

TOWN PLANNING BOARD

Minutes of 559th Meeting of the Rural and New Town Planning Committee held at 2:30 p.m. on 24.6.2016

Present

Director of Planning
Mr K.K. Ling

Chairman

Professor K.C. Chau

Mr H.F. Leung

Dr F.C. Chan

Mr David Y.T. Lui

Mr Peter K.T. Yuen

Mr Philip S.L. Kan

Mr Alex T.H. Lai

Mr Stephen L.H. Liu

Miss Winnie W.M. Ng

Chief Traffic Engineer/New Territories West,
Transport Department
Mr Kelvin K.M. Siu

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

Principal Environmental Protection Officer (Strategic Assessment),
Environmental Protection Department
Mr C.F. Wong

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.W. Cheung

Mr Ivan C.S. Fu

Ms Janice W.M. Lai

Ms Christina M. Lee

Dr Billy C.H. Hau

Dr Lawrence K.C. Li

In Attendance

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

Chief Town Planner/Town Planning Board
Mr Louis K.H. Kau

Town Planner/Town Planning Board
Ms Sincere S.C. Kan

Agenda Item 1

Confirmation of the Draft Minutes of the 558th RNTPC Meeting held on 10.6.2016

[Open Meeting]

1. The draft minutes of the 558th RNTPC meeting held on 10.6.2016 were confirmed without amendments.

Agenda Item 2

Matters Arising

[Open Meeting]

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

[Mr H.F. Leung arrived to join the meeting at this point.]

Sha Tin, Tai Po and North District

Agenda Item 3

Section 12A Application

[Open Meeting]

Y/ST/31 Application for Amendment to the Draft Sha Tin Outline Zoning Plan No. S/ST/31, To rezone the application site from “Village Type Development” to “Government, Institution or Community”, Lot No. 753 in D.D. 179, Lots No. 60 S.A, 60 S.B and 561 in D.D. 184 and Adjoining Government Land, South of Che Kung Miu Road, Tai Wai (RNTPC Paper No. Y/ST/31B)

3. The Secretary reported that the site was located at Tai Wai and Landes Ltd. (Landes) was one of the consultants of the applicant. The following Members had declared interests in the item:

Ms Christina M. Lee	-	owning a property at Mei Tin Road, Tai Wai; and
Mr Ivan C.S. Fu	}	having current business dealings with Landes.
Ms Janice W.M. Lai		

4. The Committee noted that Ms Christina M. Lee, Mr Ivan C.S. Fu and Ms Janice W.M. Lai had tendered apologies for being unable to attend the meeting.

5. The Committee noted that the applicant requested on 6.6.2016 for deferment of the consideration of the application for two months in order to allow time to prepare further information to address the comments raised by the Transport Department. It was the third time that the applicant requested for deferment of the application. Since the last deferment, the applicant submitted the revised traffic impact assessments on 11.1.2016 and 29.3.2016.

6. 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

- Mr Stephen L.H. Liu - having current business dealings with SHK;
- Miss Winnie W.M. Ng - being a Director of the Kowloon Motor Bus Co. Ltd. (KMB) and SHK was one of the shareholders of KMB;
- Ms Christina M. Lee - being the Secretary-General of the Hong Kong Metropolitan Sports Events Association which had obtained sponsorship from SHK before;
- Dr Billy C.H. Hau - having current business dealings with AECOM; and
- Dr Lawrence K.C. Li - owning a property at Palm Springs, Mai Po;

8. The Committee noted that Mr Ivan C.S. Fu, Ms Janice W.M. Lai, Ms Christina M. Lee, Dr Billy C.H. Hau and Dr Lawrence K.C. Li had tendered apologies for being unable to attend the meeting, and Miss Winnie W.M. Ng had not yet arrived at the meeting. The Committee also noted that the applicant had requested for deferral of consideration of the application, and agreed that as the interest of Mr Stephen L.H. Liu was direct, he could stay in the meeting but should refrain from participating in the discussion.

9. The Committee noted that the applicant requested on 10.6.2016 for deferment of the consideration of the application for two months in order to allow time to prepare further information to address departmental comments. It was the third time that the applicant requested for deferment of the application. Since the last deferment, the applicant submitted a revised drainage impact assessment and a revised tree survey plan on 24.3.2016 and 30.5.2016 respectively.

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

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

Agenda Item 5

Section 12A Application

[Open Meeting]

Y/YL-NTM/3

Application for Amendment to the Approved Ngau Tam Mei Outline Zoning Plan No. S/YL-NTM/12, To rezone the application site from "Comprehensive Development Area" to:

Option 1 - "Residential (Group B)1" or

Option 2 - "Comprehensive Development Area (2)", Lots No. 850 RP, 851 RP, 862, 863 RP, 864, 865, 866, 867, 868, 869, 870, 871, 872, 920, 921, 948 RP, 949 RP and 4210 in D.D. 104 and Adjoining Government Land, Ngau Tam Mei, Yuen Long
(RNTPC Paper No. Y/YL-NTM/3A)

11. The Secretary reported that the application was submitted by City Movement Ltd. which was a subsidiary of Henderson Land Development Co. Ltd. (HLD). AECOM Asia Co. Ltd. (AECOM) and MVA Hong Kong Ltd. (MVA) were two of the consultants of the applicant. The following Members had declared interests in the item:

Mr Ivan C.S. Fu - having current business dealings with HLD, AECOM and MVA;

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

Mr Stephen L.H. Liu - having current business dealings with HLD;

- Mr H.F. Leung - being an employee of the University of Hong Kong which had received a donation from a family member of the Chairman of HLD before;
- Professor K.C. Chau - being an employee of the Chinese University of Hong Kong which had received a donation from a family member of the Chairman of HLD before;
- Dr Lawrence K.C. Li - being the Treasurer of the Hong Kong Polytechnic University which had obtained sponsorship from HLD before;
- Ms Christina M. Lee - being the Secretary-General of the Hong Kong Metropolitan Sports Events Association which had obtained sponsorship from HLD before;
- Mr Peter K.T. Yuen - being a member of the Board of Governors of the Hong Kong Arts Centre which had received a donation from a Executive Director of HLD before; and
- Dr Billy C.H. Hau - having current business dealings with AECOM.

12. The Committee noted that Mr Ivan C.S. Fu, Ms Janice W.M. Lai, Ms Christina M. Lee, Dr Billy C.H. Hau and Dr Lawrence K.C. Li had tendered apologies for being unable to attend the meeting. The Committee also noted that the applicant had requested for deferral of consideration of the application, and agreed that as the interests of Mr H.F. Leung, Professor K.C. Chau and Mr Peter K.T. Yuen were indirect, they should be allowed to stay in the meeting. The Committee also agreed that as the interest of Mr Stephen L.H. Liu was direct, he could stay in the meeting but should refrain from participating in the discussion.

13. The Committee noted that the applicant requested on 15.6.2016 for deferment of the consideration of the application for two months in order to allow time to prepare responses to address departmental comments. It was the second time that the applicant

requested for deferment of the application. Since the last deferment, the applicant submitted responses and further information to address departmental comments including an ecological impact assessment, revised assessments on landscape, drainage, sewerage and environmental aspects of the proposed development on 14.4.2016.

14. 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 second deferment and a total of four months had been allowed for preparation of the submission of the further information, 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 6

Section 16 Application

[Open Meeting (Presentation and Question Sessions Only)]

A/SK-PK/228 Renewal of Planning Approval for Temporary Eating Place (Outside Seating Accommodation of Restaurant) for a Period of 3 Years in an area shown as 'Road', Open Area in Front of Shops 10A and 10B, G/F, Po Tung Road, Lot No. 1827 (Part) in D.D. 221, Sai Kung
(RNTPC Paper No. A/SK-PK/228)

Presentation and Question Sessions

15. 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 renewal of planning approval for temporary eating place (outside seating accommodation of restaurant) for a period of three years;
- (c) departmental comments – departmental comments were set out in paragraph 8 of the Paper. Concerned government departments had no objection to or no adverse comment on the application;
- (d) no public comment was received during the first three weeks of the statutory publication period, and no local objection/view was received by the District Officer (Sai Kung); and
- (e) the Planning Department (PlanD)'s views – PlanD had no objection to the application based on the assessments set out in paragraph 10 of the Paper. There was no change in planning circumstances since the previous application had been approved.

16. Members had no question on the application.

Deliberation Session

17. After deliberation, the Committee decided to approve the application on a temporary basis for a period of 3 years from 17.8.2016 to 16.8.2019, on the terms of the application as submitted to the Town Planning Board.

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

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

Sha Tin, Tai Po and North District

Agenda Item 7

Section 16 Application

[Open Meeting]

A/NE-FTA/159 Proposed Temporary Parking of Container Tractors and Trailers for Sale with Ancillary Office for a Period of 3 Years in "Agriculture" Zone, Lots No. 558 RP(Part), 559 RP(Part), 561 RP(Part), 562 S.F(Part), 563 (Part) and 564 S.B(Part) in D.D. 89, Sha Ling
(RNTPC Paper No. A/NE-FTA/159)

19. The Committee noted that the applicant requested on 2.6.2016 for deferment of the consideration of the application for two months to allow time for preparation of further information to address the comments of various government departments. It was the first time that the applicant requested for deferment of the application.

20. 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.

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

Agenda Items 8 to 10

Section 16 Applications

[Open Meeting (Presentation and Question Sessions Only)]

A/NE-LYT/593 Proposed House (New Territories Exempted House - Small House) in “Agriculture” and “Village Type Development” Zones, Lot No. 1810 S.C in D.D. 76, Kan Tau Tsuen, Fanling

A/NE-LYT/594 Proposed House (New Territories Exempted House - Small House) in “Agriculture” Zone, Lot No. 1810 S.D in D.D. 76, Kan Tau Tsuen, Fanling

A/NE-LYT/595 Proposed House (New Territories Exempted House - Small House) in “Agriculture” Zone, Lot No. 1810 S.E in D.D. 76, Kan Tau Tsuen, Fanling
(RNTPC Paper No. A/NE-LYT/593 to 595)

21. The Committee noted that the three applications for proposed house (New Territories Exempted House (NTEH) - Small House) were similar in nature and the sites were located in close proximity to one another. The Committee agreed that the applications could be considered together.

22. The Committee also noted that the replacement pages (pages 5 and 9 of the main paper and page 1 of Appendix IV) of the Paper had been tabled at the meeting to incorporate the updated comments from the District Lands Officer/North, Lands Department and an additional Advisory Clause (e).

Presentation and Question Sessions

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

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

- (c) departmental comments – departmental comments were set out in paragraph 9 and Appendix IV of the Paper. Major comments were summarised as follows:
- (i) the Director of Agriculture, Fisheries and Conservation did not support the applications as there were active agricultural activities in the vicinity and the sites possessed potential for agricultural rehabilitation;
 - (ii) the Commissioner for Transport had reservation on the applications and advised that Small House developments should be confined within the “Village Type Development (“V”) zone as far as possible. Although additional traffic generated by the proposed developments was not expected to be significant, Small House developments with their sites outside or mostly outside the “V” zone, if permitted, would set undesirable precedent cases for similar applications in the future. The resulting cumulative adverse traffic impact could be substantial; and
 - (iii) other concerned government departments 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 each on applications No. A/NE-LYT/593 and 594, and four public comments on application No. A/NE-LYT/595 were received. The comment from a North District Council member supported the three applications as they could provide convenience to the villagers, whereas the comments from the Chairmen of Sheung Shui District Rural Committee and Fanling District Rural Committee indicated no comment on the applications. The comments from Designing Hong Kong Limited (on applications No. A/NE-LYT/593 and 594) and an individual (on all the applications) raised objection to the applications mainly on the grounds that the proposed developments were not in line with the planning intention of

the “Agriculture” (“AGR”) zone; the sites had good potential for agricultural rehabilitation; no technical assessments had been submitted; the proposed Small Houses were not for meeting the applicants’ housing need; and approval of the applications would set undesirable precedents for similar applications in the area; and

- (e) the Planning Department (PlanD)’s views – PlanD did not support the applications based on the assessments set out in paragraph 11 of the Paper. The proposed Small Houses were not in line with the planning intention of the “AGR” zone which was intended 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. The proposed Small House developments did not comply with the Interim Criteria for Consideration of Application for NTEH/Small House in New Territories in that more than 50% of the footprints of the proposed Small Houses fell outside the village ‘environs’ and “V” zone of Kan Tau Tsuen. As land was still available within the “V” zone of Kan Tau Tsuen, it was considered more appropriate to concentrate the proposed Small Houses within the “V” zone for more orderly development pattern, efficient use of land and provision of infrastructures and services.

24. Members had no question on the application.

Deliberation Session

25. After deliberation, the Committee decided to reject the applications. The reasons for each of the applications were:

- “(a) the proposed development is not in line with the planning intention of the “Agriculture” zone in the Lung Yeuk Tau and Kwan Tei South area 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;

- (b) the proposed development does not comply with the Interim Criteria for Consideration of Application for New Territories Exempted House/Small House in New Territories in that more than 50% of the footprint of the proposed Small House falls outside the village ‘environs’ and “Village Type Development” (“V”) zone of Kan Tau Tsuen; and
- (c) land is still available within the “V” zone of Kan Tau Tsuen which is primarily intended for Small House development. It is considered more appropriate to concentrate the proposed Small House development close to the existing village cluster for more orderly development pattern, efficient use of land and provision of infrastructure and services.”

Agenda Item 11

Section 16 Application

[Open Meeting (Presentation and Question Sessions Only)]

A/NE-PK/81 Temporary Private Car Park (Private Car and Light Van) for a Period of 3 Years in “Village Type Development” Zone, Lot No. 2338 RP in D.D. 91, Ping Kong, Sheung Shui
(RNTPC Paper No. A/NE-PK/81)

26. The Committee noted that the replacement page (page 1 of Appendix III) of the Paper was sent to Members on 23.6.2016 to incorporate an additional Advisory Clause (e).

Presentation and Question Sessions

27. 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 private car park (private car and light van) for a period of three years;
- (c) departmental comments – departmental comments were set out in paragraph 9 of the Paper. Concerned government departments 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 and the Association of Ping Kong Area Residents supported the application mainly on consideration that the development could provide convenience to the villagers and the lack of car parking spaces in the area had resulted in disputes among the Ping Kong villagers, whereas the Chairman of the Sheung Shui District Rural Committee indicated no comment on the application. The remaining comments from two individuals objected to the application mainly on the grounds that the development would result in adverse environmental, drainage and traffic impacts on the surrounding area, and create pollution and fire safety risk to the villagers; the land in the “Village Type Development” zone should be used for village house development; the car parking demand should be catered for within the village house development; and approval of the application would set an undesirable precedent for similar applications in the area; and
- (e) the Planning Department (PlanD)’s views – PlanD considered that the temporary private car park could be tolerated for a period of three years. Although there was a substantiated environmental compliant case in 2014, it was concerning the water pollution aspect. To minimise any potential environmental nuisance to the nearby residents, the applicants would be advised to follow the latest “Code of Practice on Handling Environmental Aspects of Temporary Uses and Open Storage Sites”. Regarding the adverse public comments, the parking needs of villagers and potential adverse impacts of the development, the departmental comments and planning assessments above were relevant.

28. Members had no question on the application.

Deliberation Session

29. After deliberation, the Committee decided to approve the application on a temporary basis for a period of 3 years until 24.6.2019, 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 (Registration and Licensing of Vehicles) Regulations is allowed to be parked/stored on or enter/exit the site at any time during the planning approval period;
- (b) no medium or heavy goods vehicle exceeding 3.3 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;
- (c) 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;
- (d) 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 24.12.2016;
- (e) 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 24.12.2016;
- (f) in relation to (e) 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 24.3.2017;

- (g) 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 24.12.2016;
- (h) in relation to (g) 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 24.3.2017;
- (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 Director of Planning or of the TPB.”

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

Agenda Item 12

Section 16 Application

[Open Meeting]

A/NE-TKL/539

Proposed Temporary Open Storage (Construction Material) for a Period of 3 Years in “Agriculture” Zone, Lots No. 1504 S.B, 1505, 1506, 1509 RP and 1510 RP in D.D. 76, Sha Tau Kok Road - Ma Mei Ha, Ta Kwu Ling

(RNTPC Paper No. A/NE-TKL/539A)

31. The Secretary reported that the site was located at Ta Kwu Ling. Mr Alex T.H. Lai, whose parents owned a property in Ta Kwu Ling, had declared interest in the item. The Committee noted that the applicant had requested for deferral of consideration of the application, and agreed that as the property of Mr Alex T.H. Lai's parents had no direct view of the site, he should be allowed to stay in the meeting.

32. The Committee noted that the applicant requested on 8.6.2016 for deferment of the consideration of the application for two months to allow time for the applicant to prepare further information to address the further comments of the Commissioner for Transport (C for T). It was the second time that the applicant requested for deferment of the application. Since the last deferment, the applicant submitted further information including a swept path analysis, vehicular access to/from the site and vehicle trips estimation. Nevertheless, C for T had further comments on the car parking and loading/unloading arrangements within the site.

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

Agenda Item 13

Section 16 Application

[Open Meeting (Presentation and Question Sessions Only)]

A/NE-KLH/507 Proposed House (New Territories Exempted House - Small House) in
“Agriculture” and “Village Type Development” Zones, Lots No. 461
S.A and 461 RP in D.D. 7, Tai Hang Village, Tai Po
(RNTPC Paper No. A/NE-KLH/507)

Presentation and Question Sessions

34. 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 Director of Agriculture, Fisheries and Conservation did not support the application as there were active agricultural activities in the vicinity and the site had high potential for rehabilitation of agricultural activities. Other concerned government departments 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 98 public comments were received. Apart from one comment received from the Tai Hang Rural Committee supporting the application on the ground of shortage of land in the subject “Village Type Development” (“V”) zone for Small House development, the remaining comments received from the Conservancy Association and individuals objected to the application mainly on the grounds of being not in line with the planning intention of the “Agriculture” (“AGR”) zone; land was still available within

the “V” zone of Tai Hang; adverse impacts on the environment, air ventilation and *fung shui*; and setting undesirable precedent for similar applications; and

- (e) the Planning Department (PlanD)’s views – PlanD did not support the application based on the assessments set out in paragraph 11 of the Paper. The proposed Small House was not in line with the planning intention of the “AGR” zone which was primarily to retain and safeguard good quality agricultural land/farm/fish ponds for agricultural purposes. The proposed development did not comply with the Interim Criteria for Consideration of Application for NTEH/ Small House in New Territories in that there was no general shortage of land in the subject “V” zone to meet the demand for Small House development. As land was still available within the “V” zone, it was considered more appropriate to concentrate the proposed Small House within the “V” zone for more orderly development pattern, efficient use of land and provision of infrastructure and services.

35. Members had no question on the application.

Deliberation Session

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

- “(a) the proposed development is not in line with the planning intention of the “Agriculture” zone which is to retain and safeguard good agricultural land for agricultural purposes and to retain fallow arable land with good potential for rehabilitation. There is no strong justification in the submission for a departure from the planning intention;
- (b) the proposed development does not comply with the Interim Criteria for Consideration of Application for New Territories Exempted House/Small House in New Territories in that there is no general shortage of land in meeting the demand for Small House development in the “Village Type

Development” (“V”) zone; and

- (c) land is still available within the “V” zone of Tai Hang 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 14

Section 16 Application

[Open Meeting (Presentation and Question Sessions Only)]

A/NE-LT/571 Proposed House (New Territories Exempted House - Small House) in
“Agriculture” and “Village Type Development” Zones, Lots No. 1534
S.F in D.D. 19, Tin Liu Ha, Lam Tsuen, Tai Po
(RNTPC Paper No. A/NE-LT/571)

Presentation and Question Sessions

37. 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 IV of the Paper. The Director of Agriculture, Fisheries and Conservation did not support the application from the agricultural development point of view as there were active agricultural activities in the vicinity and the site had high potential for rehabilitation of agricultural activities. Concerned government departments had no

objection to or no adverse comment on the application;

- (d) no public comment was received during the first three weeks of the two statutory publication periods, and no local objection/view was received by the District Officer (Tai Po); and
- (e) the Planning Department (PlanD)'s views – PlanD did not support the application based on the assessments set out in paragraph 11 of the Paper. The proposed Small House was not in line with the planning intention of the “Agriculture” zone which was primarily to retain and safeguard good quality agricultural land/farm/fish ponds for agricultural purposes and also intended to retain fallow arable land with good potential for rehabilitation for cultivation and other agricultural purposes. The proposed Small House did not comply with the Interim Criteria for Consideration of Application for NTEH/Small House in the New Territories in that there was no general shortage of land in the subject “Village Type Development” (“V”) zone to meet the demand for Small House development. As land was still available within the “V” zone for Small House development, it was considered more appropriate to concentrate the proposed Small House within the “V” zone for more orderly development pattern, efficient use of land and provision of infrastructure and services.

38. Members had no question on the application.

Deliberation Session

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

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

planning justification in the submission for a departure from the planning intention;

- (b) the proposed development does not comply with the Interim Criteria for consideration of application for New Territories Exempted House/Small House in New Territories in that there is no general shortage of land in meeting the demand for Small House development in the “Village Type Development” (“V”) zone of Ha Tin Liu Ha, Sheung Tin Liu Ha and Ko Tin Hom; and
- (c) land is still available within the “V” zone of Ha Tin Liu Ha, Sheung Tin Liu Ha and Ko Tin Hom 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 David Y.T. Lui arrived to join the meeting at this point.]

Agenda Items 15 to 17

Section 16 Applications

[Open Meeting (Presentation and Question Sessions Only)]

A/NE-LT/575 Proposed House (New Territories Exempted House - Small House) in
“Agriculture” and “Village Type Development” Zones, Lot No. 699
S.B ss. 1 in D.D. 19, She Shan Tsuen, Tai Po
(RNTPC Paper No. A/NE-LT/575)

A/NE-LT/576 Proposed House (New Territories Exempted House - Small House) in
“Agriculture” and “Village Type Development” Zones, Lot No. 699
S.C in D.D. 19, She Shan Tsuen, Tai Po
(RNTPC Paper No. A/NE-LT/576)

A/NE-LT/577 Proposed House (New Territories Exempted House - Small House) in
“Agriculture” and “Village Type Development” Zones, Lot No. 699
S.D in D.D. 19, She Shan Tsuen, Tai Po
(RNTPC Paper No. A/NE-LT/577)

40. The Committee noted that the three applications for proposed house (New Territories Exempted House (NTEH) – Small House) were similar in nature and the sites were located in close proximity to one another and within the same “Agriculture” (“AGR”) and “Village Type Development” (“V”) zones, and agreed that they could be considered together.

41. The Committee also noted that there was an editorial error regarding the lot number of each of the sites, i.e. the lot number should be 699 instead of 669.

Presentation and Question Sessions

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

- (a) background to the applications;
- (b) the proposed house (NTEH - Small House) at each of the sites;
- (c) departmental comments – departmental comments were set out in paragraph 9 and Appendix V of the Papers. Major comments were summarised as follows:
 - (i) the Director of Agriculture, Fisheries and Conservation (DAFC) did not support the applications as there were active agricultural activities in the vicinity and the sites had high potential for rehabilitation of agricultural activities;
 - (ii) the Chief Engineer/Mainland North, Drainage Services Department (CE/MN, DSD) had reservation on the applications as the flow path

leading from a stormwater culvert maintained by the Tai Po District Office in the close vicinity of the site might be affected and drainage diversion work was required;

- (iii) the Chief Town Planner/Urban Design and Landscape, Planning Department (CTP/UD&L, PlanD) had some reservations on application No. A/NE-LT/576 as the proposed Small House development might involve site formation, diversion of outfall and tree felling at the site, but there was no proposed treatment and landscape proposal to alleviate the potential adverse impact; and
 - (iv) other concerned government departments had no objection to or no adverse comment on the application;
- (d) during the first three weeks of the statutory publication period, two public comments were received from Designing Hong Kong Limited and an individual on each of the applications, all objecting to the applications mainly on the grounds of being not in line with the planning intention of the “Agriculture” (“AGR”) zone; loss of agricultural land; and having adverse environmental impact; and
- (e) PlanD’s views – PlanD had no objection to the applications based on the assessments set out in paragraph 11 of the Papers. The sites were the subject of previously approved applications No. A/NE-LT/379, 380 and 391 submitted by the same applicants for the same use. As stipulated in one of the advisory clauses, the construction of the proposed Small Houses should not commence before the availability of the public sewerage system. As such, the commencement of the developments was beyond the control of the applicants and the planning permissions of the said applications were subsequently lapsed in 2012. In the current applications, the applicants had submitted a proposed sewerage connection as the system was scheduled for completion by the end of 2016. Relevant government departments had no objection to the applications provided that the construction of the proposed Small Houses should not commence before

the completion of the public sewerage system and the applicants should connect the proposed Small Houses to the public sewer at their own cost. There was also no significant change in planning circumstances of the sites since the previous applications had been approved. Regarding the concern of CE/MN, DSD, the District Officer/Tai Po, Home Affairs Department (HAD) advised that there was a preliminary drainage improvement proposal to divert the stormwater culvert and flow path and had no adverse comment on the applications. To address CTP/UD&L, PlanD's concern on application No. A/NE-LT/576, an approval condition on landscape proposal and tree preservation was recommended. Regarding the adverse comments, departmental comments and planning assessments above were relevant.

43. A Member noted that the total number of outstanding Small House applications for She Shan Tsuen was 14 and the 10-year Small House demand forecast for the same village was 80, while the subject "V" zone could provide about 76 Small House sites. The Members considered that there was sufficient land available in the "V" zone to meet the short-term Small House demand, and pointed out that a large portion of the footprint of the proposed Small House under application No. A/NE-LT/577 fell within the "AGR" zone instead of the "V" zone.

44. In response to a Member's question on the previously approved applications, Mr C.T. Lau, STP/STN, said that the previous applications were approved by the Committee in 2008, with the advice that the construction of the Small Houses under the said applications should not commence before the availability of the public sewerage system. The planning permissions of the said applications were subsequently lapsed in 2012 as construction of the Small Houses could not commence during the validity period of the planning permissions. Since a valid planning permission was required by the Lands Department (LandsD) in processing the Small House grant application, the applicants were required to seek planning permissions from the Town Planning Board (TPB).

45. In response to a Member's question on the location of the *Cinnamomum camphora*, Mr C.T. Lau said that the said tree was not located within the sites.

Deliberation Session

Expectation of Applicants

46. A Member said that the Committee had adopted a more cautious approach in consideration of applications for Small Houses in recent years, and asked if the Committee's decisions on the previously approved applications on the sites should be maintained having regard to the Committee's current approach. In response, the Chairman said that the construction of the Small Houses under the previously approved applications could not commence before the availability of the public sewerage system. It was beyond the control of the applicants and sympathetic consideration to the application might be given in that regard. The sites had been previously approved by the Committee for the same applied use. The Committee should maintain consistency in its decisions.

47. The same Member, having noted that a cluster of village houses was located to the southeast of the sites, considered that the approval of the subject applications would encourage further encroachment onto the agricultural land. The Member said that the Committee should consider the subject applications taking into account the current planning circumstances, and the precedent effect of approving the subject applications. In response, the Chairman said that whilst the Committee had been more cautious in considering application for Small House, the sites being subject to previous planning permissions was a fact that should be taken into account in considering the current applications.

48. The Committee noted that the applicants had not submitted any applications for extension of time for commencement of development before the expiry of the previous planning permissions.

Similar Applications

49. The Committee noted that a site located to the north of the sites was subject of an application (No. A/NE-LT/492) rejected on review by the TPB in 2014 as the concerned site was in close proximity to the "Site of Special Scientific Interest" zone and there were trees nearby. It was considered at that time that the proposed Small House under that application would cause adverse landscape impact on the surrounding areas. A Member said that the

circumstances of that application would not be applicable to the subject applications, and considered that the applications should be approved as the timing on provision of the public sewerage system was not controlled by the applicants. Another Member noted that an application (No. A/NE-LT/484) for the same use located to the immediate north of the sites was approved by the Committee in 2013.

50. The Committee also noted that the number of applications that had a similar background with that of the subject applications was limited, and there was no other site that was subject to a previously approved application in the area.

Processing of Small House Grant Application

51. The Committee noted that the applicants had already applied to LandsD for Small House grants of the sites after obtaining planning permissions from the TPB in 2008. The construction of the Small Houses under the previously approved applications could not commence before the availability of the public sewerage system. LandsD would only process the Small House grant applications after the implementation programme of the public sewer was confirmed, which was scheduled for completion in 2016. LandsD had informed the applicants that valid planning permissions would be required to continue to process the Small House grant applications.

Interim Criteria for Consideration of Application for NTEH/Small House in the New Territories (the Interim Criteria)

52. The Committee noted that the applications were generally in line with the Interim Criteria in that the footprints of the proposed Small Houses entirely fell within the village 'environs'; land available within the subject "V" zone could not fully meet the future Small House development; and the proposed Small Houses located within the water gathering ground would be able to connect to the public sewer and would not generate any adverse impacts on the water quality.

Other Technical Issues

53. The Committee noted that the public sewer would be laid in the vicinity of the

sites and it was feasible that the sewage pipes proposed by the applicants could be connected to the sewerage system.

54. The Committee also noted that the respective applicant had liaised with HAD in respect of the existing stormwater culvert located in the vicinity of the site under application No. A/NE-LT/575 and HAD had advised that there was a preliminary drainage improvement proposal to divert the stormwater culvert. However, there was no planned schedule for the drainage diversion works.

[Miss Winnie W.M. Ng arrived to join the meeting at this point.]

Conclusion

55. The Chairman said that the Committee should consider whether there was any change in the planning circumstances for the subject applications on sites since their last approval. Although the Committee had adopted a more cautious approach to consider applications for Small Houses in recent years, there was no change in the physical conditions of the sites except the timing on the availability of the public sewerage system.

56. A Member considered that approval of the applications was not in line with the Committee's recent approach in considering application for Small House and would not be in the public interests, and therefore did not support the application. Other Members had no objection to the applications, having regard that previous planning permissions had been granted to the sites and it was due to the non-availability of the public sewerage system that the same applicants could not commence their Small House development during the validity period of the previous planning permissions. Taking into the majority view of Members, the Chairman concluded that the applications should be approved.

57. After deliberation, the Committee decided to approve the applications, on the terms of the applications as submitted to the Town Planning Board (TPB). The permissions should be valid until 24.6.2020, and after the said date, the permissions should cease to have effect unless before the said date, the development permitted was commenced or the permission was renewed. Each of the permissions was subject to the following conditions:

Application No. A/NE-LT/575

- “(a) the submission and implementation of a landscape proposal to the satisfaction of the Director of Planning or of the TPB;
- (b) the submission and implementation of a drainage proposal to the satisfaction of the Director of Drainage Services or of the TPB;
- (c) the connection of the foul water drainage system to the public sewers to the satisfaction of the Director of Water Supplies or of the TPB;
- (d) the provision of protective measures to ensure no pollution or siltation occurs to the water gathering grounds to the satisfaction of the Director of Water Supplies or the TPB; and
- (e) to carry out of an archaeological survey prior to any construction works on site and the implementation of the appropriate mitigation measures identified therein to the satisfaction of the Antiquities and Monuments Office of the Leisure and Cultural Services Department or of the TPB.”

Application No. A/NE-LT/576

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

- (e) to carry out of an archaeological survey prior to any construction works on site and the implementation of the appropriate mitigation measures identified therein to the satisfaction of the Antiquities and Monuments Office of the Leisure and Cultural Services Department or of the TPB.”

Application No. A/NE-LT/ 577

- “(a) the submission and implementation of a landscape proposal to the satisfaction of the Director of Planning or of the TPB.”
- (b) the submission and implementation of a drainage proposal to the satisfaction of the Director of Drainage Services or of the TPB;
- (c) the connection of the foul water drainage system to the public sewers to the satisfaction of the Director of Water Supplies or of the TPB;
- (d) the provision of protective measures to ensure no pollution or siltation occurs to the water gathering grounds to the satisfaction of the Director of Water Supplies or the TPB; and
- (e) to carry out of an archaeological survey prior to any construction works on site and the implementation of the appropriate mitigation measures identified therein to the satisfaction of the Antiquities and Monuments Office of the Leisure and Cultural Services Department or of the TPB.”

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

Agenda Item 18

Section 16 Application

[Open Meeting (Presentation and Question Sessions Only)]

A/NE-LT/578 Proposed House (New Territories Exempted House - Small House) in
“Agriculture” Zone, Lots No. 1791 S.A and 1792 S.A in D.D. 19,
Sheung Tin Liu Ha, Lam Tsuen
(RNTPC Paper No. A/NE-LT/578)

Presentation and Question Sessions

59. 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 IV of the Paper. Major comments were summarised as follows:
 - (i) the Director of Agriculture, Fisheries and Conservation did not support the application as there were active agricultural activities in the vicinity and the site had high potential for rehabilitation of agricultural activities;
 - (ii) the Chief Engineer/Construction, Water Supplies Department objected to the application as there was no information in the application to indicate that the proposed Small House could be connected to any public sewerage system in the area;
 - (iii) the Commissioner for Transport had reservation on the application

and advised that the proposed Small House should be confined within the “Village Type Development” (“V”) zone. Although additional traffic generated by the proposed Small House was not expected to be significant, approval of the application would set an undesirable precedent case for similar applications in the future. The resulting cumulative adverse traffic impact could be substantial;

- (iv) the Director of Environmental Protection did not support the application. The applicant’s proposal to use septic tank/soakaway system for waste water treatment was not in line with the requirement of the Hong Kong Planning Standards and Guidelines to avoid using septic tank and soakaway system for development within the water gathering ground (WGG);
 - (v) the Chief Town Planner/Urban Design and Landscape, Planning Department (PlanD) objected to the application from the landscape planning point of view as the surrounding area was of high landscape quality. Approval of the application might set an undesirable precedent encouraging similar use to sprawl into the subject “Agriculture” (“AGR”) zone, resulting in an extension of village house developments southward and generating adverse impact on the woodland and irreversibly altering the landscape character of the “AGR” zone; and
 - (vi) other concerned government departments had no objection to or no adverse comment on the application;
- (d) during the first three weeks of the statutory publication period, two public comments were received from Hong Kong Bird Watching Society and an individual objecting to the application mainly on the grounds of being not in line with the planning intention of the “AGR” zone; loss of good quality agricultural land; having adverse environmental and ecological impacts; and setting of undesirable precedent; 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 was not in line with the planning intention of the “AGR” zone which was primarily to retain and safeguard good quality agricultural land/farm/fish ponds for agricultural purposes and also intended to retain fallow arable land with good potential for rehabilitation for cultivation and other agricultural purposes. The proposed Small House did not comply with the Interim Criteria for Consideration of Application for NTEH/Small House in New Territories in that there was no general shortage of land in the “V” zone to meet the demand for Small House development; the proposed Small House would cause adverse landscape impact on the surrounding area; and the applicant failed to demonstrate that the proposed Small House located within the WGG would be able to be connected to the planned sewerage system and would not cause adverse impact on the water quality in the area. As land was still available within the subject “V” zone for Small House development, it was considered more appropriate to concentrate the proposed Small House within the “V” zone for more orderly development pattern, efficient use of land and provision of infrastructure and services.

60. Members had no question on the application.

Deliberation Session

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

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

- (b) the proposed development does not comply with the Interim Criteria for Consideration of Application for New Territories Exempted House/Small House in New Territories in that there is no general shortage of land in meeting the demand for Small House development in the “Village Type Development” (“V”) zone of Ha Tin Liu Ha, Sheung Tin Liu Ha and Ko Tin Hom. The proposed development would cause adverse landscape impact on the surrounding area and the applicant fails to demonstrate that the proposed development located within water gathering grounds would be able to be connected to the planned sewerage system and would not adversely affect the water quality in the area; and

- (c) land is still available within the “V” zone of Ha Tin Liu Ha, Sheung Tin Liu Ha and Ko Tin Hom 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 19

Section 16 Application

[Open Meeting (Presentation and Question Sessions Only)]

A/NE-TK/581 Proposed Rural Committee/Village Office (Sha Lan Village Office) in
“Green Belt” Zone, Government Land in D.D. 27, Sha Lan Village,
Plover Cove, Tai Po
(RNTPC Paper No. A/NE-TK/581)

Presentation and Question Sessions

62. 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 rural committee/village office (Sha Lan Village Office);
- (c) departmental comments – departmental comments were set out in paragraph 8 of the Paper. The Chief Town Planner/Urban Design and Landscape, Planning Department (CTP/UD&L, PlanD) had some reservation on the application from the landscape planning perspective. There was a mature *Ficus microcarpa* in good condition to the west of the site, and its tree crown was in potential conflict with the proposed development that pruning might be required. However, the extent of the required pruning was not indicated in the application. The magnitude of landscape impact therefore could not be ascertained. In view of its close proximity to the mature tree, the foundation of the proposed development might be in conflict with the tree root spreading zone. Other concerned government departments had no objection to or no adverse comment on the application;
- (d) during the first three weeks of the statutory publication period, three public comments were received from individuals. Two of them supported the application in that the proposed development could provide an office to serve the growing population of villagers in the area whilst another individual objected to the application mainly on the grounds of being not in line with the planning intention of the “Green Belt” (“GB”) zone; availability of land within the “Village Type Development” zone; and setting of undesirable precedent for similar applications; and
- (e) PlanD’s views – PlanD had no objection to the application based on the assessments set out in paragraph 10 of the Paper. Although the proposed village office was not in line with the planning intention of the “GB” zone, it was small in scale and necessary for convening meetings to deal with the village affairs and the site was currently hard paved. CTP/UD&L, PlanD had some reservation on the application, but the Director of Agriculture, Fisheries and Conservation had no strong view on the application and

considered that the applicant should be advised to avoid impact on the tree. In that regard, an approval condition on the submission and implementation of a tree preservation proposal was recommended. Regarding the adverse public comments, departmental comments and planning assessments above were relevant.

63. While recognising the function of the proposed village office, a Member asked about the distance between the *Ficus microcarpa* and the proposed village office. In response, Mr C.T. Lau, STP/STN, said that the tree trunk was around 4m to 5m away from the site. However, given the large size of the tree crown, it was estimated that the tree roots would spread out under the site. The applicant would implement tree preservation measures to minimise adverse impact on the tree. The Chairman said that the existing hard paved open space was fenced off from the tree which was still on the soft soil.

64. In response to the same Member's further question on similar application No. A/NE-TK/400, Mr C.T. Lau said that the Committee approved the application for an village office for Shuen Wan Chan Uk in 2012. The Member further asked, whether PlanD, as a usual practice, would liaise with the applicant for the location of the proposed village office. In response, Mr C.T. Lau said that the applicant had directly liaised with the Home Affairs Department (HAD) and PlanD had not been involved in the site search exercise for the subject village office.

65. In response to a Member's question, Mr C.T. Lau said that the hard paved area of the site was a sitting out area constructed and maintained by HAD.

Deliberation Session

66. A Member said that due to the construction of the sitting out area, the *Ficus microcarpa* had already skewed to the right. The proposed village office was indeed in close proximity to the tree and there was concern that the foundation of the proposed village office would be in conflict with the tree root spreading zone, thereby further affecting the health of the tree. The Member considered that the provision of the village office was important to the villagers, but suggested to slightly reduce the site area or shift the site eastward for providing a wider buffer area for the tree. Another Member expressed concern

on whether the tree would fall if the proposed village house was to be constructed on top of the tree roots.

67. A Member said that the site could be shifted northward to avoid any conflict with the *Ficus microcarpa*. Another Member asked if the proposed village office could be accommodated by container boxes so as to avoid any construction work on the site.

68. The Chairman noted that Members were concerned about the preservation of the *Ficus microcarpa*. He suggested and the Committee agreed that the applicant should provide further information on whether minor adjustment to the site area/boundary could be made. The applicant might also liaise with PlanD and HAD for a better alternative location for the proposed village house in order to address Members' concerns. Member agreed.

69. After deliberation, the Committee decided to defer the consideration of the application.

Agenda Item 20

Section 16 Application

[Open Meeting (Presentation and Question Sessions Only)]

A/TP/607 Proposed House (New Territories Exempted House - Small House) in
"Green Belt" and "Village Type Development" Zones, Government
Land in D.D. 22, Lai Chi Shan Village, Tai Po
(RNTPC Paper No. A/TP/607)

Presentation and Question Sessions

70. 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, Planning Department (PlanD) had reservation on the application from landscape planning perspective as the site was previously covered by dense tree groups but was currently bare without vegetation. Approval of the application might set an undesirable precedent for site clearance prior to approval of planning application, and the cumulative impact of approving such applications would defeat the purpose of the “Green Belt” (“GB”) zone. Other concerned government departments had no objection to or no adverse comment on the application;
- (d) during the first three weeks of the statutory publication period, two adverse public comments from individuals were received. They objected to the application mainly on the grounds of being not in line with the planning intention of the “GB” zone; affecting the living environment; availability of land within the “Village Type Development” (“V”) zone for Small House development; and setting of undesirable precedent; 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 which was 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. The proposed Small House was in potential conflict with the adjacent mature tree, thus the application did 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 Small House had involved clearance of existing natural vegetation which affected the existing natural landscape. The application did not comply with the Interim Criteria for Consideration of Application for NTEH/Small House Development in New Territories in that clearance of vegetation had been involved causing

adverse landscape impact on the surrounding area. Land was still available within the subject “V” zone for Small House development, it was considered more appropriate to concentrate the proposed Small House within the “V” zone for more orderly development pattern, efficient use of land and provision of infrastructure and services. Approval of the proposed Small House might set an undesirable precedent for site clearance prior to approval of planning application, and the cumulative impact of approving such applications would defeat the purpose of the “GB” zone.

71. By referring to Plan A-3b of the Paper, a Member said that there was significant tree removal in the vicinity of the subject “GB” zone. In response, Mr C.T. Lau, STP/STN, said that the concerned area was under “Residential (Group B)” zone which was intended for medium-density residential development. Tree removal was carried out to facilitate the residential development and such clearance would not be considered as an unauthorised development.

Deliberation Session

72. 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”) zoning for the area which is to define the limits of urban development areas by natural physical 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 No. 10 for Application for Development within “GB” Zone under Section 16 of the Town Planning Ordinance in that the proposed development has involved clearance of existing natural vegetation which affects the existing natural landscape;

- (c) the application does not comply with the Interim Criteria for Consideration of Application for New Territories Exempted House/Small House Development in New Territories in that the proposed development would cause adverse landscape impact on the surrounding areas;
- (d) the approval of the application would set an undesirable precedent for other similar applications within the “GB” zone. The cumulative effect of approving such applications would result in a general degradation of the natural environment and landscape quality in the area; and
- (e) land is still available within the “Village Type Development” (“V”) zone of Lai Chi Shan 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.”

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

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

[Dr F.C. Chan left the meeting temporarily 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/FLN/10 Temporary Goods Distribution and Storage Use with Ancillary Parking of Vehicles for a Period of 2 Years in “Government, Institution or Community” Zone, Lots No. 152 (Part), 153 RP (Part), 154 S.B RP (Part) and 159 S.C RP (Part) in D.D. 52 and Adjoining Government Land, Fu Tei Au, Sheung Shui
(RNTPC Paper No. A/FLN/10)

73. The Secretary reported that Mr Kelvin K.M. Siu, Chief Traffic Engineer/New Territories West, Transport Department, who owned a property near Fu Tei Au had declared interest in the item. The Committee noted that Mr Kelvin K.M. Siu’s property had no direct view of the site and agreed that he could be allowed to stay in the meeting.

Presentation and Question Sessions

74. 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 temporary goods distribution and storage use with ancillary parking of vehicles for a period of two years;
- (c) departmental comments – departmental comments were set out in paragraph 10 of the Paper. Concerned government departments had no objection to or no adverse comment on the application;
- (d) during the first three weeks of the statutory publication period, three public comments were received. While the Chairman of Fanling District Rural Committee and a member of the North District Council had no comment on the application, the remaining comment from a member of the public was

concerned about the impact on the traffic condition; and

- (e) the Planning Department (PlanD)'s views – PlanD considered that the temporary goods distribution and storage use with ancillary parking of vehicles could be tolerated for a period of two years based on the assessments set out in paragraph 12 of the Paper. The applied use was considered generally in line with the Town Planning Guidelines No. 13E for Application for Open Storage and Port Back-up Uses under Section 16 of the Town Planning Ordinance in that no major adverse departmental comments had been received on the application and the applicant had demonstrated genuine efforts in compliance with approval conditions of the previous planning applications. Regarding the adverse public comment, the Transport Department had no adverse comment on the applied use as it generated low traffic demand with the availability of a rural access road.

75. Members had no question on the application.

Deliberation Session

76. After deliberation, the Committee decided to approve the application on a temporary basis for a period of 2 years until 24.6.2018, 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) the peripheral fencing of the site shall be maintained at all times during the planning approval period;
- (d) to maintain the existing drainage facilities properly and rectify those facilities if they are found inadequate/ineffective during the planning

approval period;

- (e) the submission of 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 24.9.2016;
- (f) the submission of proposals for fire service installations and water supplies for fire-fighting within 6 months from the date of planning approval to the satisfaction of the Director of Fire Services or of the TPB by 24.12.2016;
- (g) in relation to (f) above, the provision of fire service installations and water supplies for fire-fighting within 9 months from the date of planning approval to the satisfaction of the Director of Fire Services or of the TPB by 24.3.2017;
- (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 24.12.2016;
- (i) in relation to (h) 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 24.3.2017;
- (j) if any of the above planning conditions (a), (b), (c) or (d) is not complied with during the planning approval period, the approval hereby given shall cease to have effect and shall be revoked immediately without further notice; and
- (k) if any of the above planning conditions (e), (f), (g), (h) or (i) is not complied with by the specified date, the approval hereby given shall cease to have effect and shall on the same date be revoked without further notice.”

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

set out at Appendix VI of the Paper.

[Dr F.C. Chan returned to join the meeting at this point.]

Agenda Item 22

Section 16 Application

[Open Meeting (Presentation and Question Sessions Only)]

A/KTN/27 Renewal of Planning Approval for Temporary Container Tractor/Trailer Park for a Period of 3 Years in “Open Space (1)”, Other Specified Uses” annotated “Amenity Area” and “Other Specified Uses” annotated “Business and Technology Park” and “Residential (Group B)” Zones, and an area shown as 'Road', Lots No. 868 RP (Part), 869, 870, 871 (Part), 872, 873 and 874 in D.D.95, Kwu Tung North, Sheung Shui

(RNTPC Paper No. A/KTN/27)

78. The Secretary reported that the site was located at Kwu Tung North. Dr Billy C.H. Hau, who owned a property in Kwu Tung North, had declared interest in the item. The Committee noted that Dr Billy C.H. Hau had tendered apologies for being unable to attend the meeting.

Presentation and Question Sessions

79. 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 renewal of planning approval for temporary container tractor/trailer park 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 government departments had no objection to or no adverse comment on the application;

- (d) during the first three weeks of the statutory publication period, two public comments were received from two North District Council (NDC) members. One NDC member had no specific comment on the application but indicated that comments of the nearby residents should be sought while the other NDC member raised concerns on traffic and noise grounds; and
- (e) the Planning Department (PlanD)'s views – PlanD considered that the temporary container tractor/trailer park could be tolerated for a period of three years. Although DEP did not support the application, there was no environmental complaints received in the past three years and noise barriers along the site boundary were provided. To address DEP's concern, approval conditions restricting the operating hours and maintaining all the mitigation measures of the site were recommended. Regarding the adverse public comment, the Commissioner for Transport had no in-principle objection to the application, and the concerns could be addressed by incorporating the aforementioned approval conditions.

80. Members had no question on the application.

Deliberation Session

81. After deliberation, the Committee decided to approve the application on a temporary basis for a period of 3 years from 14.7.2016 until 13.7.2019, 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) no operation on Sundays and public holidays is allowed on the site during the planning approval period;
- (c) the existing access road shall be managed and maintained at all times during the planning approval period;
- (d) the existing noise mitigation measures shall be managed and maintained at all times during the planning approval period;
- (e) the existing drainage facilities shall be properly maintained and rectified if they are found inadequate/ineffective during operation at all times during the planning approval period;
- (f) the existing peripheral fencing and the installed gate shall be maintained at all times during the planning approval period;
- (g) the submission of a tree preservation and landscape proposal within 6 months from the date of renewal of planning approval to the satisfaction of the Director of Planning or of the TPB by 13.1.2017;
- (h) in relation to (g) above, the implementation of the tree preservation and landscape proposal within 9 months from the date of renewal of planning approval to the satisfaction of the Director of Planning or of the TPB by 13.4.2017;
- (i) the submission of proposals for water supplies for fire fighting and fire service installations within 6 months from the date of renewal of planning approval to the satisfaction of the Director of Fire Services or of the TPB by 13.1.2017;
- (j) in relation to (i) above, the provision of water supplies for fire fighting and fire service installations within 9 months from the date of renewal of planning approval to the satisfaction of the Director of Fire Services or of the TPB by 13.4.2017;

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

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

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

Agenda Item 23

Section 16 Application

[Open Meeting]

A/NE-KTS/390 Proposed School (International School) and Proposed Access Road in “Agriculture” and “Village Type Development” Zones, Lots 257 (Part), 258 (Part), 259 (Part), 334, 336, 337, 338, 340, 341, 342, 344, 345, 346, 347, 348, 349, 351 S.B (Part), 352, 353, 354, 355 (Part), 356, 357, 378 S.A (Part), 379 (Part), 403 (Part), 405 (Part), 406 (Part), 408 (Part), 411 (Part), 412 (Part), 415 (Part), 416 (Part), 417 (Part), 430 (Part), 590 RP (Part), 590 S.A (Part), 591 (Part), 598 S.A ss.3 (Part), 598 S.A ss.7 S.A (Part), 598 S.A ss.7 RP (Part), 598 S.A ss.13 S.A (Part), 598 S.B ss.10 (Part) and 693 (Part) in D.D. 100 and Adjoining Government Land, Kwu Tung South, New Territories
(RNTPC Paper No. A/NE-KTS/390C)

83. The Secretary reported that Ramboll Environ Hong Kong Ltd. (Environ), MVA Hong Kong Ltd. (MVA) and AECOM Asia Co. Ltd. (AECOM) 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 Environ, MVA and AECOM;

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

Dr Billy C.H. Hau - having current business dealings with AECOM.

84. The Committee noted that Mr Ivan C.S. Fu, Ms Janice W.M. Lai and Dr Billy C.H. Hau had tendered apologies for being unable to attend the meeting.

85. The Committee also noted that the applicant requested on 14.6.2016 for deferment of the consideration of the application for two months in order to allow time to prepare further information to address comments of the Agriculture, Fisheries and Conservation Department. The applicant was currently preparing an Ecological Review for the wet season. It was the fourth time that the applicant requested for deferment of the application. Since the last deferment, the applicant had submitted a revised Master Layout Plan, landscape design plan, landscape and visual assessment, tree survey, environmental assessment and sewerage impact assessment on 12.5.2016, 16.5.2016 and 30.5.2016.

86. 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 fourth deferment and a total of eight months had been allowed for preparation of the submission of the further information, this was the last deferment and no further deferment would be granted.

Agenda Item 24

Section 16 Application

[Open Meeting (Presentation and Question Sessions Only)]

A/YL-KTN/519 Proposed Temporary Animal Boarding Establishment (Cattery) for a Period of 3 Years in “Agriculture” Zone, Lots No. 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/519A)

Presentation and Question Sessions

87. 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 animal boarding establishment (cattery) 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, Planning Department (CTP/UD&L, PlanD) had some reservations on the application from landscape planning perspective. Although the proposed development was small in scale comprising a two-storey structure of 6.5m high, it was not in keeping with the surrounding landscape setting and might result in a piecemeal development in the “Agriculture” (“AGR”) zone. Approval of the application might set an undesirable precedent for other similar applications in the adjoining areas within the “AGR” zone. The submitted landscape proposal was also considered not acceptable. The Director of Agriculture, Fisheries and Conservation (DAFC) did not support the application as the site had potential for agricultural use. Other concerned government departments had no objection to or no adverse comment on the application;

- (d) during the first three weeks of the statutory publication period, one public comment was received from a general public objecting to the application as the majority of the site was covered by structures which would adversely affect the soil quality. The proposed development was not in line with the planning intention of the “AGR” zone and no strong planning justification had been given in the submission for a departure from the planning intention, even on a temporary basis; and
- (e) PlanD’s views – PlanD considered that the temporary animal boarding establishment (cattery) could be tolerated for a period of three years based on the assessments set out in paragraph 11 of the Paper. Although DAFC did not support the application, development was to serve the locals as indicated by the applicant. It was small in scale with a site area of about 90.5m², and was temporary in nature for a period of three years only. Temporary approval of application would not jeopardise the long-term planning intention of the “AGR” zone. Although CTP/UD&L, PlanD had some reservations on the application, the applicant had proposed landscaping works and an approval condition requiring the submission and implementation of a landscape proposal was recommended. Regarding the adverse public comment, departmental comments and the planning assessments above were relevant.

88. In response to the Chairman’s question, Mr Kepler S.Y. Yuen, STP/FSYLE, said that the small rectangular lots indicated on Drawing A-3 of the Paper were under multiple ownership according to the Land Registry. He further said that there was a previous application for leisure farming in the subject “AGR” zone which had been withdrawn, and some of the small rectangular lots were currently used for agricultural purpose.

Deliberation Session

89. The Chairman considered that whether approval of the application might set an undesirable precedent and encourage owners of other lots to apply for other uses, which would eventually convert the agricultural land into a hard paved area. The Committee noted that most of the small rectangular lots were still currently covered by soil with grass or for

agricultural use, except the hard paved pedestrian access proposed under the previous application for leisure farming that was withdrawn.

90. After deliberation, the Committee decided to approve the application on a temporary basis for a period of 3 years until 24.6.2019, on the terms of the application as submitted to the Town Planning Board (TPB) and subject to the following conditions:

- “(a) no operation between 7:00 p.m. and 9:00 a.m., as proposed by the applicant, is allowed on the site during the planning approval period;
- (b) no reversing of vehicles into or out of the site is allowed at any time during the planning approval period;
- (c) the submission of a landscaping proposal within 6 months from the date of planning approval to the satisfaction of the Director of Planning or of the TPB by 24.12.2016;
- (d) in relation to (c) above, the implementation of the landscaping proposal within 9 months from the date of planning approval to the satisfaction of the Director of Planning or of the TPB by 24.3.2017;
- (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 24.12.2016;
- (f) in relation to (e) 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 24.3.2017;
- (g) 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 24.12.2016;
- (h) in relation to (g) 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 24.3.2017;

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

Agenda Items 25 and 26

Section 16 Applications

[Open Meeting]

A/YL-KTN/523 Temporary Open Storage of Brand New Vehicle (Private Cars) for a Period of 3 Years in “Agriculture” and “Village Type Development” Zones, Lots No. 1634 RP (Part), 1635 RP, 1636 RP (Part), 1639, 1640 (Part), 1647 (Part), 1674 (Part), 1675 (Part) and 1676 (Part) in D.D.107 and Adjoining Government Land, Kam Tin, Yuen Long
(RNTPC Paper No. A/YL-KTN/523)

A/YL-KTN/524 Temporary Open Storage of Brand New Vehicle (Private Cars) for a Period of 3 Years in “Agriculture”, “Comprehensive Development Area” and “Village Type Development” Zones, Lots No. 1632 (Part) and 1693 in D.D.107 and Adjoining Government Land, Kam Tin, Yuen Long
(RNTPC Paper No. A/YL-KTN/524)

92. The Committee noted that the two applications for temporary open storage of brand new vehicle (private cars) for a period of three years were similar in nature and the sites were located in close proximity to each other, and agreed that the requests for deferral of the applications could be considered together.

93. The Committee noted that the applicants requested on 8.6.2016 for deferment of the consideration of the applications for two months so as to allow time for preparation of further information in response to the comments of the Transport Department. It was the first time that the applicants requested for deferment of the applications.

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

Agenda Item 27

Section 16 Application

[Open Meeting]

A/YL-KTN/525 Temporary Warehouse and Toilet for a Period of 3 Years in
“Agriculture” Zone, Lot No. 1040 (Part) in D.D.109 and Adjoining
Government Land, Tai Kong Po, Pat Heung, Yuen Long
(RNTPC Paper No. A/YL-KTN/525)

95. The Committee noted that the applicant requested on 7.6.2016 for deferment of the consideration of the application for two months to allow time for preparation of further information in response to the comments of the Transport Department and the Planning Department. It was the first time that the applicant requested for deferment of the application.

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

Agenda Item 28

Section 16 Application

[Open Meeting (Presentation and Question Sessions Only)]

A/YL-KTS/696 Proposed Temporary Religious Institution (Wah Kong Temple) for a Period of 3 Years in “Agriculture” Zone, Lots No. 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/696B)

97. The Secretary reported that the site was located at Kam Tin South. Ms Janice W.M. Lai, whose family member owned a house at Cheung Po Tsuen, Kam Tin South, had declared interest in the item. The Committee noted that Ms Janice W.M. Lai had tendered apologies for being unable to attend the meeting

Presentation and Question Sessions

98. 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 religious institution (Wah Kong Temple) for a period of three years;
- (c) departmental comments – departmental comments were set out in paragraph 9 of the Paper. Major comments were summarised as follows:
 - (i) the Secretary for Home Affairs was unable to grant policy support to the proposed development at that stage as the applicant was currently not a charitable organization registered under section 88 of the Inland Revenue Ordinance;
 - (ii) the Director of Agriculture, Fisheries and Conservation did not support the application, as the site was part of an active farm and

agricultural activities in its vicinity were very active;

- (iii) the Chief Town Planner/Urban Design and Landscape, Planning Department (PlanD) had some reservations on the application from the landscape planning perspective as approval of the proposed development would set an undesirable precedent leading to similar practices to the surrounding rural landscape. The surrounding was in rural village character with agricultural land, temporary structures and tree groups. The proposed development was considered not incompatible with the existing landscape setting; and
 - (iv) other concerned government departments had no objection to or no adverse comment on the application;
- (d) during the first three weeks of the statutory publication period, a total of 186 public comments objecting to the application were received from the Kadoorie Farm & Botanic Garden Corporation and 185 individuals, including local villagers and farmers, on the grounds that the proposed development was not in line with the planning intention of the “Agriculture” (“AGR”) zone; a previous application for hobby farm, ecological cycling tour and barbecue spot at the site was also rejected by the Town Planning Board; the proposed development would have adverse impact on *fung shui* in the area; the proposed development would have adverse impact on the rural environment and cause air pollution to villagers, visitors of nearby hobby farms and pedestrians; the subway connected to the village would not be able to support the additional traffic/pedestrian flow; the site might involve “Destroy First, Build Later” activity; and there was a concern that the proposed development would eventually convert into an illegal columbarium; 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, which was 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 was no strong planning justification in the submission for a departure from the planning intention, even on a temporary basis. Approval of the application would set an undesirable precedent for other similar uses to proliferate into the “AGR” zone. The cumulative effect of approving such applications would result in a general degradation of the rural environment of the area.

99. Members had no question on the application.

Deliberation Session

100. 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. There is no strong planning justification in the submission for a departure from the planning intention, even on a temporary basis; and
- (b) approval of the application, even on a temporary basis, would set an undesirable precedent for other similar uses to proliferate into the “AGR” zone. The cumulative effect of approving such applications would result in a general degradation of the rural environment of the area.”

Agenda Item 29

Section 16 Application

[Open Meeting (Presentation and Question Sessions Only)]

A/YL-KTS/706 Renewal of Planning Approval for Temporary Open Storage of Vehicles, Metal, Plastic Pipes, Machinery, Vehicle Parts and Construction Materials for a Period of 3 Years in “Other Specified Uses” annotated “Rural Use” Zone, Lots No. 476 RP (Part) and 477 in D.D.106, Kam Sheung Road, Pat Heung, Yuen Long
(RNTPC Paper No. A/YL-KTS/706)

101. The Secretary reported that the site was located at Kam Tin South. Ms Janice W.M. Lai, whose family member owned a house at Cheung Po Tsuen, Kam Tin South, had declared interest in the item. The Committee noted that Ms Janice W.M. Lai had tendered apologies for being unable to attend the meeting.

Presentation and Question Sessions

102. 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 renewal of planning approval for temporary open storage of vehicles, metal, plastic pipes, machinery, vehicle parts and construction materials for a period of three years;
- (c) departmental comments – departmental comments were set out in paragraph 10 of the Paper. The Director of Environmental Protection (DEP) did not support the application as there were sensitive receivers located to the south and in the vicinity of the site, and environmental nuisance was expected. There were also three complaints of paint spraying received. Other concerned government departments had no objection to or no adverse comment on the application;

- (d) no public comment was received during the first three weeks of the statutory publication period, and no local objection/view was received by the District Officer (Yuen Long); and
- (e) the Planning Department (PlanD)'s views – PlanD considered that the temporary open storage of vehicles, metal, plastic pipes, machinery, vehicle parts and construction materials could be tolerated for a period of 3 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. 13E for Application for Open Storage and Port Back-up Uses under Section 16 of the Town Planning Ordinance and No. 34B for Renewal of Planning Approval and Extension of Time for Compliance with Planning Conditions for Temporary Use or Development in that previous approvals for open storage use had been granted at the site since 1997 and all the approval conditions under the last application No. A/YL-KTS/603 had been complied with. Although DEP did not support the application, there was no environmental complaint received in the past three years. There had been no major change in planning circumstances since the last planning approval. To address the concerns of DEP on the possible environmental nuisance generated by the applied use, approval conditions restricting the operation hours, prohibiting the use of medium or heavy goods vehicles and dismantling, maintenance, repairing, cleansing, paint spraying or other workshop activities, and maintaining the boundary fence were recommended.

103. Members had no question on the application.

Deliberation Session

104. After deliberation, the Committee decided to approve the application on a temporary basis for a period of 3 years, from 14.7.2016 until 13.7.2019, on the terms of the application as submitted to the Town Planning Board (TPB) and subject to the following conditions:

- “(a) no operation between 7:00 p.m. and 9:00 a.m., as proposed by the applicant, is allowed on the site during the planning approval period;
- (b) no operation on Sundays and public holidays, as proposed by the applicant is allowed on the site during the planning approval period;
- (c) no dismantling, maintenance, repairing, cleansing, paint spraying or other workshop activities are allowed on the site at any time during the planning approval period;
- (d) the boundary fence along the site shall be maintained at all times during the planning approval period;
- (e) no reversing of vehicle into or out from the site is allowed at any time during the planning approval period;
- (f) the existing drainage facilities on the site shall be maintained at all times during the planning approval period;
- (g) the submission of a record of the existing drainage facilities on the site within 3 months from the date of commencement of the renewed planning approval to the satisfaction of the Director of Drainage Services or of the TPB by 14.10.2016;
- (h) 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 14.1.2017;
- (i) in relation to (h) 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 14.4.2017;

- (j) the provision of fire extinguisher(s) within 6 weeks with a valid fire certificate (FS 251) from the date of commencement of the renewed planning approval to the satisfaction of the Director of Fire Services or of the TPB by 25.8.2016;
- (k) the submission of a fire service installations proposal within 6 months from the date of commencement of the renewed planning approval to the satisfaction of the Director of Fire Services or of the TPB by 14.1.2017;
- (l) in relation to (k) 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 13.4.2017;
- (m) if any of the above planning conditions (a), (b), (c), (d), (e) or (f) is not complied with during the planning approval period, the approval hereby given shall cease to have effect and shall be revoked immediately without further notice;
- (n) if any of the above planning conditions (g), (h), (i), (j), (k) or (l) is not complied with by the specified date, the approval hereby given shall cease to have effect and shall on the same date be revoked without further notice; and
- (o) upon expiry of the planning permission, the reinstatement of the site to an amenity area to the satisfaction of the Director of Planning or of the TPB.”

105. 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 (Presentation and Question Sessions Only)]

A/YL-KTS/707 Temporary Storage and Parking of Private Cars for a Period of 3 Years
in “Agriculture” Zone, Lots No. 425 S.A (Part) and 429 RP (Part) in
D.D. 103, Ko Po San Tsuen, Kam Tin, Yuen Long
(RNTPC Paper No. A/YL-KTS/707)

106. The Secretary reported that the site was located at Kam Tin South. Ms Janice W.M. Lai, whose family member owned a house at Cheung Po Tsuen, Kam Tin South, had declared interest in the item. The Committee noted that Ms Janice W.M. Lai had tendered apologies for being unable to attend the meeting

Presentation and Question Sessions

107. 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 storage and parking of private cars for a period of three years;
- (c) departmental comments – departmental comments were set out in paragraph 10 of the Paper. Concerned government departments had no objection to or no adverse comment on the application;
- (d) during the first three weeks of the statutory publication period, one public comment was received from an individual objecting to the application mainly on the grounds that the proposed development was not in line with the planning intention of the “Agriculture” (“AGR”) zone and there was no strong justification for a departure from the planning intention, even on a temporary basis; and approval of the application would set an undesirable

precedent for similar applications; and

- (e) the Planning Department (PlanD)'s views – PlanD considered that the temporary storage and parking of private vehicles could be tolerated for a period of three years based on the assessments set out in paragraph 11 of the Paper. Although the applied use was not in line with the planning intention of the “AGR” zone, granting of temporary permission would not frustrate the long-term planning intention of the “AGR” zone. Since the planning permission under the last application No. A/YL-KTS/617 for the same applied use was revoked due to non-compliance with the approval conditions, shorter compliance periods were proposed to monitor the progress of compliance. Regarding the adverse public comment, departmental comments and planning assessments above were relevant.

108. Members had no question on the application.

Deliberation Session

109. After deliberation, the Committee decided to approve the application on a temporary basis for a period of 3 years until 24.6.2019, on the terms of the application as submitted to the Town Planning Board (TPB) and subject to the following conditions:

- “(a) no medium and heavy goods vehicles exceeding 5.5 tonnes, including container tractors/trailers, as defined in the Road Traffic Ordinance are allowed to be stored/parked at or enter/exit the site at any time during the planning approval period;
- (b) no dismantling, maintenance, repairing, cleansing, paint spraying or other workshop activities are allowed on the site at any time during the planning approval period;
- (c) no reversing of vehicle into or out from the site is allowed at any time during the planning approval period;

- (d) the existing drainage facilities on the site shall be maintained at all times during the planning approval period;
- (e) the existing trees and landscape plantings on the site shall be maintained at all times during the planning approval period;
- (f) 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 24.9.2016;
- (g) in relation to (f) 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 24.12.2016;
- (h) 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;
- (i) if any of the above planning conditions (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.”

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

Agenda Item 31

Section 16 Application

[Open Meeting (Presentation and Question Sessions Only)]

A/YL-KTS/708 Renewal of Planning Approval for Temporary Open Storage of Electricity Generators and Compressors with Maintenance Work for a Period of 1 Year in “Other Specified Uses” annotated “Rural Use” Zone, Lots No. 391 RP (Part) and 392 RP in D.D.106, Shek Wu Tong, Kam Tin, Yuen Long
(RNTPC Paper No. A/YL-KTS/708)

111. The Secretary reported that the site was located at Kam Tin South. Ms Janice W.M. Lai, whose family member owned a house at Cheung Po Tsuen, Kam Tin South, had declared interest in the item. The Committee noted that Ms Janice W.M. Lai had tendered apologies for being unable to attend the meeting

Presentation and Question Sessions

112. 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 renewal of planning approval for temporary open storage of electricity generators and compressors with maintenance work for a period of one year;
- (c) departmental comments – departmental comments were set out in paragraph 10 of the Paper. The Director of Environmental Protection (DEP) did not support the application as there were sensitive receivers located to the immediate north and south and in the vicinity of the site, and environmental nuisance was expected. Other concerned government departments had no objection to or no adverse comment on the application;

- (d) during the first three weeks of the statutory publication period, two public comments were received from the local residents. The commenters objected to or raised concerns on the application mainly on the grounds that the proposed development was located too close to residential dwellings and would result in fire safety risk. Besides, the pedestrian and vehicular access on the two sides of the site were very narrow, which might jeopardize the safety of nearby villagers; and

- (e) the Planning Department (PlanD)'s views – PlanD considered that the temporary open storage of electricity generators and compressors with maintenance work could be tolerated for a period of one year based on the assessments set out in paragraph 12 of the Paper. The application was generally in line with the Town Planning Board Guidelines No. 13E for Application for Open Storage and Port Back-up Uses under Section 16 of the Town Planning Ordinance and No. 34B for Renewal of Planning Approval and Extension of Time for Compliance with Planning Conditions for Temporary Use or Development (TPB-PG No. 34B) in that previous approval for the same applied use had been granted at the site since 1997 and all the approval conditions under the last application had been complied with. Although DEP did not support the application, there was no environmental complaint received in the past three years. To address DEP's concern, approval conditions restricting the operation hours, prohibiting paint spraying activity in the open area of the site, restricting the stacking height of materials stored and maintaining the peripheral fence wall were recommended. Regarding the adverse public comments, the relevant departments, including the Director of Fire Services and the Commissioner for Transport, had no adverse comment on the application, and relevant approval conditions on fire and traffic aspects were recommended.

113. A Member asked why a longer approval period of three years was not granted to the applicant. In response, Mr Kelper S.Y. Yuen, STP/FSYLE, said that the site was the subject of several applications for the same applied use. Planning permissions with an approval period of two or three years were previously granted to the applicant between 1998

and 2009. However, a shorter approval period of one year had been granted to the applicant since 2012, including the last application No. A/YL-KTS/699, as the Committee considered that it was necessary to closely monitor the situation on the site given six Small Houses under construction or vacant was located closely to the site. Also, according to TPB-PG No. 34B, the approval period for renewal should normally be not longer than the original validity period of the temporary approval. In view of that, an approval period of one year, as applied by the applicant, was recommended.

114. In response to the Chairman's question on the current status of the six Small Houses, Mr Kelper S.Y. Yuen said that two out of the six Small Houses were currently occupied.

Deliberation Session

115. After deliberation, the Committee decided to approve the application on a temporary basis for a period of 1 year, from 4.7.2016 until 3.7.2017, 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 statutory holidays, as proposed by the applicant, is allowed on the site during the planning approval period;
- (c) no paint spraying activity shall be carried out in the open area of the site, as proposed by the applicant, 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 vehicular access/run-in/out between the site and Kam Sheung Road shall be maintained at all times during the planning approval period;

- (f) the stacking height of the materials stored within 5 metres of the periphery of the site should not exceed the height of the boundary fence at any time during the planning approval period;
- (g) the peripheral fence wall of 2.5m high shall be maintained at all times during the planning approval period;
- (h) the existing trees and landscape plantings on the site shall be maintained at all times during the planning approval period;
- (i) the existing drainage facilities within the site shall be maintained at all times during the planning approval period;
- (j) the submission of a condition record 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 4.10.2016;
- (k) the provision of fire extinguisher(s) within 6 weeks with a valid fire certificate (FS 251) from the date of commencement of the renewed planning approval to the satisfaction of the Director of Fire Services or of the TPB by 15.8.2016;
- (l) the submission of a fire service installations proposal 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 4.10.2016;
- (m) in relation to (l) above, the provision of 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 4.1.2017;
- (n) if any of the above planning conditions (a), (b), (c), (d), (e), (f), (g), (h) or (i) is not complied with during the planning approval period, the approval

hereby given shall cease to have effect and shall be revoked immediately without further notice;

- (o) if any of the above planning conditions (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.”

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

Agenda Item 32

Section 16 Application

[Open Meeting (Presentation and Question Sessions Only)]

A/YL-PH/732 Temporary Horse Riding School for a Period of 3 Years in “Residential (Group D)” Zone, Lots No. 64 RP, 72 S.B ss.2 and 73 S.B RP in D.D. 108, Pat Heung, Yuen Long
(RNTPC Paper No. A/YL-PH/732A)

117. The Secretary reported that the site was located at Pat Heung. Ms Janice W.M. Lai, whose family member owned a house at Leung Uk Tsuen, Pat Heung, had declared interest in the item. The Committee noted that Ms Janice W.M. Lai had tendered apologies for being unable to attend the meeting.

Presentation and Question Sessions

118. 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 horse riding school for a period of three years;
- (c) departmental comments – departmental comments were set out in paragraph 9 of the Paper. Concerned government departments had no objection to or no adverse comment on the application;
- (d) during the first three weeks of the statutory publication period, one public comment from a general public was received raising concerns that the horse riding school had been operating for over two decades in the “Residential (Group D)” (“R(D)”) zone which was intended for low-rise, low-density residential developments. Being only affordable by the more well-off, the horse riding school was not in line with most of the uses in the Notes of the subject Outline Zoning Plan for community facilities. The site should also be better used to serve the wider community; and
- (e) the Planning Department (PlanD)’s views – PlanD considered that the temporary horse riding school could be tolerated for a period of three years based on the assessments set out in paragraph 11 of the Paper. The temporary use of the site for the applied use would not frustrate the long-term planning intention of the “R(D)” zone. Since the planning permission under the last application No. A/YL-PH/674 for the same applied use was revoked due to non-compliance with the approval conditions on drainage and fire safety aspects, shorter compliance periods were proposed to closely monitor the progress of compliance. Regarding the adverse public comment, there was no planned residential development at the site, and departmental comments and planning assessments above were relevant.

119. Members had no question on the application.

Deliberation Session

120. After deliberation, the Committee decided to approve the application on a

temporary basis for a period of 3 years until 24.6.2019, on the terms of the application as submitted to the Town Planning Board (TPB) and subject to the following conditions:

- “(a) no operation between 6:00 p.m. and 9:00 a.m., as proposed by the applicant, is allowed on the site during the planning approval period;
- (b) no operation on Mondays, as proposed by the applicant, is allowed on the site during the planning approval period;
- (c) the existing trees and landscape plantings on the site shall be maintained at all times during the planning approval period;
- (d) the existing drainage facilities on the site shall be maintained at all times during the planning approval period;
- (e) the submission of records of the existing drainage facilities on the site with an updated drainage plan within 3 months from the date of planning approval to the satisfaction of the Director of Drainage Services or of the TPB by 24.9.2016;
- (f) 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 24.9.2016;
- (g) in relation to (f) 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 24.12.2016;
- (h) 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;
- (i) if any of the above planning conditions (e), (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.”

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

Agenda Item 33

Section 16 Application

[Open Meeting]

A/YL-MP/247 Proposed Comprehensive House and Wetland Habitat Development with Filling of Land in “Other Specified Uses” annotated “Comprehensive Development and Wetland Protection Area” Zone, Lots No. 3054 S.B RP and 3055 in D.D.104, near Yau Mei San Tsuen, Mai Po, Yuen Long
(RNTPC Paper No. A/YL-MP/247B)

122. The Secretary reported that the site was located at Mai Po, and the application was submitted by Asia King Development Ltd. and Well Glided Ltd. which were subsidiaries of Henderson Land Development Co. Ltd. (HLD). AECOM Asia Co. Ltd. (AECOM), Ramboll Environ Hong Kong Ltd. (Environ) and Urbis Ltd. (Urbis) were three of the consultants of the applicants. The following Members had declared interests in the item:

- Mr Ivan C.S. Fu
 - Ms Janice W.M. Lai
 - Mr Stephen L.H. Liu
- } having current business dealings with HLD, AECOM, Environ and Urbis;
- having current business dealings with HLD;

- Mr H.F. Leung - being an employee of the University of Hong Kong which had received a donation from a family member of the Chairman of HLD before;
- Professor K.C. Chau - being an employee of the Chinese University of Hong Kong which had received a donation from a family member of the Chairman of HLD before;
- Dr Lawrence K.C. Li - being the Treasurer of the Hong Kong Polytechnic University which had obtained sponsorship from HLD before and owning a property at Palm Springs, Mai Po;
- Ms Christina M. Lee - being the Secretary-General of the Hong Kong Metropolitan Sports Events Association which had obtained sponsorship from HLD before;
- Mr Peter K.T. Yuen - being a member of the Board of Governors of the Hong Kong Arts Centre which had received a donation from a Executive Director of HLD before; and
- Dr Billy C.H. Hau - having current business dealings with AECOM.

123. The Committee noted that Mr Ivan C.S. Fu, Ms Janice W.M. Lai, Ms Christina M. Lee, Dr Lawrence W.C. Li and Dr Billy C.H. Hau had tendered apologies for being unable to attend the meeting, and Mr Peter K.T. Yuen had already left the meeting. The Committee also noted that the applicant had requested for deferral of consideration of the application, and agreed that as the interests of Mr H.F. Leung and Professor K.C. Chau were not direct, they should be allowed to stay in the meeting. As the interest of Mr Stephen L.H. Liu was direct, the Committee also agreed that he could stay in the meeting but should refrain from participating in the discussion.

124. The Committee noted that the applicant requested on 7.6.2016 for deferment of

the consideration of the application for two months in order to allow time to prepare responses to address the comments from the Drainage Services Department. It was the third time that the applicant requested for deferment of the application. Since the last deferment, the applicant had submitted a revised environmental assessment, revised drainage impact assessment, revised sewerage impact assessment, revised wetland restoration plan, revised Master Layout Plan and revised Landscape Master Plan on 6.5.2016.

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

Agenda Item 34

Section 16 Application

[Open Meeting]

A/YL-MP/251 Proposed Temporary Place of Recreation, Sports or Culture (Hobby Farm) for a Period of 3 Years in "Conservation Area" Zone, Lot No. 47 RP (Part) in D.D. 101, Mai Po, Yuen Long
(RNTPC Paper No. A/YL-MP/251)

126. The Secretary reported that the site was located at Mai Po. Dr Lawrence K.C. Li, who owned a property at Palm Springs, Mai Po, had declared interest in the item. The Committee noted that Dr Lawrence W.C. Li had tendered apologies for being unable to attend the meeting.

127. The Committee noted that the applicant requested on 7.6.2016 for deferment of the consideration of the application for two months to allow time for preparation of responses to departmental comments. It was the first time that the applicant requested for deferment of the application.

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

Agenda Item 35

Section 16 Application

[Open Meeting]

A/YL-NSW/246 Proposed Petrol Filling Station with Sales Office and Car Parking Spaces in an area shown as 'Road' and "Undetermined" Zone, Lots No. 999 S.E (Part), 1001 S.A RP (Part), 1002 S.A RP (Part) and 1327 RP (Part) in D.D.115 and Adjoining Government Land, Au Tau, Yuen Long
(RNTPC Paper No. A/YL-NSW/246A)

129. The Committee noted that the applicant requested on 10.6.2016 for deferment of the consideration of the application for two months to allow time for the applicant to prepare further information to work on/address the latest departmental comments. It was the second time that the applicant requested for deferment of the application. Since the last deferment, the applicant had submitted a revised tree survey report and landscape proposal, revised traffic impact assessment and a Geotechnical Planning Review Report on 6.5.2016 and

12.5.2016.

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

Agenda Item 36

Section 16 Application

[Open Meeting (Presentation and Question Sessions Only)]

A/YL-NSW/248 Excavation and Filling of land for Drainage Improvement Works for Existing CLP Power Hong Kong Limited (CLP)'s Pylon No. 4DYC10 in "Village Type Development" Zone, Existing CLP's Pylon No. 4DYC10, south of Kam Pok Road East, Nam Sang Wai, Yuen Long (RNTPC Paper No. A/YL-NSW/248)

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

Mr Stephen L.H. Liu }
Mr Alex T.H. Lai } having current business dealings with CLP; and

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

132. The Committee noted that Ms Christina M. Lee had tendered apologies for being unable to attend the meeting. The Committee agreed that as the interests of Mr Stephen L.H. Liu and Mr Alex T.H. Lai were direct, they should be invited to leave the meeting temporarily.

[Mr Stephen L.H. Liu and Mr Alex T.H. Lai left the meeting temporarily at this point.]

Presentation and Question Sessions

133. 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 excavation and filling of land for drainage improvement works for existing CLP Power Hong Kong Limited's Pylon No. 4DYC10;
- (c) departmental comments – departmental comments were set out in paragraph 9 of the Paper. Concerned government departments had no objection to or no adverse comment on the application;
- (d) during the first three weeks of the statutory publication period, a total of two supporting public comments were received from Pok Wai Village Representatives and a private individual, mainly on the grounds of improving the maintenance of the pylon for public safety, preventing accumulation of stagnant water, and suggesting providing fencing to prevent accident; and
- (e) the Planning Department (PlanD)'s views – PlanD had no objection to the application based on the assessments set out in paragraph 11 of the Paper.

134. Members had no question on the application.

Deliberation Session

135. 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 24.6.2020, 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 implementation of the accepted drainage proposal to the satisfaction of the Director of Drainage Services or of the TPB.”

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

[Mr Stephen L.H. Liu and Mr Alex T.H. Lai returned to join the meeting at this point.]

Agenda Item 37

Section 16 Application

[Open Meeting]

A/YL-NTM/337

Temporary Warehouse for Storage of Building Materials with Ancillary Site Office for a Period of 3 Years in “Residential (Group D)” Zone, Lots No. 1451 (Part), 1452, 1454 (Part), 1455 (Part), 1456, 1458, 1459, 1460, 1462, 1463 (Part), 1464 (Part), 1465 (Part), 1467, 1469, 1470 (Part), 1471, 1473, 1474, 1475, 1476, 1477, 1478, 1479, 1480, 1481, 1483, 1484, 1485, 1486, 1487 (Part), 1489 (Part), 1492 (Part) 1501 (Part), 1502 (Part), 1504 (Part), 1505, 1506, 1507, 1508, 1509, 1510, 1511, 1512, 1513, 1515 (Part), 1516 RP (Part), 1520, 1521(Part), 1522 (Part), 1633 (Part), 1634 S.A, 1634 S.B RP (Part), 1635 (Part), 1636(Part) and 1637(Part) in D.D. 104 and Adjoining Government Land, Ngau Tam Mei, Yuen Long
(RNTPC Paper No. A/YL-NTM/337)

137. The Committee noted that the applicant requested on 16.6.2016 for deferment of the consideration of the application for two months to allow time for preparation of further information to support the application and address departmental comments. It was the first time that the applicant requested for deferment of the application.

138. 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 38

Section 16 Application

[Open Meeting]

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

139. The Secretary reported that Masterplan Ltd. (Masterplan), AECOM Asia Co. Ltd. (AECOM) and Ramboll Environ Hong Kong Ltd. (Environ) 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 Masterplan, AECOM and Environ;
- 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.

140. The Committee noted that Mr Ivan C.S. Fu, Ms Janice W.M. Lai and Dr Billy C.H. Hau had tendered apologies for being unable to attend the meeting.

141. The Committee noted that the applicant requested on 26.5.2016 for deferment of the consideration of the application for two months in order to allow time to prepare responses to comments from the Transport Department. It was the fourth time that the applicant requested for deferment of the application. Since the last deferment, the applicant had submitted a revised ecological impact assessment, revised sewerage impact assessment, revised traffic impact assessment, revised Master Layout Plan and revised Landscape Master Plan on 3.5.2016.

142. 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 fourth deferment and a total of eight months had been allowed for preparation of the submission of the further information, this was the last deferment and no further deferment would be granted.

[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. They left the meeting at this point.]

Tuen Mun and Yuen Long West District

[Ms Jessica Y.C. Ho and Ms Bonita K.K. Ho, Senior Town Planners/Tuen Mun and Yuen Long West (STPs/TMYLW), and Mr Edmond S.P. Chiu, Town Planner/Tuen Mun and Yuen Long West (TP/TMYLW), were invited to the meeting at this point.]

Agenda Item 39

Section 16 Application

[Open Meeting (Presentation and Question Sessions Only)]

A/TM/489 Shop and Services (Furniture Showroom) in "Other Specified Uses"
annotated "Business" Zone, Unit 3, G/F, Good Harvest Industrial
Building, 9 Tsun Wen Road, Tuen Mun
(RNTPC Paper No. A/TM/489)

Presentation and Question Sessions

143. 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 shop and services (furniture showroom);
- (c) departmental comments – departmental comments were set out in paragraph 9 of the Paper. Concerned government departments had no objection to or no adverse comment on the application;
- (d) no public comment was received during the first three weeks of the statutory publication period, and no local objection/view was received by the District Officer (Tuen Mun); and
- (e) the Planning Department (PlanD)'s views – PlanD had no objection to the application based on the assessments set out in paragraph 11 of the Paper.

144. Members had no question on the application.

Deliberation Session

145. 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 was subject to the following conditions:

- “(a) the submission of a fire service installations and equipment proposal for the application premises within 6 months from the date of the planning approval to the satisfaction of the Director of Fire Services or of the TPB by 24.12.2016;
- (b) the implementation of the fire service installations and equipment proposal

for the application premises within 9 months from the date of the planning approval to the satisfaction of the Director of Fire Services or of the TPB by 24.3.2017; and

- (c) if the above approval 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.”

146. 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]

A/YL-HT/1029 Proposed Temporary Open Storage of Brand-New Vehicles (Private Cars and Light Goods Vehicles) for a Period of 3 Years in “Agriculture” Zone, Lots No. 520 (Part), 521 (Part), 536, 538, 541, 542, 543, 544 (Part), 545 (Part), 547, 548, 549, 551, 552, 553, 554 and House Lot Block (Part) in D.D. 128, Yuen Long
(RNTPC Paper No. A/YL-HT/1029)

147. The Secretary reported that the site was located at Ha Tsuen. Ms Janice W.M. Lai, whose spouse was a shareholder of a company owning two pieces of land in Ha Tsuen, had declared interest in the item. The Committee noted that Ms Janice W.M. Lai had tendered apologies for being unable to attend the meeting.

148. The Committee noted that the applicant requested on 16.6.2016 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.

149. 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 41

Section 16 Application

[Open Meeting (Presentation and Question Sessions Only)]

A/YL-HT/1030 Temporary Centre for Inspection of New Vehicles, Car Repair Workshop and Open Storage of Vehicles Prior to Sale (including Coach, Tractor and Lorry) with Ancillary Warehouse for Storage of Parts and Accessories and Site Office for a Period of 3 Years in "Open Storage (Group 1)" Zone, Lots No. 4 (Part), 5 (Part), 6 (Part) and 7 S.A (Part) in D.D. 124, Lot 1498 S.B RP (Part) in D.D. 125, and Adjoining Government Land, Ha Tsuen, Yuen Long
(RNTPC Paper No. A/YL-HT/1030)

150. The Committee noted that a replacement page (page 1 of Appendix VI) of the Paper had been tabled at the meeting to amend Advisory Clause (d).

151. The Secretary reported that the site was located at Ha Tsuen. Ms Janice W.M. Lai, whose spouse was a shareholder of a company owning two pieces of land in Ha Tsuen, had declared interest in the item. The Committee noted that Ms Janice W.M. Lai had tendered apologies for being unable to attend the meeting.

Presentation and Question Sessions

152. Mr Edmond S.P. Chiu, Town Planner/TMYLW, presented the application and covered the following aspects as detailed in the Paper:

- (a) background to the application;
- (b) the temporary centre for inspection of new vehicles, car repair workshop and open storage of vehicles prior to sale (including coach, tractor and lorry) with ancillary warehouse for storage of parts and accessories and 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 because there were sensitive uses near the site and along the access road, and environmental nuisance was expected. Other concerned government departments had no objection to or no adverse comment on the application;
- (d) no public comment was received during the first three weeks of the statutory publication period, and no local objection/view was received by the District Officer (Yuen Long); and
- (e) the Planning Department (PlanD)'s views – PlanD considered that the temporary centre for inspection of new vehicles, car repair workshop and open storage of vehicles prior to sale (including coach, tractor and lorry) with ancillary warehouse for storage of parts and accessories and site office 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 generally in line with the Town Planning Board Guidelines No. 13E for Application for Open Storage and Port Back-up Uses under Section 16 of the Town Planning Ordinance in that the site fell within Category 1 areas which were considered suitable for open storage and port back-up uses; relevant proposals had been submitted by the applicant to demonstrate that the

proposed use would not generate adverse impacts; and technical concerns of relevant government departments could be addressed through the implementation of approval conditions. Although DEP did not support the application, there was no substantiated environmental complaint pertaining to the site in the past three years. To address DEP's concern, relevant approval conditions were recommended to minimise any potential environmental nuisances.

153. Members had no question on the application.

Deliberation Session

154. After deliberation, the Committee decided to approve the application on a temporary basis for a period of 3 years until 24.6.2019, 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 9:00 a.m., as proposed by the applicant, is allowed on the site during the planning approval period;
- (b) no operation on Sundays and public holidays, as proposed by the applicant, is allowed on the site during the planning approval period;
- (c) no vehicle is allowed to queue back to or reverse onto/from the public road at any time during the planning approval period;
- (d) the existing boundary fencing on site shall be maintained at all times during the planning approval period;
- (e) the existing trees shall be preserved and the landscape planting on the site shall be maintained at all times during the planning approval period;
- (f) the existing drainage facilities on site shall be maintained at all times during the planning approval period;

- (g) the submission of a condition record of existing drainage facilities within 3 months to the satisfaction of the Director of Drainage Services or of the TPB by 24.9.2016;
- (h) the provision of fire extinguisher(s) and the submission of a valid fire certificate (FS251) within 6 weeks from the date of planning approval to the satisfaction of the Director of Fire Services or of the TPB by 5.8.2016;
- (i) the submission of a fire service installations proposal within 6 months from the date of planning approval to the satisfaction of the Director of Fire Services or of the TPB by 24.12.2016;
- (j) in relation to (i) above, the implementation of the fire service installations proposal within 9 months from the date of planning approval to the satisfaction of the Director of Fire Services or of the TPB by 24.3.2017;
- (k) if any of the above planning conditions (a), (b), (c), (d), (e) or (f) is not complied with during the planning approval period, the approval hereby given shall cease to have effect and shall be revoked immediately without further notice; and
- (l) if any of the above planning conditions (g), (h), (i) or (j) is not complied with by the specified date, the approval hereby given shall cease to have effect and shall on the same date be revoked without further notice.”

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

Agenda Item 42

Section 16 Application

[Open Meeting (Presentation and Question Sessions Only)]

A/YL-TT/380 Proposed Temporary Open Storage of Construction and Decoration Material and Containers for Storage of Decoration Equipment for a Period of 3 Years and Associated Filling of Land in “Agriculture” Zone, Lot No. 1237 S.A RP in D.D. 116, Long Ho Road, Yuen Long (RNTPC Paper No. A/YL-TT/380)

Presentation and Question Sessions

156. 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 open storage of construction and decoration material and containers of storage of decoration equipment for a period of three years and associated filling of land;
- (c) departmental comments – departmental comments were set out in paragraph 10 of the Paper. Major comments were summarised as follows:
 - (i) the Director of Environmental Protection did not support the application as there were sensitive receivers in the vicinity, and environmental nuisance was expected;
 - (ii) the Director of Agriculture, Fisheries and Conservation did not support the application as agricultural activities in the vicinity of the site were active, and the site was considered to possess potential for agricultural rehabilitation;
 - (iii) the Chief Town Planner/Urban Design and Landscape, Planning

Department (PlanD) had reservation on the application as the proposed development was not compatible with the surrounding environment. Approval of the application might set an undesirable precedent encouraging applicants to modify the site before planning approval was obtained. Moreover, no landscape proposal was submitted in support of the application, hence whether the loss of amenity could be mitigated could not be ascertained; and

- (iv) other concerned government departments had no objection to or no adverse comment on the application;

- (d) during the first three weeks of the statutory publication period, six adverse public comments were received from local residents of Yeung Uk Tsuen, Kadoorie Farm and Botanic Garden, a member of the public, World Wide Fund for Nature Hong Kong, The Hong Kong Bird Watching Society and Designing Hong Kong Limited. They objected to the application mainly on the grounds that the proposed development was not in line with the planning intention of the “Agriculture” (“AGR”) zone; ‘develop first, apply later’ actions should not be promoted and approval of the application would legitimize the misuse of the “AGR” zone; the applicant failed to demonstrate that the proposed development would not pose road safety issue and generate adverse environmental, traffic and ecological impacts on the surrounding areas; and approval of the application would set an undesirable precedent and encourage further encroachment onto land zoned “AGR”; 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. No strong planning justification had been given in the submission for a departure from the planning intention, even on a temporary basis. The proposed development was also considered incompatible with the surrounding land uses which were rural in character predominated by cultivated and fallow agricultural land with scattered residential structures.

The application did not comply with the Town Planning Board Guidelines No. 13E for Application for Open Storage and Port Back-up Uses under Section 16 of the Town Planning Ordinance in that there was no previous approval granted at the site for open storage use and there were adverse comments from the relevant departments and local objections against the application. Approving the application could be misread by the public as acquittal of the ‘destroy first’ actions, would encourage similar unauthorised development and would set an undesirable precedent. The applicant failed to demonstrate that the proposed development would not cause adverse traffic, environmental and landscape impacts on the surrounding areas. The cumulative effect of approving such similar applications, even on a temporary basis, would result in a general degradation of the rural environment and landscape quality of the area.

157. Members had no question on the application.

Deliberation Session

158. In response to a Member’s question, the Chairman said that the Committee was required to process and consider every application submitted in accordance with the provisions of the Town Planning Ordinance.

159. 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 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 development is not compatible with the rural environment which is

predominated by cultivated and fallow agricultural land with some scattered residential structures;

- (c) the development is not in line with the Town Planning Board Guidelines No. 13 for Application for Open Storage and Port Back-up Uses under Section 16 of the Town Planning Ordinance in that there is no previous planning approval granted to the site and there are adverse departmental comments and local objections. The applicant fails to demonstrate that the development would not generate adverse traffic, environmental and landscape impacts to the surrounding areas; and
- (d) the approval of the application would set an undesirable precedent for similar applications within the “AGR” zone and the cumulative effect of which would result in a general degradation of the rural environment and landscape quality of the area.”

Agenda Item 43

Section 16 Application

[Open Meeting]

A/YL-TYST/793 Proposed Temporary Public Vehicle Park for Private Cars and Light Goods Vehicles for a Period of 3 Years in “Residential (Group C)” Zone, Lots No. 1318 RP (Part), 1319 (Part), 1320 S.A (Part), 1320 RP, 1321 S.A (Part), 1321 S.B (Part), 1322 (Part) and 1327 (Part) in D.D. 119 and Adjoining Government Land, Pak Sha Tsuen, Yuen Long (RNTPC Paper No. A/YL-TYST/793)

160. The Committee noted that the applicant requested on 16.6.2016 for deferment of the consideration of the application for two months to allow time for preparation of responses to the comments of the Transport Department and the Agriculture, Fisheries and Conservation Department. It was the first time that the applicant requested for deferment of the application.

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

Agenda Item 44

Section 16 Application

[Open Meeting (Presentation and Question Sessions Only)]

A/YL/221 Renewal of Planning Approval for Temporary Shop and Services
(Retail Shop) for a Period of 3 Years in "Open Space" Zone, G/F, 1/F
& Flat Roof, Lots No. 4582 S.A (Part) and 4583 RP (Part) in D.D. 116,
Tai Kei Leng Road, Yuen Long
(RNTPC Paper No. A/YL/221)

Presentation and Question Sessions

162. 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 renewal of planning approval for temporary shop and services (retail shop) for a period of three years;
- (c) departmental comments – departmental comments were set out in paragraph 9 of the Paper. Concerned government departments had no

objection to or no adverse comment on the application;

- (d) during the first three weeks of the statutory publication period, a comment was received from a general public objecting to the application on the grounds that there was no information on how the sewage would be discharged; and
- (e) the Planning Department (PlanD)'s views – PlanD considered that the temporary shop and services (retail shop) could be tolerated for a 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 No. 34B for Renewal of Planning Approval and Extension of Time for Compliance with Planning Conditions for Temporary Use or Development in that there had been no material change in planning circumstances since the granting of the previous approval under application No. A/YL/200; the approval conditions had been complied with; and the three-year approval period sought was of the same timeframe as the previous approval. Regarding the adverse public comment, relevant government departments including the Director of Environmental Protection had no adverse comment on the application. However, the applicant would be advised to provide a septic tank and soak-away pit according to the Professional Persons Environmental Consultative Committee Practice Notes No. 5/93 requirements, if public sewer was not available. Any effluent discharge from the site should also comply with the requirements under the Water Pollution Control Ordinance.

163. Members had no question on the application.

Deliberation Session

164. After deliberation, the Committee decided to approve the application on a temporary basis for a period of 3 years from 17.8.2016 to 16.8.2019, on the terms of the application as submitted to the Town Planning Board (TPB) and subject to the following conditions:

- “(a) the operation hours of the development is restricted from 3:00 p.m. to 8:00 p.m. daily, as proposed by the applicant, during the planning approval period;
- (b) 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 17.2.2017;
- (c) in relation to (b) 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 17.5.2017;
- (d) 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
- (e) if any of the above planning conditions (b) or (c) 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.”

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

[The Chairman thanked Ms Jessica Y.C. Ho and Ms Bonita K.K. Ho, STPs/TMYLW, and Mr Edmond S.P. Chiu, TP/TMYLW, for their attendance to answer Members' enquiries. They left the meeting at this point.]

Agenda Item 45

Any Other Business

166. There being no other business, the meeting closed at 5:00 p.m..