundabout proposed by the applicant to accommodate the parking demand of the proposed development would be closed in 2018 for the construction of WMSTP. Hence, a 2-year temporary approval period was recommended.

44. In response to another Member's question, the proposed use would not involve cooking activities and would rely on catering services.

Deliberation Session

45. After deliberation, the Committee decided to approve the application on a temporary basis for a period of 2 years until 13.5.2018, instead of 5 years sought, 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. to 9:00 a.m., as proposed by the applicant, is allowed during the planning approval period;
- (b) the submission of water supplies for fire fighting and fire service installations proposals within 6 months from the date of planning approval to the satisfaction of the Director of Fire Services or of the TPB by 13.11.2016;
- (c) in relation to (b) above, the implementation of water supplies for fire fighting and fire service installations proposals within 9 months from the date of planning approval to the satisfaction of the Director of Fire Services

or of the TPB by 13.2.2017;

- (d) the submission of a landscape and tree preservation proposal within 6 months from the date of planning approval to the satisfaction of the Director of Planning or of the TPB by 13.11.2016;
- (e) in relation to (d) above, the implementation of the 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 13.2.2017;
- (f) if the above planning condition (a) 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
- (g) if any of the above planning conditions (b), (c), (d) or (e) 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.”

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

[The Chairman thanked Mr William W.T. Wong, STP/SKIs, for his attendance to answer Members' enquiries. Mr Wong left the meeting at this point.]

Sha Tin, Tai Po and North District

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

Agenda Item 9

Section 16 Application

[Open Meeting (Presentation and Question Sessions Only)]

A/DPA/NE-TT/80 Proposed House (New Territories Exempted House - Small House) in
“Unspecified Use” Area, Government Land in D.D. 289, Ko Tong, Tai
Po
(RNTPC Paper No. A/DPA/NE-TT/80)

Presentation and Question Sessions

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

- (a) background to the application;
- (b) the proposed house (New Territories Exempted Hosue (NTEH) – Small Hosue);
- (c) departmental comments – departmental comments were set out in paragraph 11 and Appendix IV of the Paper which were summarised as follows:
 - (i) The Commissioner for Transport (C for T) had reservation on the application and considered that such type of development should be confined within the “Village Type Development” (“V”) zone;
 - (ii) The Chief Engineer/Mainland North of Drainage Services Department (CE/MN, DSD) objected to the application as the proposed development would encroach onto an existing natural stream and would cause potential flooding problem;
 - (iii) The Director of Environmental Protection (DEP) had reservation on the application in that the proposed development should preferably

be located away from any natural streamcourse and the proposed septic tank and soakaway system would not meet the minimum clearance requirements as stipulated in the Practice Note for Professional Person PN 5/93;

- (iv) The Director of Agriculture, Fisheries and Conservation (DAFC) had reservation on the application as the proposed development would straddle a stream and might affect some trees and vegetation on Government land;
 - (v) The Chief Town Planner/Urban Design and Landscape of Planning Department (CTP/UD&L, PlanD) raised objection to the application as the site formation work and construction of septic tank would cause significant adverse impact to the existing natural stream, which was a significant landscape resource worthy of preservation, and had potential impact beyond the site;
- (d) during the first three weeks of the statutory publication periods, 12 comments were received from Ko Tong Village Owners & Tenants Society, Kadoorie Farm and Botanic Garden Corporation, World Wide Fund for Nature Hong Kong, Designing Hong Kong Limited and individuals. They objected to the application on the grounds that the application was not in line with the planning intention; would cause adverse ecological, landscape, environmental and cumulative impacts; would set an undesirable precedent; the previous applications were rejected by the Board; applications in the area were a coordinated ploy for approval prior to the formulation of the Outline Zoning Plan (OZP); the applicant was not resident in Ko Tong; there was vegetation clearance near the site; lack of technical assessments; and the development not in accordance to the Convention on Biological Diversity; and
- (e) PlanD's views – PlanD did not support the application based on the assessments set out in paragraph 13 of the Paper. The application did not meet the Interim Criteria for Consideration of Application for NTEH/Small

House Development in New Territories in that the proposed development would cause adverse landscape, environmental and drainage impacts on the surrounding areas. Relevant departments including C for T, CE/MN, DSD, DEP, DAFC and CTP/UD&L, PlanD did not support or had adverse comment on the application. The approval of the application would set an undesirable precedent for similar applications in the area, the cumulative impact of which would result in adverse impacts on the natural environment and landscape character of the area. In addition, given that the Development Permission Area Plan would be replaced by an OZP and action had been taken to expedite preparation of the replacement OZP, the approval of the application and the forthcoming planning applications in the area would pre-determine the land use zonings of the OZP. Regarding the public comments, the comments of government departments and the assessments above were relevant.

48. Members had no question on the application.

Deliberation Session

49. Regarding the rejection reason (c) as recommended in the Paper, Members noted that the reason was also included for those similar applications in the surrounding areas recently rejected by the Committee.

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

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

and landscape character of the area; and

- (c) the cumulative effect of approving similar applications would pre-determine the land use zonings of the Outline Zoning Plan under preparation.”

Agenda Item 10

Section 16 Application

[Open Meeting (Presentation and Question Sessions Only)]

A/NE-KLH/501 Proposed House (New Territories Exempted House - Small House) in
“Agriculture” zone, Lot 1065 S.A in D.D. 7 & Adjoining Government
Land, Wai Tau Village, Tai Po
(RNTPC Paper No. A/NE-KLH/501)

Presentation and Question Sessions

51. 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 (New Territories Exempted House (NTEH) - Small House);
- (c) departmental comments – departmental comments were set out in paragraph 9 and Appendix V of the Paper. The Commissioner for Transport (C for T) had reservation on the application and considered that such type of development should be confined within the “Village Type Development” (“V”) zone. The Chief Town Planner/Urban Design and Landscape of Planning Department (CTP/UD&L, PlanD) had reservation on the application as the construction of the Small House would unavoidably affect the tree along the northern boundary of the site.

Approval of the application would encourage more village house developments into the “Agriculture” (“AGR”) zone. Other concerned departments consulted had no objection to or no adverse comment on the application;

- (d) during the first three weeks of the two statutory publication periods, a total of four comments were received objecting to the application for reasons of having adverse landscape impact, involving tree felling and deliberate attempt to degrade the site, setting undesirable precedent and impact on public road access and road safety of the area; and
- (e) PlanD’s views – PlanD did not support the application based on the assessments set out in paragraph 11 of the Paper. The proposed Small House development was not in line with the planning intention of the “AGR” zone. The application did not comply with the Interim Criteria for Consideration of Application for NTEH/Small House in New Territories (Interim Criteria) in that it would cause adverse landscape impact on the surrounding areas and land was still available within the “V” zone for Small House development and capable to meet the outstanding Small House applications. It was considered more appropriate to concentrate the proposed Small House development within the “V” zone. The previous application No. A/NE-KLH/453 for the same development was rejected by the Committee on 19.7.2013 mainly on grounds of not complying with the Interim Criteria. There was no significant change in planning circumstances since the rejection of the previous application. Regarding the public comments, the assessments above were relevant.

52. Members had no question on the application.

Deliberation Session

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

- “(a) the proposed development does not comply with the Interim Criteria for Consideration of Application for New Territories Exempted House/Small House in New Territories in that the proposed development would cause adverse landscape impact on the surrounding areas; and
- (b) land is still available within the “Village Type Development” (“V”) zone of Wai Tau Tsuen which is primarily intended for Small House development. It is considered more appropriate to concentrate the proposed Small House development within the “V” zone for more orderly development pattern, efficient use of land and provision of infrastructure and services.”

[Mr Martin W.C. Kwan left the meeting temporarily at this point.]

Agenda Item 11

Section 16 Application

[Open Meeting (Presentation and Question Sessions Only)]

A/NE-TK/578 Proposed House (New Territories Exempted House - Small House) in
“Green Belt” zone, Lots 138 S.A ss.1 S.A and 145 S.A in D.D. 28,
Lung Mei, Tai Po
(RNTPC Paper No. A/NE-TK/578)

Presentation and Question Sessions

54. 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 (New Territories Exempted House (NTEH) - Small House);
- (c) departmental comments – departmental comments were set out in paragraph 10 and Appendix IV of the Paper. The Commissioner for

Transport had reservation on the application and considered that such type of development should be confined within the “Village Type Development” (“V”) zone. The Chief Engineer/Mainland North of Drainage Services Department considered that the sewerage connection proposal was not desirable. The Chief Town Planner/Urban Design and Landscape of Planning Department (CTP/UD&L, PlanD) objected to the application as construction of the proposed Small House would require significant site formation and vegetation clearance. Approval of the application would encourage similar developments in the “Green Belt” (“GB”) zone and further jeopardize the high landscape quality of the area. The Head of Geotechnical Engineering Office of Civil Engineering and Development Department considered that the site might be affected by the suspected unauthorized slope cutting and filling works at the site and the surrounding land. Other concerned departments consulted had no objection to or no adverse comment on the application;

- (d) during the first three weeks of the statutory publication period, 11 public comments from Dragon Villas Residents’ Association, Dragon View Villa Mutual Aid Committee, World Wide Fund Hong Kong, Designing Hong Kong Limited and individuals were received objecting to the application mainly for the reasons of being not in line with the planning intention of the “GB” zone; affecting the existing natural landscape and drainage of the area; setting of undesirable precedent and cumulative impacts resulting in degradation of the natural environment; and
- (e) PlanD’s views – PlanD did not support the application based on the assessments set out in paragraph 12 of the Paper. The proposed Small House development was not in line with the planning intention of the “GB” zone and did not comply with the Town Planning Board Guidelines No. 10 on Application for Development within “GB” zone under Section 16 of the Town Planning Ordinance in that the proposed development on a slope would involve clearance of natural vegetation affecting the existing natural landscape and adversely affect slope stability. Also, the application did not comply with the Interim Criteria for Consideration of Application for

NETH/Small House in New Territories in that the proposed development would cause adverse landscape, geotechnical and sewerage impacts on the surrounding areas. Land was still available within the “V” zone for Small House development and capable of meeting the outstanding Small House applications. It was considered more appropriate to concentrate the proposed Small House development within the “V” zone. The previous applications for same use were both rejected by the Board on review in 2013 and 2014 on similar grounds. There was no significant change in planning circumstances since the rejection of the last application. Regarding the public comments on the application, the assessments above were relevant.

55. Members had no question on the application.

Deliberation Session

56. A Member noted from the aerial photo of the Paper that there was sign of ‘destroy first, build later’ activities in the surrounding area. The Committee noted that PlanD would undertake follow up actions with regard to the suspected ‘destroy first, build later’ activities.

57. 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 for the area which is primarily for defining the limits of urban and sub-urban development areas by natural features and to contain urban sprawl as well as to provide passive recreational outlets. There is a general presumption against development within this zone;
- (b) the proposed development does not comply with the Town Planning Board Guidelines No. 10 for ‘Application for Development within “GB” zone under section 16 of the Town Planning Ordinance’ in that the proposed development would involve clearance of natural vegetation affecting the

existing natural landscape and adversely affect slope stability in the area;

- (c) the proposed development does not comply with the Interim Criteria for consideration of application for New Territories Exempted House/Small House in New Territories in that the proposed development would cause adverse landscape, sewerage and geotechnical impacts on the surrounding areas; and
- (d) land is still available within the “Village Type Development” (“V”) zone of Lung Mei, Tai Mei Tuk and Wong Chuk Tsuen which is primarily intended for Small House development. It is considered more appropriate to concentrate the proposed Small House development within “V” zone for more orderly development pattern, efficient use of land and provision of infrastructure and services.”

Agenda Item 12

Section 16 Application

[Open Meeting]

A/NE-TK/579 Proposed House (New Territories Exempted House - Small House) in “Green Belt” zone, Government Land in D.D. 28, Tai Mei Tuk Village, Tai Po
(RNTPC Paper No. A/NE-TK/579)

58. The Committee noted that the applicant on 9.5.2016 requested for deferment of the consideration of the application for two months in order to allow time for preparation of further information on the sewerage connection proposal to address the departmental comments. It was the first time that the applicant requested for deferment of the application.

59. 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 13

Section 16 Application

[Open Meeting (Presentation and Question Sessions Only)]

A/TP/602 Proposed 2 Houses (New Territories Exempted Houses - Small Houses) in "Green Belt" zone, Lots 353 S.A, 353 S.B, 370 and 371 in D.D. 32 and Adjoining Government Land, Ha Wong Yi Au Village, Tai Po

(RNTPC Paper No. A/TP/602)

60. The Secretary reported that Mr H.W. Cheung had declared interest in the item as he owned a flat at Tai Po Market. Since the said property did not have a direct view of the application site, the Committee agreed that he could stay in the meeting.

Presentation and Question Sessions

61. 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 two houses (New Territories Exempted Houses (NTEHs) - Small Houses);
- (c) departmental comments – departmental comments were set out in paragraph 10 and Appendix V of the Paper. The District Lands

Officer/Tai Po of Lands Department did not support the application as the footprint of the Small Houses fell entirely outside village ‘environs’ (‘VE’). The Commissioner for Transport had reservation on the application and considered that such type of development should be confined within the “Village Type Development” (“V”) zone. The Chief Town Planner/Urban Design and Landscape of Planning Department (CTP/UD&L, PlanD) had strong reservation on the application and considered that the approval of the application would encourage similar site modification prior to application, thus resulting in degradation of existing landscape resources within the “Green Belt” (“GB”) zone. Also the proposed 4.6m high bare concrete wall extending on three sides of the site might give rise to visual concern in the rural and natural setting. The Head of Geotechnical Engineering Office of Civil Engineering & Development Department advised that the site was overlooked by steep natural terrain and met the Alert Criteria requiring a Natural Terrain Hazard Study and a Geotechnical Planning Review Report would be required. Other concerned departments consulted had no objection to or no adverse comment on the application;

- (d) during the first three weeks of the statutory publication period, 10 public comments from Designing Hong Kong Limited, World Wide Fund Hong Kong, Kadoorie Farm and Botanic Garden Corporation, Land Justice League and individuals were received, objecting to the application mainly for the reasons of being not in line with the planning intention of the “GB” zone; not complying with the Town Planning Board Planning Guidelines No. 10; creating adverse water quality, sewerage, landscape impacts; involving suspected land formation and tree felling activities; and no impact assessment had been submitted; and
- (e) PlanD’s views – PlanD did not support the application based on the assessments set out in paragraph 12 of the Paper. The proposed Small Houses were not in line with the planning intention of the “GB” zone and did not comply with the Town Planning Board Guidelines No. 10 on Application for Development within “GB” zone under Section 16 of the Town Planning Ordinance in that the proposed development would involve

clearance of existing natural vegetation affecting the existing natural landscape and adversely affect slope stability. Also, the application did not comply with with the Interim Criteria for Consideration of Application for NETH/Small House in New Territories in that more than 50% of the footprint of the proposed Small Houses was located outside the ‘VE’ and the “V” zone, and the proposed development would cause adverse landscape and geotechnical impacts on the surrounding areas. The previous application for the same use was rejected by the Committee on 7.8.2015 for similar reasons. There was no change in planning circumstances since the rejection of the previous application. Regarding the public comments on the application, the assessments above were relevant.

62. Members had no question on the application.

Deliberation Session

63. 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 for the area which is primarily for defining the limits of urban development areas by natural features so as to contain urban sprawl and to provide passive recreational outlets. 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 application does not comply with the Town Planning Board Guidelines for ‘Application for Development within “GB” zone under section 16 of the Town Planning Ordinance’ in that the proposed development would affect the existing natural landscape and adversely affect slope stability;
- (c) the proposed development does not comply with the Interim Criteria for

Consideration of Application for New Territories Exempted House/Small House in New Territories in that over 50% of the proposed Small House footprints is located outside the village ‘environs’/“Village Type Development” zone of a recognized village, and would cause adverse landscape and geotechnical impacts on the surrounding areas; and

- (d) the approval of the application would set an undesirable precedent for similar applications within the “GB” zone. The cumulative effect of approving such applications would result in a general degradation of the natural environment in the area.”

Agenda Item 14

Section 16 Application

[Open Meeting (Presentation and Question Sessions Only)]

A/TP/603 Proposed House (New Territories Exempted House - Small House) in
“Green Belt” zone, Lot 548 S.B ss.4 in D.D. 20, Ta Tit Yan Village,
Tai Po
(RNTPC Paper No. A/TP/603)

64. The Secretary reported that Mr H.W. Cheung had declared interest in the item as he owned a flat at Tai Po Market. Since the said property did not have a direct view of the application site, the Committee agreed that Mr Cheung could stay in the meeting.

Presentation and Question Sessions

65. 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 (New Territories Exempted House (NTEH) - Small House);

- (c) departmental comments – departmental comments were set out in paragraph 10 and Appendix IV of the Paper which were summarised as follows:
- (i) The Director of Environmental Protection (DEP) and the Chief Engineer/Construction of Water Supplies Department did not support the application as there was no existing sewerage or confirmed programme of public sewer for the area. DEP also considered that the use of septic tank should be avoided in Water Gathering Ground (WGG);
 - (ii) The Commissioner for Transport had reservation on the application and considered that such type of development should be confined within the “Village Type Development” (“V”) zone;
 - (iii) The Chief Town Planner/Urban Design and Landscape of Planning Department (CTP/UD&L, PlanD) objected to the application as the construction of the potential access would involve vegetation clearance, resulting in significant adverse landscape impacts;
 - (iv) The Director of Agriculture, Fisheries and Conservation had reservation on the application as the site had been involved in extensive clearance of vegetation and excavated in early 2013; and
 - (v) The Head of Geotechnical Engineering Office of Civil Engineering & Development Department advised that the maximum gradient across the site was greater than 15° and a Geotechnical Planning Review Report was required to support the application;
- (d) during the first three weeks of the statutory publication period, six public comments from Designing Hong Kong Limited, World Wide Fund Hong Kong, The Hong Kong Bird Watching Society, Kadoorie Farm and Botanic Garden Corporation, and individuals were received. They objected to the

application mainly for the reasons of being not in line with the planning intention of the “Green Belt” (“GB”) zone; not complying with the Town Planning Board Planning Guidelines No. 10; causing adverse water quality, sewerage, landscape and ecological impacts; involving suspected “destroy first, build later” activities; setting of precedent; and no impact assessment had been submitted; and

- (e) PlanD’s views – PlanD did not support the application based on the assessments set out in paragraph 12 of the Paper. The proposed development was not in line with the planning intention of the “GB” zone and did not comply with the Town Planning Board Guidelines No. 10 on Application for Development within “GB” zone under Section 16 of the Town Planning Ordinance in that the proposed development would involve clearance of natural vegetation affecting the existing natural landscape. Also, the application did not comply with the Interim Criteria for Consideration of Application for NETH/Small House in New Territories in that the proposed development, located within WGG, would not be able to be connected to the existing or planned sewerage system in the area, and would have adverse water quality and landscape impacts on the surrounding areas. Regarding the public comments on the application, the assessments above were relevant.

66. Members had no question on the application.

Deliberation Session

67. 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 for the area which is primarily for defining the limits of urban development areas by natural features and to contain urban sprawl as well as to provide passive recreational outlets. There is a general presumption against development within this zone;

- (b) the application does not comply with the Town Planning Board Guidelines for ‘Application for Development within “GB” zone under section 16 of the Town Planning Ordinance in that the proposed development would involve clearance of natural vegetation affecting the existing natural landscape;
- (c) the proposed development does not comply with the Interim Criteria for Consideration of Application for New Territories Exempted House/Small House in New Territories in that the proposed development within Water Gathering Ground would not be able to be connected to the existing or planned sewerage system in the area, and would have adverse water quality and landscape impacts on the surrounding areas;
- (d) land is still available within the “Village Type Development” (“V”) zone of Ta Tit Yan which is primarily intended for Small House development. It is considered more appropriate to concentrate the proposed Small House development within the “V” zone for more orderly development pattern, efficient use of land and provision of infrastructure and services; and
- (e) the approval of the application would set an undesirable precedent for similar applications within the “GB” zone. The cumulative effect of approving such applications would result in a general degradation of the natural environment in the area.”

Agenda Item 15

Section 16 Application

[Open Meeting (Presentation and Question Sessions Only)]

A/TP/604 Proposed 2 Houses (New Territories Exempted Houses) in “Green Belt” zone, Lots 715 and 722 (Part) in D.D. 5 and adjoining Government Land, Chuk Hang Village, Tai Po
(RNTPC Paper No. A/TP/604)

68. The Secretary reported that Mr H.W. Cheung had declared interest in the item as he owned a flat at Tai Po Market. Since the said property did not have a direct view of the application site, the Committee agreed that he could stay in the meeting. The Committee noted that replacement pages (pages 5 and 9 and page 1 of Appendix VI) of the Paper to incorporate the latest comments of the District Lands Officer/Tai Po (DLO/TP) and an additional advisory clause (a) were tabled at the meeting.

Presentation and Question Sessions

69. 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 two houses (New Territories Exempted Houses (NTEHs))

[Mr Martin W.C. Kwan returned to join the meeting at this point.]

- (c) departmental comments – departmental comments were set out in paragraph 10 of the Paper. DLO/TP had no objection to the application subject to no additional Government land on top of the original area of 112.8m² would be granted. The Commissioner for Transport (C for T) had reservation on the application and considered that such type of development should be confined within the “Village Type Development” (“V”) zone. Other concerned departments consulted 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 Designing Hong Kong Limited (DHKL) and individuals were received. DHKL and an individual objected to the application mainly on the grounds that the proposed NTEHs were not in line with the planning intention of the “Green Belt” (“GB”) zone and did not comply with the Town Planning Board Guidelines No. 10; setting of undesirable

precedent; and no impact assessment had been submitted. The remaining comment raised concern on a mature Camphor tree in the vicinity being affected; and

- (e) the Planning Department (PlanD)'s views – PlanD did not support the application based on the assessments set out in paragraph 12 of the Paper. The proposed development fell within the “GB” zone within where the application would only be considered in exceptional circumstances and must be justified with very strong planning grounds. The proposed NTEHs were not incompatible with the surrounding areas and majority of the government departments consulted had no objection to or adverse comment on the application. Nevertheless, C for T had reservation and DLO/TP, LandsD advised that no additional Government land on top of the original area of 112.8m² would be granted. The site involved two lots with building entitlement subject to two storeys in height amongst other development restrictions, and the maximum achievable gross floor area (GFA) was 225.6m². The proposed GFA of 338.4m² and building height of three storeys under the application would exceed those as permitted under the subject lots. Therefore, the application was not in line with the Town Planning Board Guidelines No. 10 on Application for Development within “GB” zone under Section 16 of the Town Planning Ordinance in that there was no strong planning justification in the submission for the proposed scale of the development. Regarding the public comments on the application, comments of the government departments and the assessments above were relevant.

70. Members had no question on the application.

Deliberation Session

71. 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” zone for the area which is primarily for defining the limits of urban and sub-urban development areas by natural features and to contain urban sprawl as well as to provide passive recreational outlets. There is a general presumption against development within this zone; and

- (b) the application does not comply with the Town Planning Board PG-No. 10 in that the development intensity of the proposed houses has exceeded that of the existing development or the building entitlement. There is no strong planning justification for the proposed scale of development.”

[The meeting was adjourned for a break of five minutes and Ms. Janice W.M. Lai left the meeting at this point.]

Agenda Item 16

Section 16 Application

[Open Meeting (Presentation and Question Sessions Only)]

A/TP/605 Proposed House (New Territories Exempted House - Small House) in
“Green Belt” and “Village Type Development” zones, Government
Land in D.D. 22, Cheung Uk Tei Village, Tai Po
(RNTPC Paper No. A/TP/605)

72. The Secretary reported that Mr H.W. Cheung had declared interest in the item as he owned a flat at Tai Po Market. Since the said property did not have a direct view of the application site, the Committee agreed that he could stay in the meeting.

Presentation and Question Sessions

73. 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 (New Territories Exempted House (NTEH) - Small

House;

- (c) departmental comments – departmental comments were set out in paragraph 10 and Appendix IV of the Paper. The Chief Town Planner/ Urban Design and Landscape of Planning Department (CTP/UD&L, PlanD) had reservation on the application in that the proposed layout was in direct conflict with existing vegetation which would have to be cleared, and the proposed development would involve slope cutting and clearance of vegetation for site formation works. Adverse landscape impact was therefore anticipated. The Head of Geotechnical Engineering Office of Civil Engineering & Development Department advised that the maximum gradient across the site was greater than 15°. A Geotechnical Planning Review Report to support the application was required. Other concerned departments consulted 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 Designing Hong Kong Limited, Kadoorie Farm and Botanic Garden Corporation and an individual were received. They objected to the application mainly for the reasons of being not in line with the planning intention of the “Green Belt” (“GB”) zone; not complying with the Town Planning Board Guidelines No. 10; creating adverse water quality, sewerage and landscape impacts on the surrounding areas; setting of precedent and no impact assessment had been submitted; and
- (e) PlanD’s views – PlanD did not support the application based on the assessments set out in paragraph 12 of the Paper. Majority of the site (about 99%) was zoned “GB”. The proposed development was not in line with the planning intention of “GB” zone and did not comply with the Town Planning Board Guidelines No. 10 on Application for Development within “GB” zone under Section 16 of the Town Planning Ordinance in that it would affect the existing natural landscape in the area. Also, the application did not comply with the Interim Criteria for Consideration of Application for NETH/Small House in the New Territories as adverse

landscape impact was anticipated. Land was still available within the “V” zone for Small House development and capable of meeting the outstanding Small House applications. It was considered more appropriate to concentrate the proposed Small House development within the “V” zone. Regarding the public comments on the application, the assessments above were relevant.

74. Members had no question on the application.

Deliberation Session

75. 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 for the area which is primarily for defining the limits of urban and sub-urban development areas by natural features and to contain urban sprawl as well as to provide passive recreational outlets. There is a general presumption against development within this zone;
- (b) the proposed development does not comply with the Town Planning Board Guidelines for ‘Application for Development within “GB” zone under section 16 of the Town Planning Ordinance’ in that the proposed development would involve clearance of natural vegetation and affect the existing natural landscape in the area. The applicant fails to demonstrate that the proposed development would have no adverse landscape impact on the surrounding areas;
- (c) the proposed development does not comply with the Interim Criteria for Consideration of Application for New Territories Exempted House/Small House in New Territories in that the proposed development would have adverse landscape impact on the surrounding areas; and
- (d) land is still available within the “Village Type Development” (“V”) zone of

Wun Yiu/Cheung Uk Tei/San Uk Ka Villages which is primarily intended for Small House development. It is considered more appropriate to concentrate the proposed Small House development within the “V” zone for more orderly development pattern, efficient use of land and provision of infrastructure and services.”

Agenda Item 17

Section 16 Application

[Open Meeting (Presentation and Question Sessions Only)]

A/NE-LYT/586 Temporary Public Vehicle Park (Private Cars, Light Goods Vehicles and Medium Goods Vehicles) for a Period of 3 Years in “Agriculture” zone, Lots 1445 S.B RP(Part), 1489, 1490(Part), 1492(Part) and 1494 in D.D.76 and Adjoining Government Land, Ng Uk Tsuen, Sha Tau Kok Road, Fanling
(RNTPC Paper No. A/NE-LYT/586A)

76. The Committee noted that replacement pages (pages 2 and 3 of Appendix IV) of the Paper to incorporate an additional advisory clause (i) were tabled at the meeting.

Presentation and Question Sessions

77. 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 temporary public vehicle park (private cars, light goods vehicles and medium goods vehicles) 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) did not support the application as the site could be

used for greenhouse and plant nursery. Other concerned departments consulted had no objection to or no adverse comment on the application;

- (d) during the first three weeks of the statutory publication period, five public comments were received. A North District Council member supported the application as it could provide convenience to the villagers. A commenter stated that the existing footpath situated to the southeast of the site should be retained for public access and a public comment submitted by Kadoorie Farm and Botanic Garden Corporation raised concern about possible pollution to Tan Shan River. A local villager objected to the application claiming that the application for commercial purpose should not be approved. The Chairman of the Fanling District Rural Committee indicated no comment on the application. The District Officer (North) conveyed that the Resident Representative (RR) of Ko Po, the Indigenous Inhabitant Representative (IIR) of Ko Po, and the two IIRs and two RRs of Kan Tau Tsuen and Hung Leng had no comment on the application; and

- (e) the Planning Department (PlanD)'s views – PlanD considered that the temporary use could be tolerated for a period of three years based on the assessments set out in paragraph 11 of the Paper. The temporary use was not in line with the planning intention of the “Agriculture” zone and DAFC did not support the application. Nevertheless, it was not incompatible with the surrounding area predominated by village houses, temporary domestic structures, agricultural land and warehouses. As a section of Tan Shan River was running near the site, DAFC suggested that the applicant should provide precautionary measures to avoid any disturbance and pollution to the river. Other concerned departments, including the Chief Town Planner/Urban Design and Landscape of PlanD, consulted had no objection to or adverse comment on the application and no record of environmental complaint against the sites was received for the last three years. Regarding the public comment on the potential pollution problem to Tan Shan River and the operation of the applied temporary car park, relevant approval conditions were recommended to minimize any potential environmental nuisances.

78. Members had no question on the application.

Deliberation Session

79. After deliberation, the Committee decided to approve the application on a temporary basis for a period of 3 years until 13.5.2019, on the terms of the application as submitted to the Town Planning Board (TPB) and subject to the following conditions :

- “(a) no operation between 9:00 p.m. and 7:00 a.m., as proposed by the applicant, is allowed on the site during the planning approval period;
- (b) no vehicle without valid licence issued under the Road Traffic (Registration and Licensing of Vehicles) Regulations is allowed to be parked/stored on the site at any time during the planning approval period;
- (c) no heavy goods vehicle exceeding 24 tonnes, including container tractor/trailer, as defined in the Road Traffic Ordinance is allowed to be parked/stored on or enter/exit the site at any time during the planning approval period;
- (d) a notice should be posted at a prominent location of the site to indicate that no heavy goods vehicle exceeding 24 tonnes, including container tractor/trailer, as defined in the Road Traffic Ordinance is allowed to be parked/stored on or enter/exit the site at any time during the planning approval period;
- (e) no car washing, vehicle repair, dismantling, paint spraying or other workshop activities is allowed on the site at any time during the planning approval period;
- (f) the provision of boundary fencing on the site within 6 months from the date of planning approval to the satisfaction of the Director of Planning or of the TPB by 13.11.2016;

- (g) the submission of tree preservation and landscape proposals within 6 months from the date of planning approval to the satisfaction of the Director of Planning or of the TPB by 13.11.2016;
- (h) in relation to (g) above, the implementation of tree preservation and landscape proposals within 9 months from the date of planning approval to the satisfaction of the Director of Planning or of the TPB by 13.2.2017;
- (i) the submission of a drainage proposal within 6 months from the date of planning approval to the satisfaction of the Director of Drainage Services or of the TPB by 13.11.2016;
- (j) in relation to (i) above, the provision of drainage facilities within 9 months from the date of planning approval to the satisfaction of the Director of Drainage Services or of the TPB by 13.2.2017;
- (k) the submission of proposals for water supplies for fire-fighting and fire service installations within 6 months from the date of planning approval to the satisfaction of the Director of Fire Services or of the TPB by 13.11.2016;
- (l) in relation to (k) above, the provision of water supplies for fire-fighting and fire service installations within 9 months from the date of planning approval to the satisfaction of the Director of Fire Services or of the TPB by 13.2.2017;
- (m) 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;
- (n) if any of the above planning conditions (f), (g), (h), (i), (j), (k) or (l) is not complied with by the specified date, the approval hereby given shall cease

to have effect and shall on the same date be revoked without further notice;
and

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

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

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

Agenda Item 18

Section 16 Application

[Open Meeting (Presentation and Question Sessions Only)]

A/NE-LYT/590 Proposed Temporary Public Utility Installation (Package Substation)
for a Period of 5 Years in “Residential (Group C)” zone, Government
Land in D.D. 83, Lung Ma Road, Kwan Tei, Fanling
(RNTPC Paper No. A/NE-LYT/590)

81. The Secretary reported that the application was submitted by CLP Power Hong Kong Limited (CLP). The following Members had declared interests in the item:

Mr Alex T.H. Lai]

having business dealings with CLP; and

Mr Stephen L.H. Liu]

Ms Christina M. Lee - being the Secretary-General of the Hong Kong Metropolitan Sports Events Association which obtained sponsorship from CLP before.

82. The Committee noted that Mr Alex T.H. Lai had tendered apologies for being unable to attend the meeting and Ms Christina M. Lee had already left the meeting. As the interest of Mr Stephen L.H. Liu was direct, the Committee agreed that he should leave the

meeting temporarily for the item.

[Mr Stephen L.H. Liu left the meeting at this point.]

Presentation and Question Sessions

83. 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 temporary public utility installation (package substation) for a period of five years;
- (c) departmental comments – departmental comments were set out in paragraph 8 of the Paper. Concerned departments consulted 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. A North District Council (NDC) member supported the application as the development could help meet the needs of the relevant parties whereas the Chairmen of Fanling District Rural Committee and the Sheung Shui District Rural Committee had no comment on the application. The District Officer (North) conveyed that one of the three Indigenous Inhabitant Representatives (IIRs) of Lung Yeuk Tau supported the application. The rest of the respondents had no comment; and
- (e) the Planning Department (PlanD)'s views – PlanD considered that the temporary use could be tolerated for a period of five years based on the assessments set out in paragraph 10 of the Paper. The proposed temporary package substation which was small in scale, temporary in nature and intended to serve the existing developments in the vicinity would not frustrate the long-term planning intention of the site. It was not

incompatible with the surrounding rural environment mainly consisting of agricultural land, village houses and some rural industries/workshops. The proposed temporary package substation was an essential public utility facility to maintain the electricity supply in the area during which the existing Kwan Tei Substation would be decommissioned to make way for the construction of a new electric substation. Concerned departments consulted had no objection to or no adverse comment on the application and no adverse public comment or objection was received.

84. Members had no question on the application.

Deliberation Session

85. After deliberation, the Committee decided to approve the application on a temporary basis for a period of 5 years until 13.5.2021, on the terms of the application as submitted to the Town Planning Board (TPB) and subject to the following conditions :

- “(a) the submission of proposals for water supplies for fire-fighting and fire service installations within 6 months from the date of planning approval to the satisfaction of the Director of Fire Services or of the TPB by 13.11.2016;
- (b) in relation to (a) above, the provision of water supplies for fire-fighting and fire service installations within 9 months from the date of planning approval to the satisfaction of the Director of Fire Services or of the TPB by 13.2.2017;
- (c) if any of the above planning conditions (a) or (b) 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
- (d) 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.”

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

set out at Appendix III of the Paper.

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

Agenda Item 19

Section 16 Application

[Open Meeting (Presentation and Question Sessions Only)]

A/NE-LYT/591 Renewal of Planning Approval for Temporary “Training Centre (Adventure Training Centre)” for a Period of 3 Years in “Agriculture” zone, Lots 1442 and 1444 RP in D.D. 76 and Adjoining Government Land, Sha Tau Kok Road, Fanling
(RNTPC Paper No. A/NE-LYT/591)

87. The Committee noted that replacement page (page 10) of the Paper to rectify typographical errors in recommended approval conditions (e) to (h) was tabled at the meeting.

Presentation and Question Sessions

88. 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 renewal of planning approval for temporary “training centre (adventure training centre)” for a period of three years under previous application no. A/NE-LYT/504;
- (c) departmental comments – departmental comments were set out in paragraph 10 of the Paper. Concerned departments consulted 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 on the application were received. A North District Council (NDC) member supported the application as it could accommodate the needs of people whilst the Chairmen of the Fanling District Rural Committee (FDRC) and Sheung Shui District Rural Committee had no comment on the application. The remaining comment objected to the application mainly on the grounds that no details on the operation of the training centre were provided; the development might result in adverse drainage impact; and the site could be rehabilitated for agricultural use. The District Officer (North) conveyed that the Chairman of FDRC cum the Resident Representative (RR) of Ko Po, the RR and Indigenous Inhabitant Representative (IIR) of Hung Leng, and the IIR of Kan Tau Village had no comment on the application. The RR of Kan Tau Village provided views that the development should not result in adverse traffic impact on Sha Tau Kok Road; 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 application generally 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 had not been any material change in planning circumstances since the approval of the last application; there was no major adverse departmental comments against the renewal application; all the approval conditions for the last application had been complied with; and the approval period sought was not unreasonable. Regarding the adverse public comment, comments of relevant departments and the assessments above were relevant.

89. Members had no question on the application.

Deliberation Session

90. After deliberation, the Committee decided to approve the application on a temporary basis for a further period of 3 years until 11.6.2019, on the terms of the application

as submitted to the Town Planning Board (TPB) and subject to the following conditions :

- “(a) no night time operation between 7:00 p.m. and 7:00 a.m. is allowed on the site during the planning approval period;
- (b) no parking, loading/unloading and picking up/setting down are allowed on the site during the planning approval period;
- (c) the existing drainage facilities implemented under Application No. A/NE-LYT/504 on-site should be maintained properly at all times during the planning approval period;
- (d) the submission of a condition record of the existing drainage facilities within 3 months from the date of commencement of the renewed planning approval to the satisfaction of the Director of Drainage Services or of the TPB by 12.9.2016;
- (e) the submission of proposals for water supplies for fire-fighting and fire service installations 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 12.12.2016;
- (f) in relation to (e) above, the provision of water supplies for fire-fighting and fire service installations 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 12.3.2017;
- (g) the submission of a 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 12.12.2016;
- (h) in relation to (g) above, the implementation of the 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 12.3.2017;

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

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

Agenda Item 20

Section 16 Application

[Open Meeting]

A/NE-PK/80 Temporary Animal Boarding Establishment and Ancillary Facilities for a Period of 3 Years in “Recreation” zone, Lots 3252, 3262 (Part), 3263, 3264, 3265 S.A (Part) and 3265 S.B (Part) in D.D. 91 and Adjoining Government Land, On Po Tsuen, Sheung Shui
(RNTPC Paper No. A/NE-PK/80)

92. The Committee noted that the applicant requested on 22.4.2016 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.

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

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

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

Fanling, Sheung Shui and Yuen Long East District

[Mr Otto K.C. Chan, Mr Kevin C.P. Ng, 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 21

Section 16 Application

[Open Meeting (Presentation and Question Sessions Only)]

A/FSS/250 Proposed Shop and Services (Motor-vehicle Showroom) in
"Commercial/Residential (2)" zone, 1st Basement, Floor B1, Grand
Regentville, 9 Wo Mun Street, Fanling
(RNTPC Paper No. A/FSS/250)

Presentation and Question Sessions

94. 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 shop and services (motor-vehicle showroom);
- (c) departmental comments – departmental comments were set out in paragraph 9 of the Paper. Concerned departments consulted had no objection to or no adverse comment on the application;
- (d) during the first three weeks of the statutory publication period, five public comments were received. The Chairman of Fanling Rural District Committee and an individual indicated no comment on the application. A North District Council member supported the application as the proposed development would provide service for the local residents. Two commenters raised concerns on whether the approval conditions of the previously approved application (i.e. No. A/FSS/125) and the required “G/IC” facilities had been implemented; insufficient information was provided by the applicant; adverse traffic impact generated, and commented that the change of use was undesirable. The District Officer (North) conveyed that the Chairperson of the Grand Regentville Owners’ Committee and the Chairperson had no comment on the proposal; and
- (e) the Planning Department (PlanD)’s views – PlanD had no objection based on the assessments set out in the paragraph 11 of the Paper. The proposed ‘Shop and Services (Motor-vehicle Showroom)’ use was in line with the planning intention of the “Commercial/Residential (Group 2)” zone and would only involve internal conversion without changing the development parameters of the concerned building. The proposed use was not incompatible with the surrounding area which was predominantly a residential area with supporting shop and services uses at the ground floor. Concerned departments consulted had no adverse comment on or no objection to the application. As for the concerns of the public comments, the relevant departments had no comments on the application and the provision of the GIC facilities as required under the previous application

had been implemented.

95. The Chairman asked whether the basement floors were designated for retail use and how the vehicles would enter and leave the proposed showroom. In response, Mr Otto K.C. Chan, STP/FSYLE, said that only the subject premises at B1 Floor was intended for retail use and was currently left vacant. With reference to Drawing A1 of the Paper, Mr Chan said that vehicle for display at the showroom could access the premises via the adjoining car park.

96. A Member recalled that the premises had been used for motor-vehicle showroom before. Mr Chan said according to the information provided by the applicant and the site photos on Plan A-4 of the Paper, the premises was currently vacant.

Deliberation Session

97. 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 13.5.2020, 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 condition :

“ the submission and implementation of proposals for fire service installations and water supplies for fire-fighting to the satisfaction of the Director of Fire Services or of the TPB.”

98. 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/KTN/25 Temporary Warehouses, Open Storage of Metal and Steel, Scrap Metal and Materials, Construction Materials and Miscellaneous Objects and an Ancillary Office for a Period of 3 Years in “Agriculture” and “Other Specified Uses” annotated “Amenity Area” zones, Lot 542 S.A RP in D.D. 92, Castle Peak Road, Kwu Tung, Sheung Shui
(RNTPC Paper No. A/KTN/25)

99. The Secretary reported that Dr Billy C.H. Hau had declared interest in the item as he owned a property in Kwu Tung area. The Committee noted that Dr Hau’s property did not have a direct view of the application site and agreed that Dr Hau could stay in the meeting.

Presentation and Question Sessions

100. 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 temporary warehouses, open storage of metal and steel, scrap metal and materials, construction materials and miscellaneous objects and an ancillary office 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 domestic structures in the vicinity of the site. The Director of Agriculture, Fisheries and Conservation (DAFC) did not support the application as the site had high potential for agricultural rehabilitation. Other concerned departments consulted 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 including one from a North District Council (NDC) member. Whilst the NDC member expressed no comment on the application, another commenter objected to the application on the grounds that the applied use was not in line with the planning intention of the “Agriculture” (“AGR”) zone and no strong planning justification had been given in the submission. The District Officer (North) conveyed that the Chairman of the Sheung Shui District Rural Committee and the Resident Representative of Yin Kong had no comment on the application. The incumbent NDC member and the Indigenous Inhabitant Representative (IIR) of Yin Kong objected to the application on the grounds that traffic flow and sewerage problems should first be dealt with, the applied use would affect the natural environment, and waste water from the site would affect the farmland nearby; and
- (e) the Planning Department (PlanD)’s views – PlanD considered that the temporary use could be tolerated for a period of three years based on the assessments set out in paragraph 12 of the Paper. Although the temporary use was not in line with the planning intention of the “AGR” zone and DAFC did not support the application, the site had already been formed and used for warehouse and loading/unloading under a permanent planning permission (No. A/DPA/NE-KTN/7). The development was not incompatible with the surrounding land uses which were predominated by temporary structures, agricultural land, showroom and office and open storage yard. Significant adverse traffic, drainage and landscape impacts were not anticipated. The Director of Civil Engineering and Development advised that approval of the application on a temporary basis for a period of three years would not affect the implementation programme of the remaining package of the New Development Area. The application was generally in line with the Town Planning Board Guidelines No. 13E for Application for Open Storage and Port Back-up Uses in that the site was previously approved for similar open storage and concerned departments had no major adverse comments on the application except DAFC and DEP.

Although DEP did not support the application, no environmental complaint had been received in the last three years and the environmental concerns could be addressed by imposing relevant approval conditions. The previous application for the same use was approved by the Committee. Approval of the current application was in line with the previous decision of the Committee. Nevertheless, the previous planning approval was revoked due to non-compliance with approval conditions, and shorter compliance period were proposed to monitor the progress of compliance. Regarding the public comments objecting to the application, the assessments above were relevant.

101. Members had no question on the application.

Deliberation Session

102. After deliberation, the Committee decided to approve the application on a temporary basis for a period of 3 years until 13.5.2019, on the terms of the application as submitted to the Town Planning Board (TPB) and subject to the following conditions :

- “(a) no night time operation between 5:30 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 heavy goods vehicle exceeding 24 tonnes, as proposed by the applicant, is allowed to enter/exit the site at any time during the planning approval period;
- (d) the stacking height of the materials stored within five metres of the periphery of the site should not exceed the height of the boundary fence at any time during the planning approval period;
- (e) no workshop activities should be carried out within the site at any time

during the planning approval period;

- (f) the approved Emergency Vehicular Access within the site should not be obstructed at any time during the planning approval period;
- (g) the existing drainage facilities on the site should be properly maintained and rectified if found inadequate/ineffective during operation at all times during the planning approval period;
- (h) the provision of fire extinguishers within 6 weeks from the date of planning approval to the satisfaction of the Director of Fire Services or of the TPB by 24.6.2016;
- (i) the submission of proposals for fire service installations and water supplies for firefighting within 3 months from the date of planning approval to the satisfaction of the Director of Fire Services or of the TPB by 13.8.2016;
- (j) in relation to (i) above, the implementation of proposals for fire service installations and water supplies for firefighting within 6 months from the date of planning approval to the satisfaction of the Director of Fire Services or of the TPB by 13.11.2016;
- (k) the submission of tree preservation and landscape proposals within 3 months from the date of planning approval to the satisfaction of the Director of Planning or of the TPB by 13.8.2016;
- (l) in relation to (k) above, the implementation of tree preservation and landscape proposals within 6 months from the date of planning approval to the satisfaction of the Director of Planning or of the TPB by 13.11.2016;
- (m) if any of the above planning conditions (a), (b), (c), (d), (e), (f) or (g) is not complied with during the planning approval period, the approval hereby given shall cease to have effect and shall be revoked immediately without further notice; and

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

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

Agenda Item 23

Section 16 Application

[Open Meeting (Presentation and Question Sessions Only)]

A/KTN/26 Temporary Container Vehicle Park with Ancillary Office and Workshop for a Period of 3 Years in “Government, Institution or Community” and “Other Specified Uses” annotated “Amenity Area” zones and area shown as ‘Road’, Lots 1941 S.A (Part), 1941 RP (Part) and 2054 (Part) in D.D. 95, Kwu Tung North, New Territories
(RNTPC Paper No. A/KTN/26)

104. The Secretary reported that Dr Billy C.H. Hau had declared interest in the item as he owned a property in Kwu Tung area. The Committee noted that the aforesaid property did not have a direct view of the application and agreed that Dr Hau could stay in the meeting.

Presentation and Question Sessions

105. Mr Kevin C.P. Ng, STP/FSYLE, drew Member’s attention that replacement pages (page 6 and page 1 of Appendix VI) of the Paper to rectify typographical errors under paragraph 10.1.1(d) and advisory clause (c)(ii) were tabled at the meeting. He then presented the application and covered the following aspects as detailed in the Paper :

- (a) background to the application;

- (b) the temporary container vehicle park with ancillary office and workshop 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 domestic structures in the vicinity of the site. Other concerned departments consulted 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 including comments from two North District Council (NDC) members. A NDC member indicated that the nearby residents should be consulted as far as possible. Another NDC member and an individual expressed concerns on traffic and noise grounds and indicated that the rural committee members and village representatives should be consulted on the application. The District Officer/North conveyed that the Chairman of the Sheung Shui District Rural Committee had no comment and the two Resident Representatives (RRs) of Kwu Tung (North) and Kwu Tung (South) raised objections to the application for the reasons of traffic congestion and noise impact to the surrounding areas; and
- (e) the Planning Department (PlanD)'s views – PlanD considered that the temporary use under application could be tolerated for a period of one year based on the assessments set out in paragraph 12 of the Paper. The site fell within an area zoned “Government, Institution or Community” (“G/IC”) (43.3%), “Other Specified Uses” annotated “Amenity Area” (“OU(A)”) (28.6%) and an area shown as ‘Road’ (28.1%) on the Kwu Tung North Outline Zoning Plan. Although the proposed development was not in line with the planning intentions of the “G/IC” and “OU(A)” zones, the applied use on a temporary basis would not jeopardize the long-term planning intentions of the area and was not incompatible with the surrounding land 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 (TPG PG-No. 13E) and the application was generally in line

with the TPG PG-No. 13E in that consulted departments had no adverse comment and no significant adverse impact was anticipated. The Project Manager/New Territories East of Civil Engineering and Development Department advised that the site formation works for the New Development Area (NDA) development would commence in 2018 and the effective period of the planning permission to be granted should not be later than mid 2017. Therefore, the application could be tolerated on a temporary basis for a period of one year, instead of three years sought under the application, so as not to frustrate the long-term planning intention and the implementation of NDA. Regarding the public comments objecting to the application, the assessments above were relevant.

106. Members had no question on the application.

Deliberation Session

107. After deliberation, the Committee decided to approve the application on a temporary basis for a period of 1 year until 13.5.2017, instead of 3 years sought, 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. for the workshops, as proposed by the applicant, is allowed on the site during the planning approval period;
- (b) no operation on Sundays and public holidays for the workshops, as proposed by the applicant, is allowed on the site at any time during the planning approval period;
- (c) to maintain those existing drainage facilities properly and rectify those facilities if they are found inadequate/ineffective at all times during operation during the planning approval period;
- (d) to maintain the existing solid boundary wall on the site at all times during the planning approval period;

- (e) the submission of a drainage proposal within 3 months from the date of planning approval to the satisfaction of the Director of Drainage Services or of the TPB by 13.8.2016;
- (f) in relation to (e) above, the implementation of the drainage proposal within 6 months from the date of planning approval to the satisfaction of the Director of Drainage Services or of the TPB by 13.11.2016;
- (g) the submission of a fire service installations proposal within 3 months from the date of planning approval to the satisfaction of the Director of Fire Services or of the TPB by 13.8.2016;
- (h) in relation to (g) above, the provision of fire service installations within 6 months from the date of planning approval to the satisfaction of the Director of Fire Services or of the TPB by 13.11.2016;
- (i) the submission of tree preservation and landscape proposals within 3 months from the date of planning approval to the satisfaction of the Director of Planning or of the TPB by 13.8.2016;
- (j) in relation to (i) above, the implementation of the tree preservation and landscape proposals within 6 months from the date of planning approval to the satisfaction of the Director of Planning or of the TPB by 13.11.2016;
- (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 on the same date be revoked without further notice; and
- (l) if any of the above planning conditions (e), (f) ,(g), (h), (i) or (j) is not complied with by the specified date, the approval hereby given shall cease to have effect and shall on the same date be revoked without further notice.”

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

Agenda Item 24

Section 16 Application

[Open Meeting (Presentation and Question Sessions Only)]

A/YL-KTN/514 Proposed Temporary Vehicle Repair Workshop for a Period of 3 Years in “Agriculture” zone, Lot 1181 RP in D.D.109, Chi Ho Road, Kam Tin, Yuen Long
(RNTPC Paper No. A/YL-KTN/514A)

109. Members noted that replacement pages (page 2, 4, 5, 10, 11, 12 and 13 and Appendix Id) of the Paper to include the further information received from the applicant and the latest comments from the Commissioner for Transport (C for T) had been sent to them.

Presentation and Question Sessions

110. 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 vehicle repair workshop for a period of three years;
- (c) departmental comments – departmental comments were set out in paragraph 9 of the Paper. The C for T considered that the applicant had failed to demonstrate that there was sufficient sightline for the run-in/out and had not made clear if goods vehicle would be involved in towing along Chi Ho Road into the site. The Director of Agriculture, Fisheries and Conservation (DAFC) did not support the application as agricultural life in the vicinity was active and there was a streamcourse to the north of the site.

The Director of Environmental Protection (DEP) did not support the application as there were residential structures to the east and the proposed vehicle repair workshop might cause potential land contamination. The Chief Town Planner/Urban Design and Landscape of Planning Department (CTP/UD&L, PlanD) had reservation on the application in that the proposed use was not compatible with the existing rural village and farmland landscape in the vicinity and would encourage site clearance prior to application in the “Agriculture” (“AGR”) zone. Other concerned departments consulted had no objection to or no adverse comment on the application;

- (d) during the first three weeks of the two statutory publication periods, a total of five public comments were received from the Resident Representative (RR) of Tai Kong Po, Designing Hong Kong Limited, Kadoorie Farm and Botanic Garden Corporation, Land Justice League and an individual. They objected to or raised concerns on the application for reasons of the proposed use being not in line with the planning intention of the “AGR” zone; not compatible with the surrounding rural environment and land uses; creating adverse traffic and environmental impacts; taking away the tranquil promenade along the river bank of Kam Tin River; lack of traffic impact assessment; a suspected ‘destroy first, build later’ case; resulting in an inefficient use of brownfield land; and making the site more difficult for the development of the land for more suitable uses; and
- (e) PlanD’s views – PlanD did not support the application based on the assessments set out in paragraph 12 of the Paper. The proposed development was not in line with the planning intention of the “AGR” zone and DAFC did not support the application. CTP/UD&L of PlanD had reservation on the application and considered that the proposed development was not compatible with the surrounding areas which were mainly rural in character. Besides, C for T and DEP did not support the application as the applicant failed to demonstrate that the development would not generate adverse traffic and environmental impacts respectively. Approval of the application even on a temporary basis would set an

undesirable precedent and would result in a general degradation of the rural environment of the area. Regarding the public comments objecting to the application, the assessments above were relevant.

111. Members had no question on the application.

Deliberation Session

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

- “(a) the development is not in line with the planning intention of the “Agriculture” (“AGR”) zone which is primarily to retain and safeguard good quality agricultural land/farm/fish ponds for agricultural purposes, and also to retain fallow arable land with good potential for rehabilitation for cultivation and other agricultural purposes. No strong planning justification has been given in the submission for a departure from the planning intention, even on a temporary basis;
- (b) the development is not compatible with the surroundings which are mainly rural in character predominated by cultivated agricultural land, residential structures/dwellings, open storage/storage yards and vacant/unused land;
- (c) the applicant fails to demonstrate that the development would not generate adverse traffic and environmental impacts on the surrounding areas; and
- (d) the approval of the application, even on a temporary basis, would set an undesirable precedent for similar applications within the “AGR” zone. The cumulative effect of approving such applications would result in the encroachment of good agricultural land, causing a general degradation of the rural environment of the area.”

Agenda Item 25

Section 16 Application

[Open Meeting]

A/YL-KTN/519 Proposed Temporary Animal Boarding Establishment (Cattery) for a Period of 3 Years in “Agriculture” zone, Lots 4 (Part), 5 S.AP and 5 S.BA in D.D.110, Tai Kong Po, Kam Tin, Yuen Long
(RNTPC Paper No. A/YL-KTN/519)

113. The Committee noted that the applicant requested on 27.4.2016 for deferment of the consideration of the application for one month for preparation of further information in response to departmental comments. It was the first time that the applicant requested for deferment of the application.

114. 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 26

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/682)

115. The Committee noted that the applicant requested on 25.4.2016 for deferment of the consideration of the application for two months to allow time for preparation of further information to address the comments of the Fire Services Department and the Drainage Services Department and to prepare technical proposals. It was the third time that the applicant requested for deferment of the application.

116. 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 27

Section 16 Application

[Open Meeting]

A/YL-KTS/693 Proposed Flat and House Development in “Other Specified Uses” annotated “Rural Use” zone, Lots 547 RP (Part), 550 RP and 551 in D.D.106 and Adjoining Government Land, Kam Tin, Yuen Long
(RNTPC Paper No. A/YL-KTS/693)

117. The Committee noted that the applicant requested on 26.4.2016 for deferment of the consideration of the application for two months to allow time for preparation of further information to address departmental comments. It was the second time that the applicant requested for deferment of the application.

118. 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 28

Section 16 Application

[Open Meeting]

A/YL-KTS/696 Proposed Temporary Religious Institution (Temple) for a Period of 3 Years in “Agriculture” zone, Lots 810 S.A & S.B & 810 RP (Part) in D.D.103, Sze Pai Shek, Kam Tin, Yuen Long
(RNTPC Paper No. A/YL-KTS/696)

119. The Committee noted that the applicant requested on 25.4.2016 for deferment of the consideration of the application for two months to allow time to address the comments of relevant departments. It was the second time that the applicant requested for deferment of the application.

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

[Dr Lawrence K.C. Li left the meeting at this point.]

Agenda Item 29

Section 16 Application

[Open Meeting (Presentation and Question Sessions Only)]

A/YL-KTS/699 Temporary Open Storage of Vehicles (Private Car only) and Ancillary Site Office for a Period of 3 Years in “Agriculture” zone, Lots 454 RP (Part) and 456 RP (Part) in D.D.103 and Adjoining Government Land, Kam Tin Road, Yuen Long
(RNTPC Paper No. A/YL-KTS/699)

Presentation and Question Sessions

121. 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 open storage of vehicles (private car only) and ancillary site office 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 residential structures/dwellings located to the north of the site across Kam Tin Road. Other concerned departments consulted 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, objecting to the application for the reasons of the applied use being not in line with the planning intention of the “Agriculture” (“AGR”) zone; no strong justification for departure from the planning intention; and open storage use was an inefficient use of land and should be carried out in high-rise industrial building; and

- (e) the Planning Department (PlanD)'s views – PlanD considered that the temporary use under application could be tolerated for a period of three years based on the assessments set out in paragraph 12 of the Paper. Although the applies use was not in line with the planning intention of the “AGR” zone, the Director of Agriculture, Fisheries and Conservation had no strong view against the application. The temporary use was also not incompatible with the surrounding land uses with open storage yards, car beauty and workshop, a vehicle workshop, a warehouse and residential structures. 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 (TPG PG-No. 13E) and the application was generally in line with the TPG PG-No. 13E in that there was no adverse comment from the relevant departments except DEP. While DEP did not support the application, no environmental complaint had been received in the past three years and the environmental concern could be addressed by the imposition of relevant approval conditions. Regarding the public comment objecting to the application, the assessments above were relevant.

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 13.5.2019, on the terms of the application as submitted to the Town Planning Board (TPB) and subject to the following conditions :

- “(a) no operation between 6:00 p.m. and 9:00 a.m., as proposed by the applicant, is allowed on the site at any time during the planning approval period;
- (b) no operation between 9:00 a.m. and 10:00 a.m. on Saturdays, Sundays and public holidays, as proposed by the applicant, is allowed on the site at any time during the planning approval period;
- (c) no medium or heavy goods vehicles exceeding 5.5 tonnes, including

container tractors/trailers, as defined in the Road Traffic Ordinance, and no vehicle exceeding 7 m long, are allowed to be parked/stored on or enter/exit the site at any time during the planning approval period;

- (d) no reversing of vehicles into or out from the site is allowed at any time during the planning approval period;
- (e) the existing boundary fencing shall be maintained at all times during the planning approval period;
- (f) the submission of a drainage proposal within 6 months from the date of planning approval to the satisfaction of the Director of Drainage Services or of the TPB by 13.11.2016;
- (g) in relation to (f) above, the implementation of the drainage proposal within 9 months from the date of planning approval to the satisfaction of the Director of Drainage Services or of the TPB by 13.2.2017;
- (h) in relation to (g) above, the maintenance of the implemented drainage facilities on the site at all times during the planning approval period;
- (i) the submission of a landscape proposal within 6 months from the date of planning approval to the satisfaction of the Director of Planning or of the TPB by 13.11.2016;
- (j) in relation to (i) above, the implementation of the landscape proposal within 9 months from the date of planning approval to the satisfaction of the Director of Planning or of the TPB by 13.2.2017;
- (k) the submission of a fire service installations proposal within 6 months from the date of planning approval to the satisfaction of the Director of Fire Services or of the TPB by 13.11.2016;
- (l) in relation to (k) above, the implementation of the fire service installations

proposal within 9 months from the date of planning approval to the satisfaction of the Director of Fire Services or of the TPB by 13.2.2017;

- (m) the provision of fire extinguisher(s) within 6 weeks with a valid fire certificate (FS 251) from the date of planning approval to the satisfaction of the Director of Fire Services or of the TPB by 24.6.2016;
- (n) if any of the above planning conditions (a), (b), (c), (d), (e) or (h) is not complied with during the planning approval period, the approval hereby given shall cease to have effect and shall be revoked immediately without further notice;
- (o) if any of the above planning conditions (f), (g), (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.”

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

Agenda Item 30

Section 16 Application

[Open Meeting]

A/YL-KTS/700

Temporary Open Storage of Containers (for Storage of Goods, Old Furniture, Office Records) and Ancillary Parking for Tractor/ Trailers and Private Cars for a Period of 3 Years in “Agriculture” zone, Lot 1542 RP (Part) in D.D.106, Yuen Kong San Tsuen, Pat Heung, Yuen Long

(RNTPC Paper No. A/YL-KTS/700)

125. The Committee noted that the applicant on 28.4.2016 requested for deferment of the consideration of the application for two months in order to allow time to address the comments of relevant departments. It was the first time that the applicant requested for deferment of the application.

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

Agenda Item 31

Section 16 Application

[Open Meeting (Presentation and Question Sessions Only)]

A/YL-PH/728 Temporary Open Storage (Building Materials and Vehicles) for a Period of 3 Years in "Residential (Group D)" zone, Lots 9 (Part) and 10 (Part) in D.D.111 and Adjoining Government Land, Pat Heung, Yuen Long
(RNTPC Paper No. A/YL-PH/728A)

127. The Secretary reported that Ms Janice W.M. Lai had declared interest in the item as her family members owned a property in Pat Heung area. The Committee noted that Ms Lai had already left the meeting.

Presentation and Question Sessions

128. Mr Kepler S.Y. Yuen, STP/FSYLE, drew Member's attention that replacement pages (page 9, 13, 14 and 15 and page 2 of Appendix VII) of the Paper to include the Director of Fire Services's latest comments and the revised recommended approval conditions had been sent to them. He then presented the application and covered the following aspects as detailed in the Paper :

- (a) background to the application;
- (b) the temporary open storage (building materials and vehicles) 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 residential structures to the east and north and in the vicinity of the site. Other concerned departments consulted 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, objecting to the application on the grounds that open storage use was not a Column 1 or 2 use in the “Residential (Group D)” (“R(D)”) zone; the previous approval was revoked; the site had been used for storage use for 15 years; and the application should be rejected to encourage either housing or permitted community uses; and
- (e) the Planning Department (PlanD)'s views – PlanD considered that the temporary use under application could be tolerated for a period of three years based on the assessments set out in paragraph 12 of the Paper. Although the temporary use was not in line with the planning intention of the “R(D)” zone, there was no known programme for permanent development at the site. Approval of the application on a temporary basis would not frustrate the planning intention of the “R(D)” zone. The applied was not incompatible with the surrounding land 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 (TPG PG-No. 13E) and the application was generally in line with the TPG PG-No. 13E in that the relevant departments had no adverse comment on the application except DEP. While DEP did not support the application, no environmental complaint had been received in the past three years and the environmental concern could be addressed by the imposition of relevant approval conditions. The previous application was revoked due to non-compliance with approval conditions, and shorter compliance period was proposed to monitor the progress of compliance should the Committee decided to approve the application. Regarding the public comment objecting to the application, the assessments above were relevant.

129. Members had no question on the application.

Deliberation Session

130. After deliberation, the Committee decided to approve the application on a temporary basis for a period of 3 years until 13.5.2019, on the terms of the application as submitted to the Town Planning Board (TPB) and subject to the following conditions :

- “(a) no operation between 6:00 p.m. and 8:00 a.m., as proposed by the applicant, is allowed on the site during the planning approval period;
- (b) no operation on Sundays and statutory holidays, as proposed by the applicant, is allowed on the site during the planning approval period;
- (c) no dismantling, maintenance, repairing, cleansing, paint spraying or other workshop activities are allowed on the site at any time during the planning approval period;
- (d) no heavy goods vehicles exceeding 30 tonnes, including container tractors/trailers, as defined in the Road Traffic Ordinance are allowed to be parked/stored on or enter/exit the site at any time during the planning approval period;

- (e) no reversing of vehicles into or out of the site are allowed at any time during the planning approval period;
- (f) the maintenance of the existing boundary fencing on the site at all times during the planning approval period;
- (g) the maintenance of the drainage facilities at the site at all times during the planning approval period;
- (h) the submission of condition records of the drainage facilities on-site within 3 months from the date of planning approval to the satisfaction of the Director of Drainage Services or of the TPB by 13.8.2016;
- (i) the implementation of the tree preservation proposal within 3 months from the date of planning approval to the satisfaction of the Director of Planning or of the TPB by 13.8.2016;
- (j) the provision of fire extinguisher(s) within 6 weeks with a valid fire certificate (FS 251) from the date of planning approval to the satisfaction of the Director of Fire Services or of the TPB by 24.6.2016;
- (k) the submission of a fire service installations proposal within 3 months from the date of planning approval to the satisfaction of the Director of Fire Services or of the TPB by 13.8.2016;
- (l) in relation to (k) above, the provision of fire service installations within 6 months from the date of planning approval to the satisfaction of the Director of Fire Services or of the TPB by 13.11.2016;
- (m) 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;

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

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

Agenda Item 32

Section 16 Application

[Open Meeting (Presentation and Question Sessions Only)]

A/YL-NSW/247 Renewal of Planning Approval for Temporary Driving School and Ancillary Uses for a Period of 33 Months in “Other Specified Uses” annotated “Comprehensive Development to include Wetland Restoration Area” zone, Lot 1347 RP in D.D.115, Nam Sang Wai, Yuen Long

(RNTPC Paper No. A/YL-NSW/247)

132. The Secretary reported that the application was submitted by HKSM Yuen Long Driving School Limited, which was a subsidiary of Hong Kong School of Motoring Limited. Ramboll Environ Hong Kong Limited (Environ) was one of the consultants of the applicant. The following Members had declared interests in the item:

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

133. The Committee noted that Ms Janice W.M. Lai had already left the meeting and

agreed that Mr Ivan C.S. Fu could stay in the meeting as he was not involved in the application.

Presentation and Question Sessions

134. 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 renewal of planning approval for temporary driving school and ancillary uses under previous application No. A/YL-NSW/231 for a period of 33 months;
- (c) departmental comments – departmental comments were set out in paragraph 10 of the Paper. Concerned departments consulted had no objection to or no adverse comment on the application;
- (d) during the first three weeks of the statutory publication period, one comment was received objecting to the application for the reasons of traffic congestion and ecological impact; and
- (e) the Planning Department (PlanD)'s views – PlanD considered that the temporary use could be tolerated for a further period of two years based on the assessments set out in paragraph 12 of the Paper. Although the temporary use was not in line with the planning intention of the “Other Specified Use” annotated “Comprehensive Development to include Wetland Restoration Area” zone, there was no known programme for development on the site. The application was generally in line with the Town Planning Board Guidelines No. 34B (TPB PG 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 adverse planning implications arising from the renewal of the planning approval and all the approval conditions under the previous approval had

been complied with. Relevant departments consulted had no adverse comment on the application and no environmental complaint had been recorded in the past three years. The applicant would further limit the on-street training activities at night time to minimize possible environmental impact. The proposed approval period of 33 months was to allow time for the relocation of the driving school. Nevertheless, according to TPB-PG No. 34B, the approval period for renewal permission should not be longer than the original validity period of the temporary approval. Therefore, the application could be tolerated on a temporary basis for a period of two years, instead of 33 months sought under the application. Regarding the public comment objecting to the application, the assessments above were relevant.

135. A Member asked whether the restriction of the approval period for renewal permission not exceeding the original validity period was stipulated in the TPB-PG No. 34B and if not, could the approval period of 33 months sought be granted. The Secretary replied such restriction was stipulated in the TPB-PG No. 34B. Since the last planning approval was for a period of two years, the maximum planning approval period allowed for this renewal application should not exceed two years.

Deliberation Session

136. After deliberation, the Committee decided to approve the application on a temporary basis for a further period of 2 years until 5.9.2018, instead of 33 months sought, on the terms of the application as submitted to the Town Planning Board (TPB) and subject to the following conditions :

- “(a) no training of drivers of heavy vehicles or articulated vehicles is allowed outside the application site after 9:30 p.m., as proposed by the applicant, during the approval period;
- (b) the existing trees within the site shall be maintained at all times during the planning approval period;

- (c) the existing drainage facilities implemented shall be maintained at all times during the planning approval period;
- (d) the submission of records of the existing drainage facilities on 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 6.12.2016;
- (e) the submission of a fire service installations proposal for the site within 3 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 6.12.2016;
- (f) in relation to (e) above, the implementation of the fire service installations proposal for the site 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 6.3.2017;
- (g) 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;
- (h) if any of the above planning conditions (d), (e) or (f) is not complied with by the specified date, the approval hereby given shall cease to have effect and shall on the same date be revoked without further notice; 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.”

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

Agenda Item 33

Section 16 Application

[Open Meeting]

A/YL-NTM/331 Temporary Open Storage of Lard Oil Tanks for a Period of 3 Years in
“Village Type Development” zone, Government Land in D.D. 104,
Ngau Tam Mei, Yuen Long
(RNTPC Paper No. A/YL-NTM/331)

138. The Committee noted that the applicant on 27.4.2016 requested for deferment of the consideration of the application for two months in order to allow time for preparation of further information in support of the application. It was the second time that the applicant requested for deferment of the application.

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

Agenda Item 34

Section 16 Application

[Open Meeting (Presentation and Question Sessions Only)]

A/YL-ST/487 Renewal of Planning Approval for Temporary Public Vehicle Park (Excluding Container Vehicle) for a Period of 3 Years in “Green Belt” zone, Lots 372 S.D RP (Part), 378, 379, 380, 382 (Part), 383 (Part), 385, 389 RP (Part) and 390 in D.D. 99, San Tin, Yuen Long
(RNTPC Paper No. A/YL-ST/487)

Presentation and Question Sessions

140. 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 renewal of planning approval for temporary public vehicle park (excluding container vehicle) under previous application No. A/YL-ST/434 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 objecting to the application mainly for the reasons of using the land without land owner’s consent, being not in line with the planning intention of the “Green Belt” (“GB”) zone, setting an undesirable precedent and inappropriate land use; 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 application

was in line 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 major change in planning circumstances; concerned departments consulted had no adverse comment on the application; all approval conditions under the previous approval had been complied with; the 3-year approval period sought was the same as in the previous approval; and the temporary use for another three years would not jeopardize the long term planning intention of the “GB” zone. The site fell within Category 4 areas under the Town Planning Board Guidelines No. 13E for Application for Open Storage and Port Back-up Uses (TPG PG-No. 13E) and the application was generally in line with the TPG PG-No. 13E in that adverse impact on the surrounding areas was not anticipated. No environmental complaint had been received in the past three years and the environmental concern could be addressed by the imposition of relevant approval conditions. Part of the site fell within the Wetland Buffer Area of the Town Planning Board Guidelines No 12C, and the Director of Agriculture, Fisheries and Conservation had no comment on the application. The site was also the subject of seven previously approved applications for similar public vehicle park use. Approval of the current application was in line with the previous decisions of the Committee. Regarding the public comment objecting to the application, the assessments above were relevant.

141. Members had no question on the application.

Deliberation Session

142. After deliberation, the Committee decided to approve the application on a temporary basis for a further period of 3 years until 5.7.2019, on the terms of the application as submitted to the Town Planning Board (TPB) and subject to the following conditions :

- “(a) no vehicle without valid licence issued under the Road Traffic Ordinance is allowed to be parked/stored on the site at any time during the planning approval period;

- (b) only private cars as defined in the Road Traffic Ordinance is allowed to be parked/stored on the site at any time during the planning approval period;
- (c) a notice should be posted at a prominent location of the site to indicate that only private cars as defined in the Road Traffic Ordinance is allowed to be parked/stored on the site at any time during the planning approval period;
- (d) no car washing, vehicle repair, dismantling, paint spraying or other workshop activity is allowed on the site at any time during the planning approval period;
- (e) the paving and boundary fencing on the site shall be maintained at all times during the planning approval period;
- (f) the setting back of the boundary of the site to avoid encroaching onto the Area of Influence of the proposed Northern Link when required by the Government to the satisfaction of the Director of Highways or of the TPB;
- (g) the landscape planting within the site shall be maintained at all times during the planning approval period;
- (h) the existing drainage facilities on the site shall be maintained at all times during the planning approval period;
- (i) the submission of as-built drainage plans and photographic records of the existing drainage facilities within 3 months from the date of commencement of the renewed planning approval to the satisfaction of the Director of Drainage Services or of the TPB by 6.10.2016;
- (j) the submission of a fire service installations proposal within 6 months from the date of commencement of the renewed planning approval to the satisfaction of the Director of Fire Services or of the TPB by 6.1.2017;

- (k) in relation to (j) above, the provision of fire service installations 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 6.4.2017;
- (l) if any of the above planning conditions (a), (b), (c), (d), (e), (f), (g) or (h) is not complied with during the planning approval period, the approval hereby given shall cease to have effect and shall be revoked immediately without further notice;
- (m) if any of the above planning conditions (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.”

143. 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 Otto K.C. Chan, Mr Kevin C.P. Ng, Mr Kepler S.Y. Yuen and Mr K.T. Ng, STPs/FSYLE, for their attendance to answer Members' enquiries. Messrs Chan, Ng and Yuen left the meeting at this point.]

Tuen Mun and Yuen Long West District

[Ms Bonita K.K. Ho, Ms Jessica Y.C. Ho, Ms Stella Y. Ng 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 35

Section 16 Application

[Open Meeting (Presentation and Question Sessions Only)]

A/YL-TT/376 Proposed Temporary Barbecue Area with Ancillary Workshop for a Period of 3 Years in “Agriculture” zone, Lot 1322 RP in D.D. 118, Tai Shu Ha Road West, Tai Tong, Yuen Long
(RNTPC Paper No. A/YL-TT/376)

Presentation and Question Sessions

144. 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 barbecue area with ancillary workshop for a period of three years;
- (c) departmental comments – departmental comments were set out in paragraph 10 of the Paper. The Director of Agriculture, Fisheries and Conservation (DAFC) did not support the application as the site could be used for greenhouse and plant nursery. The Chief Town Planner/Urban Design and Landscape of Planning Department (CTP/UR&L, PlanD) had reservation on the application as landscape impact had taken place at the site, but no landscape proposal was submitted for compensation of the loss of greenery. Approval of the application would set an undesirable precedent encouraging similar site clearance and site formation prior to obtaining planning approval. Other concerned departments consulted had no objection to or no adverse comment on the application;
- (d) during the first three weeks of the statutory publication period, five public comments were received from World Wide Fund for Nature Hong Kong, Kadoorie Farm and Botanical Garden Corporation and Designing Hong

Kong Limited and individuals. They objected to the application mainly on the grounds that the site had been paved and vegetation clearance had taken place prior to obtaining approval; the application was a ‘destroy first, apply later’ case; the proposed development was not in line with the planning intention of the “Agriculture” (“AGR”) zone; farmland should be conserved to ensure food security/food supply; and insufficient information on the operation of the proposed barbecue site was provided; and

- (e) 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 “AGR” zone and DAFC did not support the application. There was no strong justification to support a departure from the planning intention. The proposed use was incompatible with the surrounding rural landscape character and CTP/UD&L, PlanD had reservation on the application. Approval of the application would set an undesirable precedent and the cumulative impact of approving such application would result in a general degradation of the rural character and landscape quality of the “AGR” zone. There were public comments objecting to the application.

145. With reference to the site photos on Plans A-4a and A-4b of the Paper, a Member enquired whether the existing structure at the site was an unauthorized development. In response, Ms Bonita K.K. Ho, STP/TMYLW, said that the said structure was under construction. The Chairman supplemented that if the structure was found to be unauthorised building works, it would be referred to the Buildings Department for follow up action.

Deliberation Session

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

- “(a) the proposed development is not in line with the planning intention of the “Agriculture” (“AGR”) 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. There is no strong planning justification in the submission for a departure from the planning intention, even on a temporary basis;

- (b) the proposed development is not compatible with the rural neighbourhood mainly comprising cultivated/fallow agricultural land, vacant land and unused land with graves;
- (c) the applicant fails to demonstrate that the development would not generate adverse landscape impact on the surrounding areas; and
- (d) the approval of the application, even on a temporary basis, would set an undesirable precedent for similar applications within the “AGR” zone. The cumulative effect of approving such application would result in general degradation of the rural environment of the area.”

Agenda Item 36

Section 16 Application

[Open Meeting (Presentation and Question Sessions Only)]

A/YL-TT/377 Proposed Temporary Public Vehicle Park (Private Cars and Van-type Light Goods Vehicles) for a Period of 3 Years in “Residential (Group D)” and “Village Type Development” zones, Lots 3338, 3339 S.H ss. 1 to ss. 4, 3339 S.H. ss. 5 (Part), 3339 S.H RP (Part), 3339 S.I ss. 1 to ss. 4, 3339 S.I ss. 5 (Part), 3339 S.I ss. 6 to ss. 9, 3339 S.I ss. 10(Part), 3339 S.I RP (Part), 3339 S.J ss. 1 to ss. 8, 3339 S.J ss. 9 (Part), 3339 S.J RP (Part), 3339 S.K ss. 1 to ss. 2, 3339 S.K ss. 3 (Part), 3339 S.K ss. 4, 3339 S.K ss. 5 (Part), 3339 S.K ss. 6 to ss. 11, 3339 S.K RP (Part), 3339 S.L ss. 3 to ss. 8 and 3339 S.L RP (Part) in D.D. 116, Nga Yiu Tau, Yuen Long
(RNTPC Paper No. A/YL-TT/377)

Presentation and Question Sessions

147. 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 public vehicle park (private cars and van-type light goods vehicles) for a period of three years;
- (c) departmental comments – departmental comments were set out in paragraph 9 of the Paper. The Chief Town Planner/Urban Design and Landscape of Planning Department (CTP/UD&L, PlanD) had some reservation on the application as landscape impact within the site was observed. Approval of the application might set an undesirable precedent encouraging similar applications to clear and form the site prior to obtaining planning approval. Other concerned departments consulted had no objection to or no adverse comment on the application;
- (d) during the first three weeks of the statutory publication period, 23 public comments were received. A Yuen Long District Council member objected to the application without providing any grounds, while another commenter objected to the application on grounds of inefficient land use and setting of undesirable precedents. The remaining comments supported the application for reasons that there was insufficient car parks in the vicinity of Nga Yiu Tau, the development could help meet the local demand for parking provision and it would not generate adverse impacts on the surrounding uses or nuisances to the nearby residents; 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 applied use was not entirely in line with the planning intention of the “Residential (Group D)” (“R(D)”) zone and there was no known development programme for permanent development

at the site. Approval of the application on a temporary basis would not frustrate the planning intention of the “R(D)” zone. The application was not incompatible with the surrounding areas and would unlikely cause significant adverse environmental, traffic and drainage impacts. Although CTP/UD&L, PlanD had some reservation on the application, the concerns on the landscape aspect could be addressed by imposing relevant approval conditions. Regarding the objecting public comments, the planning assessments above were relevant.

148. Members had no question on the application.

Deliberation Session

149. After deliberation, the Committee decided to approve the application on a temporary basis for a period of 3 years until 13.5.2019, on the terms of the application as submitted to the Town Planning Board (TPB) and subject to the following conditions :

- “(a) no operation between 11:00 p.m. and 7:00 a.m., as proposed by the applicant, is allowed on the site during the planning approval period;

- (b) only private cars and van-type light goods vehicles not exceeding 1.9 tonnes permitted gross vehicle weight as defined in the Road Traffic Ordinance and its subsidiary regulations, as proposed by the applicant, are allowed to enter/be parked on the site at all times during the planning approval period;

- (c) a notice should be posted at a prominent location of the site at all times to indicate that only private cars and van-type light goods vehicles not exceeding 1.9 tonnes permitted gross vehicle weight as defined in the Road Traffic Ordinance and its subsidiary regulations are allowed to enter/be parked on the site during the planning approval period;

- (d) no vehicle without valid licences issued under the Road Traffic (Registration and Licensing of Vehicles) Regulations is allowed to be

- parked/stored on the site at any time during the planning approval period;
- (e) no vehicle repairing, dismantling, car beauty or other workshop activities, as proposed by the applicant, are allowed on the site at any time during the planning approval period;
 - (f) no open storage activity, as proposed by the applicant, is allowed on the site at any time during the planning approval period;
 - (g) no vehicle is allowed to queue back to or reverse onto/from public road at any time during the planning approval period;
 - (h) the provision of boundary fence on the site, as proposed by the applicant, within 3 months from the date of planning approval to the satisfaction of the Director of Planning or of the TPB by 13.8.2016;
 - (i) the submission of a landscape proposal within 6 months from the date of planning approval to the satisfaction of the Director of Planning or of the TPB by 13.11.2016;
 - (j) in relation to (i) above, the implementation of the landscape proposal within 9 months from the date of planning approval to the satisfaction of the Director of Planning or of the TPB by 13.2.2017;
 - (k) 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 13.11.2016;
 - (l) in relation to (k) above, the implementation of the drainage proposal within 9 months from the date of planning approval to the satisfaction of the Director of Drainage Services or of the TPB by 13.2.2017;
 - (m) in relation to (l) above, the implemented drainage facilities on the site shall be maintained at all times during the planning approval period;

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

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

[Mr K.C. Siu left the meeting temporarily at this point.]

Agenda Item 37

Section 16 Application

[Open Meeting (Presentation and Question Sessions Only)]

A/TM/485 Renewal of Planning Approval for Temporary “Public Vehicle Park (Excluding Container Vehicle)” for a Period of 3 Years (Letting of Surplus Parking Spaces to Non-residents) and Temporary Relaxation of GFA restrictions (for Siu Hong Court) in “Residential (Group A) 20” and “Residential (Group A)” zones,
(a) Siu Hong Court, Tuen Mun
(b) Wu King Estate, Tuen Mun
(RNTPC Paper No. A/TM/485)

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

- Mr K.K. Ling (the Chairman) *as the Director of Planning* - being a member of the Strategic Planning Committee (SPC) and the Building Committee of the HKHA;
- Mr Martin W.C. Kwan *as the Chief Engineer (Works), Home Affairs Department* - being an alternate member for the Director of Home Affairs who was a member of the SPC and Subsidized Housing Committee of HKHA;
- Mr H.F. Leung - being a member of the Tender Committee of HKHA;
- Ms Janice W.M. Lai]
- Mr Stephen L.H. Liu] having current business dealings with HKHA; and
- Dr Billy C.H. Hau]
- Mr Ivan C.S. Fu - having past business dealings with HKHA.

152. The Committee noted that Mr H.F. Leung had tendered apologies for being unable to attend the meeting and Ms Janice W.M. Lai and Mr Stephen L.H. Liu had already left the meeting. Since the interest of Mr. Ivan C.S. Fu was indirect, the Committee agreed that he could stay in the meeting. As the interests of Mr K.K. Ling (the Chairman), Mr Martin W.C. Kwan and Dr Billy C.H. Hau were direct, the Committee agreed that they should leave the meeting temporarily for the item. Mr H.W. Cheung (the Vice-chairman) took up chairmanship of the meeting at this point.

[Mr K.K. Ling, Mr Martin W.C. Kwan and Dr Billy C.H. Hau left the meeting temporarily at this point.]

Presentation and Question Sessions

153. 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 renewal of planning approval for temporary “public vehicle park (excluding container vehicle)” under previous application No. A/TM/442 for a further period of three years and the resulting temporary relaxation of gross floor area (GFA) for Siu Hong Court;
- (c) departmental comments – departmental comments were set out in paragraph 9 of the Paper. Concerned departments consulted had no objection to or no adverse comment on the application;
- (d) during the first three weeks of the statutory publication period, 28 public comments were objected to or offered adverse comments. 24 commenters, including the Chairmen of Siu Lok House and Siu Wah House of Siu Hong Court Mutual Aid Committee, objected to the application on the grounds that the demand for car parking spaces in Siu Hong Court was increasing; the right to rent monthly parking spaces for residents in Siu Hong Court should be safeguarded; it was unreasonable for the owners of Siu Hong Court to bear the maintenance cost for the access road; there were insufficient hourly parking spaces and illegal parking problems; lengthening the waiting time for residents; and unreasonable increase in rental charges. Three comments were concerned that a few car parking spaces were let to one non-resident tenant and it was unfair to the residents in Siu Hong Court. The remaining comment suggested that HKHA should consider finding permanent use for the car parking spaces not required by the residents. The District Officer/Tuen Mun conveyed that two public comments lodged objection to the application mainly on grounds of increasing utilisation rate of monthly car park spaces by residents; 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 11 of the Paper. The application

was generally in line with The Town Planning Board Guidelines 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 granting of the previous approval; no adverse planning implication arising from the renewal of the planning approval; no adverse departmental comment; and the 3-year approval period sought was considered reasonable. The application would help utilize public resources more efficiently and the applicant indicated that the residents of the housing estate would be given priority in renting parking spaces. There was no significant change in the total number of parking spaces and adverse traffic and environmental impacts were not anticipated. Also, the application did not incur intensifying or increase in building bulk and the relaxation of the non-domestic GFA restriction under the OZP on a temporary basis was considered acceptable. To address the concern of the Commissioner for Transport that the number of surplus parking spaces had been decreasing and the actual number of monthly parking spaces to be let to non-resident should be less than the number proposed by HKHA, relevant approval conditions were recommended. Regarding the objecting public comments, the above assessments were relevant.

154. Members had no question on the application.

Deliberation Session

155. After deliberation, the Committee decided to approve the application on a temporary basis for a further period of 3 years until 28.5.2019, on the terms of the application as submitted to the Town Planning Board (TPB) and subject to the following conditions :

- “(a) priority should be accorded to the residents of Siu Hong Court and Wu King Estate in the letting of the surplus vehicle parking spaces; and
- (b) the proposed number of parking spaces to be let to non-residents should be agreed with the Commissioner for Transport (C for T) and the annual

reappraisal of the residents' parking demand should be carried out and submitted to the C for T.”

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

[Mr K.K. Ling and Dr Billy C.H. Hau returned to join the meeting at this point.]

Agenda Item 38

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)

157. The Committee noted that the applicant requested on 9.5.2016 for deferment of the consideration of the application for another two months to allow time for preparation of further information to address the comments of the Transport Department. It was the second time that the applicant requested for deferment of the application.

158. 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 39

Section 16 Application

[Open Meeting (Presentation and Question Sessions Only)]

A/TM-LTYYY/309 Temporary Office for a Period of 3 Years in “Village Type Development” zone, Lot 694 S.L RP in D.D. 130 and Adjoining Government Land, No. 26 Lam Tei Main Street, Tuen Mun
(RNTPC Paper No. A/TM-LTYYY/309)

Presentation and Question Sessions

159. 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 office for a period of three years;
- (c) departmental comments – departmental comments were set out in paragraph 9 of the Paper. Concerned departments consulted 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 a Tuen Mun District Council Member supporting the application; and

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

- (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 applied use was not entirely in line with the planning intention of the

“Village Type Development” (“V”) zone, however it could meet any such demand in the area and there was no Small House application at the site. Approval of the application on a temporary basis would not jeopardize the planning intention of the “V” zone. The applied use was not incompatible with the surrounding land uses and concerned departments had no objection to or no adverse comment on the application. To reduce the potential impacts on the nearby residential dwellings, relevant approval conditions were recommended. A major part of the site was involved in a previously approved application for temporary real estate agency office, approval of the current application was in line with the previous decision of the Committee.

160. Members had no question on the application.

Deliberation Session

161. After deliberation, the Committee decided to approve the application on a temporary basis for a period of 3 years until 13.5.2019, 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 8:00 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 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 a drainage proposal within 6 months from the date of planning approval to the satisfaction of the Director of Drainage Services or of the TPB by 13.11.2016;
- (d) in relation to (c) above, the implementation of the drainage proposal within 9 months from the date of planning approval to the satisfaction of the

Director of Drainage Services or of the TPB by 13.2.2017;

- (e) in relation to (d) above, the implemented drainage facilities shall be maintained at all times during the planning approval period;
- (f) the submission of a fire service installations proposal within 6 months from the date of the planning approval to the satisfaction of the Director of Fire Services or of the TPB by 13.11.2016;
- (g) in relation to (f) above, the implementation of the 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 13.2.2017;
- (h) 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;
- (i) if any of the above planning conditions (c), (d), (f) or (g) is not complied with by the specified date, the approval hereby given shall cease to have effect and shall on the same date be revoked without further notice; 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.”

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

Agenda Item 40

Section 16 Application

[Open Meeting (Presentation and Question Sessions Only)]

A/YL-PS/514 Proposed Temporary Logistics Centre for a Period of 3 Years in
“Comprehensive Development Area” zone, Lots 120 (Part), 121 (Part),
122 (Part), 246 RP (Part), 247, 248 S.A, 248 S.B, 248 RP (Part), 249
RP, 250 RP and 254 RP in D.D. 122, Ping Shan, Yuen Long
(RNTPC Paper No. A/YL-PS/514A)

Presentation and Question Sessions

163. 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 proposed temporary logistics centre 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 uses in the vicinity of the site;
- (d) during the first three weeks of the statutory publication period, one public comment from Designing Hong Kong Limited objecting to the application was received. The major grounds were that the proposed development was incompatible with the planning intention; a comprehensive plan should be provided for the area; the approval of the application would set an undesirable precedent; no traffic impact assessment had been submitted; road safety problems would be created; renewal of the application would make development of the land for more suitable uses difficult, and the Government should consider planning and development control over brownfield uses in rural area holistically; 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 application was not in line with the planning intention of the “Comprehensive Development Area” (“CDA”) zone but there was no permanent development proposal at the site for the time being. Approval of the application on a temporary basis would not jeopardize the long-term planning intention of the zone. The applied use was also not incompatible with the surrounding 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 (TPG PG-No. 13E) and the application was generally in line with the TPG PG-No. 13E in that there was no adverse comment from the relevant departments, except DEP. Although DEP did not support the application, no environmental complaint had been received in the past three years and the environmental concerns could be addressed by relevant approval conditions. A previous planning permission for vehicle park use was granted at the site. Approval of the application was in line with the Committee's previous decision. Regarding the public comment, the above assessments were relevant.

164. Members had no question on the application.

Deliberation Session

165. After deliberation, the Committee decided to approve the application on a temporary basis for a period of 3 years until 13.5.2019, on the terms of the application as submitted to the Town Planning Board (TPB) and subject to the following conditions :

- “(a) no operation between 11:00 p.m. and 7:00 a.m., as proposed by the applicant, is allowed on the site during the planning approval period;
- (b) no operation on Sundays and public holidays, as proposed by the applicant, is allowed on the site during the planning approval period;

- (c) no vehicle is allowed to queue back to or reverse onto/from public road at any time during the planning approval period;
- (d) the existing drainage facilities 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 13.8.2016;
- (f) the submission of a fire service installations proposal within 6 months from the date of planning approval to the satisfaction of the Director of Fire Services or of the TPB by 13.11.2016;
- (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 13.2.2017;
- (h) the submission of a landscape and tree preservation proposal within 6 months from the date of planning approval to the satisfaction of the Director of Planning or of the TPB by 13.11.2016;
- (i) in relation to (h) above, the implementation of the 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 13.2.2017;
- (j) the provision of boundary fencing on the site within 6 months from the date of planning approval to the satisfaction of the Director of Planning or of the TPB by 13.11.2016;
- (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 specified date, the approval hereby given shall cease to have effect and shall on the same date be revoked without further notice; and
- (m) upon expiry of the planning permission, the reinstatement of the site to an amenity area to the satisfaction of the Director of Planning or of the TPB.”

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

Agenda Item 41

Section 16 Application

[Open Meeting (Presentation and Question Sessions Only)]

A/YL-HT/1017 Temporary Logistics Centre with Ancillary Site Office for a Period of 3 Years in “Comprehensive Development Area” zone, Lots 2941 RP (Part), 3066 (Part), 3077 (Part), 3092 (Part), 3094 (Part), 3095, 3096 (Part), 3098 (Part), 3099, 3100 (Part), 3101, 3102, 3103, 3104, 3105 (Part), 3114 RP (Part), 3115 RP (Part) and 3116 RP (Part) in D.D. 129 and Ajoining Government Land, Ha Tsuen, Yuen Long
(RNTPC Paper No. A/YL-HT/1017)

167. 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 noted that Ms Lai had already left the meeting.

Presentation and Question Sessions

168. Mr Vincent T.K. Lai, STP/TMYLW, drew Member’s attention that a replacement page (page 12) of the Paper to rectify typographical errors in recommended approval

conditions (c) and (d) was tabled at the meeting. He then presented the application and covered the following aspects as detailed in the Paper :

- (a) background to the application;
- (b) the temporary logistics centre with ancillary site office 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 uses in the vicinity of the site and along Lau Fau Shan Road. Other concerned departments consulted 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 under application 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 line with the planning intention of the “Comprehensive Development Area” zone, however there was no known programme of development to be implemented on the site. Whilst the site fell within the boundary of the Hung Shui Kiu New Development Area, the development programme was being formulated. Approval of the application on a temporary basis of three years would not jeopardize the long-term development of the area. The applied use was not incompatible with the surrounding land uses which were predominantly occupied by warehouses and storage uses. The site fell within Category 1 areas under the Town Planning Board Guidelines for Application for Open Storage and Port Back-up Uses (TPB PG-No. 13E) and the application was generally in line with the TPB PG-No. 13E in that no adverse impact would be expected

and there was no adverse departmental comment except DEP. Although DEP did not support the application, no environmental complaint had been received in the past three years and the environmental and other technical concerns could be addressed by imposition of relevant approval conditions.

169. Members had no question on the application.

Deliberation Session

170. After deliberation, the Committee decided to approve the application on a temporary basis for a period of 3 years until 13.5.2019, 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. to 7:00 a.m., as proposed by the applicant, is allowed on the site during the planning approval period;
- (b) no operation on Sundays or public holidays, as proposed by the applicant, is allowed on the site during the planning approval period;
- (c) no recycling, repairing cleaning and dismantling or any other workshop activity, as proposed by the applicant, is allowed on the site at any time during the planning approval period;
- (d) no vehicle is allowed to queue back to or reverse onto/from the public road at any time during the planning approval period;
- (e) the submission of a drainage proposal within 6 months from the date of planning approval to the satisfaction of the Director of Drainage Services or of the TPB by 13.11.2016;
- (f) in relation to (e) above, the implementation of the drainage proposal within 9 months from the date of planning approval to the satisfaction of the Director of Drainage Services or of the TPB by 13.2.2017;

- (g) in relation to (f) above, the implemented drainage facilities shall be maintained at all times during the planning approval period;
- (h) the submission of a run-in/out proposal within 6 months from the date of planning approval to the satisfaction of the Director of Highways or of the TPB by 13.11.2016;
- (i) in relation to (h) above, the implementation of the run-in/out proposal within 9 months from the date of planning approval to the satisfaction of the Director of Highways or of the TPB by 13.2.2017;
- (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 13.11.2016;
- (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 13.2.2017;
- (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 13.11.2016;
- (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 13.2.2017;
- (n) the provision of fencing on the site, as proposed by the applicant, within 6 months from the date of planning approval to the satisfaction of the Director of Planning or of the TPB by 13.11.2016;
- (o) if any of the above planning conditions (a), (b), (c), (d) or (g) is not complied with during the planning approval period, the approval hereby given shall cease to have effect and shall be revoked immediately without

further notice;

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

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

Agenda Item 42

Section 16 Application

[Open Meeting (Presentation and Question Sessions Only)]

A/YL-HT/1018 Renewal of Planning Approval for Temporary “Public Works Regional Laboratory” for a Period of 3 Years in “Comprehensive Development Area” zone, Government Land adjacent to Tin Yin Road in D.D.126, Ha Tsuen, Yuen Long
(RNTPC Paper No. A/YL-HT/1018)

172. The Secretary reported that the application was submitted by the Civil Engineering and Development Department (CEDD). Ms Janice W.M. Lai had declared interest in the item as she had current business dealings with CEDD and her spouse was a shareholder of a company which owned two pieces of land in Ha Tsuen. The Committee noted that Ms Lai had already left the meeting.

Presentation and Question Sessions

173. 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 “public works regional laboratory” under previous application No. A/YL-HT/853 for a further period of three years;
- (c) departmental comments – departmental comments were set out in paragraph 10 of the Paper. Concerned departments consulted 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 further period of three years based on the assessments set out in paragraph 12 of the Paper. The site fell within the Hung Shui Kiu New Development Area, of which the development programme was being formulated. Approval of the application on a temporary basis would not jeopardize the long term development of the area. The applied use was not incompatible with the surrounding uses, which were predominantly open storage and logistics centres. The application was in line 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 change in planning circumstances since the last approval, no adverse planning implication was expected, and all approval conditions under the previous approval had been complied with.

174. Members had no question on the application.

Deliberation Session

175. After deliberation, the Committee decided to approve the application on a temporary basis for a further period of 3 years until 7.6.2019, 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. to 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, except for providing ad hoc testing services for emergency public works, as proposed by the applicant, is allow on the site during the planning approval period;
- (c) no vehicle is allowed to queue back to public road or reverse onto/from the public road at any time during the planning approval period;
- (d) a clearance of at least 1.5 m from the centerline of the existing water mains at the site should be maintained at all times during the planning approval period;
- (e) the existing boundary fencing on site shall be maintained at all times during the planning approval period;
- (f) the submission of a tree preservation and landscape 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 8.12.2016;
- (g) in relation to (f) above, the implementation of the tree preservation and landscape 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 8.3.2017 ;
- (h) the submission of a fire service installations proposal within 6 months from the date of commencement of the renewed planning approval to the

satisfaction of the Director of Fire Services or of the TPB by 8.12.2016;

- (i) in relation to (h) above, the implementation of the fire service installations proposal within 9 months from the date of commencement of the renewed planning approval to the satisfaction of the Director of Fire Services or of the TPB by 8.2.2017;
- (j) 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;
- (k) if any of the above planning conditions (f), (g), (h) or (i) 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
- (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.”

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

Agenda Item 43

Section 16 Application

[Open Meeting]

A/YL-HT/1019 Temporary Public Vehicle Park (Private Car) for a Period of 3 Years in
“Residential (Group D)” zone, Lot 299 (Part) in D.D. 124 and
Adjoining Government Land, Shek Po, Yuen Long
(RNTPC Paper No. A/YL-HT/1019)

177. 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 noted that Ms Lai had already left the meeting.

178. The Committee noted that the applicant requested on 25.4.2016 for deferment of the consideration of the application for two months to allow time for preparation of further information to address departmental comments. It was the first time that the applicant requested for deferment of the application.

179. 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 Items 44, 45 and 47

Section 16 Applications

[Open Meeting (Presentation and Question Sessions Only)]

A/YL-HT/1020 Renewal of Planning Approval for Temporary “Open Storage (Metal Ware)” for a Period of 3 Years in “Comprehensive Development Area” zone, Lots 43 (Part), 192 S.A ss.1 (Part), 192 S.A RP (Part), 192 S.B ss.1 (Part) and 192 S.B RP (Part) in D.D.128 and Adjoining Government Land, Ha Tsuen, Yuen Long

(RNTPC Paper No. A/YL-HT/1020)

A/YL-HT/1021 Temporary Open Storage of Construction Machinery and Material for a Period of 3 Years in “Comprehensive Development Area” zone, Lots 38 (Part), 39 (Part), 40 (Part) , 41(Part) , 52 S.A (Part), 52 S.B (Part) and 53 (Part) in D.D. 128, Ha Tsuen, Yuen Long
(RNTPC Paper No. A/YL-HT/1021)

A/YL-HT/1023 Temporary Open Storage of Metal Ware for a Period of 3 Years in “Comprehensive Development Area” zone, Lots 37 (Part), 41 (Part), 42 (Part), 43 (Part), 44 (Part), 45 (Part), 46 (Part), 47 (Part), 49 (Part), 50 (Part) and 51 (Part) in D.D. 128, Ha Tsuen, Yuen Long
(RNTPC Paper No. A/YL-HT/1023)

180. The Committee noted that the three applications were similar in nature and the sites were located in close proximity to one another. The Committee agreed that they would be considered together. Members noted that a replacement page (page 13) of Paper No. A/YL-HT/1023 to rectify typographical errors in recommended approval condition (g) was tabled the meeting.

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

Presentation and Question Sessions

182. 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 renewal of planning approval for temporary “open storage (metal ware)” under previous application No. A/YL-HT/846 for a period of three years (Application No. A/YL-HT/1020) and temporary open storage of construction machinery and material (Application No. A/YL-HT/1021) and temporary open storage of metal ware (Application No. A/YL-HT/1023) both for a period of three years;

- (c) departmental comments – departmental comments were set out in paragraph 10 of the Papers. For all three applications, the Director of Environmental Protection (DEP) did not support the applications as there were sensitive uses in the vicinity of the sites and along the access road. Other concerned departments consulted had no objection to or no adverse comment on the applications;
- (d) no public comment was received during the first three weeks of the statutory publication period of the three applications and no local objection/view was received by the District Officer (Yuen Long); and

[Mr Martin W.C. Kwan returned to join the meeting at this point.]

- (e) the Planning Department (PlanD)'s views were summarised as follows:

Application No. A/YL-HT/1020

- (i) 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 application was in line 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 change in planning circumstances since the last approval, no adverse planning implication arising from the renewal application was expected, and all approval conditions under the previous application had been complied with. 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) and the application was generally in line with the TPG PG-No. 13E in that no adverse impact was anticipated, and concerned departments consulted had no adverse comment except DEP. Although DEP did not support the application, no environmental complaint had

been received in the past three years and the environmental concerns could be addressed by the imposition of relevant approval conditions.

Applications No. A/YL-HT/1021 and No. A/YL-HT/1023

- (ii) the temporary uses could be tolerated for a period of three years based on the assessments set out in paragraph 12 of the Papers. The applied uses were not in line with the planning intention of the “Comprehensive Development Area” (“CDA”) zone, however there was no programme or known intention to implement the zoned use at the site. Whilst the sites fell within the Hung Shui Kiu New Development Area, the development programme was being formulated. Approval of the applications on a temporary basis would not jeopardize the planning intention of the “CDA” zone. The sites fell within Category 1 areas under the TPG PG-No. 13E and the applications were generally in line with the TPG PG-No. 13E in that no adverse impact was anticipated, and concerned departments consulted had no adverse comment except DEP. Although DEP did not support the applications, no environmental complaint had been received in the past three years and the environmental concern could be addressed by the imposition of relevant approval conditions. The sites were the subject of a number of previously approved applications for the same or similar open storage uses, and approval of the applications was in line with the Committee’s previous decision.

183. Members had no question on the application.

Deliberation Session

184. After deliberation, the Committee decided to approve the application No. A/YL-HT/1020 on a temporary basis for a further period of 3 years until 24.5.2019 and the applications No. A/YL-HT/1021 and A/YL-HT/1023 on a temporary basis for a period of 3

years until 13.5.2019, on the terms of the applications as submitted to the Town Planning Board (TPB) and subject to the following conditions :

Application No. A/YL-HT/1020

- “(a) no operation between 7:00 p.m. to 7:00 a.m., as proposed by the applicant, is allowed on the site during the planning approval period;
- (b) no operation on Sundays and public holidays, as proposed by the applicant, is allowed on the site during the planning approval period;
- (c) no cutting, cleansing, melting, dismantling or any other workshop activity is allowed to be carried out on the site, as proposed by the applicant, during the planning approval period;
- (d) the existing boundary fencing on site shall be maintained at all times during the planning approval period;
- (e) no vehicle is allowed to queue back or reverse onto/from the public road at any time during the planning approval period;
- (f) no material is allowed to be stored/dumped within 1m of any tree on the site during the planning approval period;
- (g) the existing drainage facilities on the site shall be maintained at all times during the planning approval period;
- (h) the submission of a condition record of existing drainage facilities within 3 months from the date of commencement of the renewed planning approval to the satisfaction of the Director of Drainage Services or of the TPB by 25.8.2016;
- (i) the submission of a tree preservation and landscape 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 25.11.2016;

- (j) in relation to (i) above, the implementation of the tree preservation and landscape 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 25.2.2017 ;
- (k) the provision of fire extinguisher(s) and the submission of a valid fire certificate (FS251) within 6 weeks from the date of commencement of the renewed planning approval to the satisfaction of the Director of Fire Services or of the TPB by 6.7.2016;
- (l) the submission of a fire service installations proposal within 6 months from the date of commencement of the renewed planning approval to the satisfaction of the Director of Fire Services or of the TPB by 25.11.2016;
- (m) in relation to (l) above, the implementation of the fire service installations proposal within 9 months from the date of commencement of the renewed planning approval to the satisfaction of the Director of Fire Services or of the TPB by 25.2.2017;
- (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 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 an amenity area to the satisfaction of the Director of Planning or of the TPB.”

Application No. A/YL-HT/1021

- “(a) no operation between 11:00 p.m. to 7:00 a.m., as proposed by the applicant, is allowed on the site during the planning approval period;
- (b) no operation on Sundays or public holidays, as proposed by the applicant, is allowed on the site during the planning approval period;
- (c) no cutting, cleansing, melting, dismantling or any other workshop activity is allowed to be carried out on the site, as proposed by the applicant, during the planning approval period;
- (d) no vehicle is allowed to queue back to or reverse onto/from the public road at any time during the planning approval period;
- (e) the existing drainage facilities on site shall be maintained at all times during the planning approval period;
- (f) 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 13.8.2016;
- (g) 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 13.11.2016;
- (h) in relation to (g) 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 13.2.2017;
- (i) 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 24.6.2016;

- (j) 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 13.11.2016;
- (k) in relation to (j) 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 13.2.2017;
- (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.”

Application No. A/YL-HT/1023

- “(a) no operation from 7:00 p.m. to 7:00 a.m., as proposed by the applicant, is allowed on the site during the planning approval period;
- (b) no operation on Sundays and public holidays, as proposed by the applicant, is allowed on the site during the planning approval period;
- (c) no cutting, cleansing, melting, dismantling or any other workshop activity is allowed to be carried out on the site, as proposed by the applicant, during the planning approval period;

- (d) no vehicle is allowed to queue back to or reverse onto/from the public road at any time during the planning approval period;
- (e) no material is allowed to be stored/dumped within 1m of any tree on the site at any time during the planning approval period;
- (f) the existing drainage facilities shall be maintained at all times during the planning approval period;
- (g) the submission of a condition record of the existing drainage facilities on-site within 3 months from the date of planning approval to the satisfaction of the Director of Drainage Services or of the TPB by 13.8.2016;
- (h) 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 13.11.2016;
- (i) in relation to (h) above, the implementation of the tree preservation and landscape proposals within 9 months from the date of planning approval to the satisfaction of the Director of Planning or of the TPB by 13.2.2017;
- (j) 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 24.6.2016;
- (k) the submission of a fire service installations proposal within 6 months from the date of planning approval to the satisfaction of Director of Fire Services or of the TPB by 13.11.2016;
- (l) in relation to (k) above, the provision of fire service installations within 9 months from the date of planning approval to the satisfaction of Director of Fire Services or of the TPB by 13.2.2017;

- (m) the provision of 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 13.11.2016;
- (n) if any of the above planning conditions (a), (b), (c), (d), (e) or (f) is not complied with during the planning approval period, the approval hereby given shall cease to have effect and shall be revoked immediately without further notice;
- (o) if any of the above planning conditions (g), (h), (i), (j), (k), (l) or (m) is not complied with by the specified date, the approval hereby given shall cease to have effect and shall on the same date be revoked without further notice; and
- (p) upon expiry of the planning permission, the reinstatement of the application site to an amenity area to the satisfaction of the Director of Planning or of the TPB.”

185. The Committee also agreed to advise the applicants to note the advisory clauses as set out at Appendix VII of the Paper for Application No. A/YL-HT/1020 or Appendix VI of the Papers for Applications No. A/YL-HT/1021 and A/YL-HT/1023.

Agenda Item 46

Section 16 Application

[Open Meeting (Presentation and Question Sessions Only)]

A/YL-HT/1022 Temporary Public Vehicle Park (Private Car) for a Period of 3 Years in
“Village Type Development” zone, Lot 333 (Part) in D.D. 124, Shek
Po Tsuen, Ha Tsuen, Yuen Long
(RNTPC Paper No. A/YL-HT/1022)

186. 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 noted that Ms Lai had already left the meeting.

Presentation and Question Sessions

187. 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 public vehicle park (private car) for a period of three years;
- (c) departmental comments – departmental comments were set out in paragraph 9 of the Paper. Concerned departments consulted had no objection to or adverse comment on the application;
- (d) during the first three weeks of the statutory publication period, one public comment was received objecting to the application on the grounds that the site should be used for village house development, the ground floor of village houses could be used for car parking, and approval of the application would set an undesirable precedent; and
- (e) the Planning Department (PlanD)’s views – PlanD considered that the temporary use under application 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 entirely in line with the planning intention of the “Village Type Development” (“V”) zone. However, no Small House application had been received at the site. Approval of the application on a temporary basis would not frustrate the planning intention of the “V” zone. The applied use was not incompatible with the surrounding land uses which were predominantly for residential purpose. Concerned departments had no adverse comment on the application and no adverse impact to the surrounding areas was expected. Also, no environmental complaint had been received in the past three years and the potential environmental nuisance could be addressed by imposition of relevant approval conditions. Regarding the objecting public comment, the assessments above were

relevant.

188. Members had no question on the application.

Deliberation Session

189. After deliberation, the Committee decided to approve the application on a temporary basis for a period of 3 years until 13.5.2019, on the terms of the application as submitted to the Town Planning Board (TPB) and subject to the following conditions :

- “(a) no vehicle without valid licence issued under the Road Traffic Ordinance is allowed to be parked/stored on the site at any time during the planning approval period;
- (b) only private car as defined in the Road Traffic Ordinance is allowed to be parked/stored on or enter/exit the site at all times during the planning approval period;
- (c) no car washing, vehicles repair, dismantling, paint spraying or other workshop activities is allowed on the site at any time during the planning approval period;
- (d) no vehicle is allowed to queue back to or reverse onto/from public road at any time during the planning approval period;
- (e) the existing drainage facilities on the site shall be maintained at all times during the planning approval period;
- (f) the submission of a condition record of the existing drainage facilities on site within 3 months from the date of planning approval to the satisfaction of the Director of Drainage Services or of the TPB by 13.8.2016;
- (g) 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 13.11.2016;

- (h) in relation to (g) 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 13.2.2017;
- (i) if any of the above planning conditions (a), (b), (c), (d) or (e) is not complied with during the planning approval period, the approval hereby given shall cease to have effect and shall be revoked immediately without further notice;
- (j) if any of the above planning conditions (f), (g) or (h) is not complied with by the specified date, the approval hereby given shall cease to have effect and shall on the same date be revoked without further notice; and
- (k) upon expiry of the planning permission, the reinstatement of the site to an amenity area to the satisfaction of the Director of Planning or of the TPB.”

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

191. The Chairman said that the population intake of Hung Fuk Estate had commenced in last year, as such the Plan A-3 of the Paper should be updated accordingly.

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

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Any Other Business

192. There being no other business, the meeting closed at 6:30 p.m..