

## **TOWN PLANNING BOARD**

### **Minutes of 570<sup>th</sup> Meeting of the Rural and New Town Planning Committee held at 2:30 p.m. on 9.12.2016**

#### **Present**

Director of Planning  
Mr Raymond K.W. Lee

Chairman

Professor K.C. Chau

Mr Ivan C.S. Fu

Ms Janice W.M. Lai

Mr H.F. Leung

Dr F.C. Chan

Mr Peter K.T. Yuen

Mr Philip S.L. Kan

Dr C.H. Hau

Ms Winnie W.M. Ng

Chief Traffic Engineer/New Territories West,  
Transport Department  
Mr Samson S.S. Lam

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

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

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

Deputy Director of Planning/District  
Ms Jacinta K.C. Woo

Secretary

**Absent with Apologies**

Mr H.W. Cheung

Ms Christina M. Lee

Mr David Y.T. Lui

Mr Alex T.H. Lai

Dr Lawrence K.C. Li

Mr Stephen L.H. Liu

**In Attendance**

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

Chief Town Planner/Town Planning Board  
Ms Sally S.Y. Fong

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

**Agenda Item 1**

Confirmation of the Draft Minutes of the 569<sup>th</sup> RNTPC Meeting held on 25.11.2016

[Open Meeting]

1. The draft minutes of the 569<sup>th</sup> RNTPC meeting held on 25.11.2016 were confirmed without amendments.

**Agenda Item 2**

Matters Arising

[Open Meeting]

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

**Tuen Mun and Yuen Long West District**

**Agenda Item 3**

**Section 12A Application**

[Open Meeting (Presentation and Question Sessions only)]

Y/TM/18                      Application for Amendment to the Approved Tuen Mun Outline Zoning Plan No. S/TM/33, To rezone the application site from “Open Space” to “Government, Institution or Community”, Lots 491 (Part), 492 (Part), 495 RP (Part), 498 RP, 500 (Part), 501 (Part), 502 RP (Part), 503 and 717 RP in D.D. 374 and Adjoining Government Land, So Kwun Wat, Tuen Mun, New Territories  
(RNTPC Paper No. Y/TM/18A)

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[The item was conducted in Cantonese.]

3.                      The Secretary reported that MVA Hong Kong Limited (MVA) and Kenneth Ng & Associates Limited (KNA) were two of the consultants of the applicant. The following Members had declared interests in the item :

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

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

4.                      As Mr Ivan C.S. Fu and Ms Janice W.M were not involved in the application, Members considered their interests were indirect and agreed that they could stay in the meeting. The Committee noted that Mr Ivan C.S. Fu and Ms Janice W.M. Lai had not arrived at the meeting yet.

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

- Mr David Y.M. Ng - District Planning Officer/Tuen Mun and Yuen Long West (DPO/TM&YLW)
- Ms Jessica Y.C. Ho - Senior Town Planner/Tuen Mun and Yuen Long West (STP/TM&YLW)
- Mr Tai Chi Wah  
Mr Tso Wai Man  
Mr William Hung  
Mr Gary Tsui
- } Applicant's representatives

### Presentation and Question Sessions

6. The Chairman extended a welcome and explained the procedure of the meeting. He then invited PlanD's representatives to brief Members on the background of the application. With the aid of a PowerPoint presentation, Ms Jessica Y.C. Ho, STP/TM&YLW, briefed Members on the application and covered the following aspects as detailed in the Paper :

- (a) background of the application;
- (b) proposal to rezone the application site (the Site) from "Open Space" ("O") to "Government, Institution or Community" ("G/IC") on the approved Tuen Mun Outline Zoning Plan No. S/TM/33 to facilitate a 24-classroom primary school development;
- (c) departmental comments – departmental comments were set out in paragraph 8 of the Paper. The Secretary for Education, the Commissioner for Transport (C for T), the Chief Town Planner/Urban Design and Landscape of PlanD, the Chief Architect/Central Management Division 2 of Architectural Services Department and the District Lands Officer/Tuen Mun of Lands Department had adverse comments on or objection to the application. Major comments included no policy support given for the proposed school development, adverse traffic impact, impact on the

accessibility and connectivity of the “O” zone, sub-standard site area and proposed mitigation measures not effectively enforceable by lease conditions. The District Officer/Tuen Mun conveyed the comments of a Tuen Mun District Council (TMDC) member and relayed a letter of TMDC expressing concerns on the application;

- (d) during the first three weeks of the statutory publication periods, a total of 30 comments were received. 10 commenters supported the application and four raised concerns, whilst the remaining 16 objected to the application. Major objection grounds and concerns were set out in paragraph 9 of the Paper; and
- (e) PlanD’s views – PlanD did not support the application based on the assessments set out in paragraph 10 of the Paper. The Site was considered not suitable for provision of a properly designed primary school due to its configuration and sub-standard site area. Besides, the proposed development would pose adverse traffic impact to the road network in the vicinity of the Site. C for T had strong reservation on the effectiveness of the proposed traffic management measures and considered that the applicant failed to demonstrate that the proposed measures could be effectively implemented and enforced continuously.

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

7. The Chairman then invited the applicant’s representatives to elaborate on the application. With the aid of a PowerPoint presentation, Mr Tai Chi Wah made the following main points :

- (a) while the applicant had previously obtained the Committee’s approval for church development at the Site, it encountered difficulties in securing a sustainable funding source for the proposed church development. To better serve the needs of the community, the applicant proposed to develop an English primary school at the Site;

- (b) the total land area owned by the applicant was about 20,000 square feet including the Site and areas falling within the adjoining “G/IC” zone to the immediate south. If not for the designation of the “G/IC” zone for the development of a police station and a fire station, the applicant could make use of the whole piece of its land for the proposed primary school development;
- (c) since the land designated for police station and fire station had been reserved for a long time with no firm programme, it was not fair to the applicant;
- (d) although the Site was smaller in size, the site area requirement under the Hong Kong Planning Standards and Guidelines (HKPSG) was nevertheless only a reference and the Education Bureau (EDB) had no negative comment on this aspect. There were other school sites elsewhere in Hong Kong with site area smaller than that set out in HKPSG. The Committee was requested to give sympathetic consideration to the application and to focus on whether the proposed primary school could provide sufficient floor area and facilities to meet the students’ needs;
- (e) there was surplus provision of public open space in Tuen Mun district and the Leisure and Cultural Services Department had no adverse comment on the application;

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

- (f) with all proposed traffic management measures in place, the traffic generation arising from the proposed primary school would be less than that from the approved church development. The school hours for primary 1 to 3 students and 4 to 6 students would be staggered to avoid overlapping the peak traffic with neighbouring schools, including Harrow International School Hong Kong (Harrow) and Lee Kam Primary School. As the proposed school hours were required information for school registration, there would be sufficient control to ensure that the proposed

staggering school hours would be implemented;

- (g) for the proposed mandatory school bus policy, it was not uncommon to control activities of the proposed development through special conditions in the lease. Since lease modification would be required for pursuing the proposed school development, the Lands Department could incorporate such requirements into the lease. With reference to the lease of Harrow, special conditions requiring the implementation of mitigation measures as proposed in the traffic impact assessment (TIA) were imposed and there was provision for the Government to re-enter the Site if any condition of the lease was breached as a last resort; and
- (h) quoting a s.16 application for kindergarten use in Kowloon Tong with a similar site area of about 900m<sup>2</sup> recently approved with conditions restricting school hours, the Committee could consider partially agree to the application by rezoning the Site to a subzone of “G/IC” with ‘School’ use under Column 2, such that a s.16 application would be required for the Town Planning Board to scrutinize the details of the proposed school development and for the applicant to implement the required mitigation measures through planning conditions.

8. With the aid of PowerPoint presentation, Mr Gary Tsui, the applicant’s traffic consultant, elaborated on the traffic aspect with the following main points :

- (a) three coach lay-bys would be provided within the Site and were considered sufficient. As the coaches serving primary 1 to 3 students and 4 to 6 students would arrive and leave the Site in different time slot, no more than three coaches would arrive at the school at the same time. There was also available space on G/F to cater for queuing of coaches without affecting the traffic flow along So Kwun Wat Road;
- (b) as for the concern on aggravating the traffic congestion at the junction of Castle Peak Road/Tsing Ying Road (the junction), the peak hour traffic at the junction from 7:30 a.m. to 8:30 a.m. was mainly due to traffic generated



from Harrow and a nearby construction site of a residential development, The Bloomsway. Noting that Harrow would implement the mandatory school bus policy in 2017 and the construction of The Bloomsway would be completed in 2017/18, it was expected that the existing traffic congestion at the junction during peak hours would be improved. Also, with staggering school hours of the proposed primary school from that of Harrow, the traffic impact arising from the proposed primary school was considered acceptable;

- (c) the TIA was conducted with two scenarios, i.e. with and without road widening and junction improvement works (the road improvement works). Under the scenario without the road improvement works, junction capacity would be overloaded even without the proposed school development in 2022. The additional traffic loading arising from the proposed school development at the junction would be insignificant as compared to the already congested situation. However, if the road improvement works were in place, junction capacity in 2022 would be much improved and more than sufficient to accommodate the additional traffic generated by the proposed school. Besides, the submitted TIA had taken into account the potential residential developments and a kindergarten in the surrounding areas in forecasting the future traffic condition. PlanD had no further comments on the planning assumptions adopted in the submitted TIA;
- (d) to address the comments on underestimation of trip generation, a sensitivity test had been conducted in the submitted TIA by assuming 20% of total students arriving school by private car/taxi and the findings of TIA showed that the junction would still have 5% reserve capacity in that situation. The applicant would strictly adopt the mandatory school bus policy in order to minimize the potential traffic impact on Castle Peak Road and So Kwun Wat Road;

9. Mr Tai Chi Wah supplemented that a s.12A rezoning application for residential development along So Kwun Wat Road in the vicinity approved by the Committee in 2015 had proposed the same road improvement works and C for T had no in-principle objection to

that application provided that the road improvement works would be implemented at the applicant's own cost. He expressed doubt on the different comments from C for T towards the same road improvement works.

10. Mr Tai Chi Wah concluded that the applicant as a religious institution intended to better serve the needs of the community. He urged the Committee to give special consideration to the application and, if appropriate, put the Site in a "G/IC" subzone, such that the Committee could scrutinize the details of the proposed school development through the planning application system.

11. As the presentations from PlanD's representatives and the applicant's representatives had been completed, the Chairman invited questions from Members.

12. A Member raised the following questions :

- (a) the reasons for pursuing the proposed school development, instead of church development, which had previously been strongly advocated by the applicant; and
- (b) given the substandard site area as compared to the reference site area under HKPSG and the insufficient provision of open space serving the school, whether there were strong justifications for the proposed school development.

13. Mr Tai Chi Wah made the following responses :

- (a) the proposed church development would rely on donation for its continual operation. The applicant could not secure a sustainable funding source for running the proposed church. Having considered the great demand for English primary school in New Territories West, the applicant decided to change the proposed development to a 24-classroom primary school. The applicant might pursue the church development at other sites in future; and
- (b) the applicant could make use of its land within the "G/IC" zone adjoining

the Site or acquire/rent surrounding land zoned “O” to enhance the provision of open space for the proposed school development. Despite the small site area, the proposed primary school would still be larger than some school developments in Kowloon Tong area in term of gross floor area.

14. In response to a Member’s enquiry on EDB’s requirement in respect of the minimum site area for a 24-classroom primary school, Ms Jessica Y.C. Ho, STP/TM&YWL, said that EDB had specified requirements on the size of standard classroom for accommodating a specific number of students, but not on the site area of a school. According to the Architectural Services Department, the dimension of a standard classroom was 10m long and 7.5m wide.

15. The Chairman further enquired on the dimension of classroom adopted by the proposed primary school development. Ms Jessica Y.C. Ho said that, based on the indicative layout submitted by the applicant, it was estimated that the building block of the proposed school could not accommodate 6 standard classrooms on each floor. In response, Mr Tai Chi Wah said that the quoted dimension of a standard classroom was for accommodating 45 students in each class. Since the planned class size of the proposed primary school would be 20 students, the dimension of classroom adopted in the proposed school would be smaller but could still comply with EDB’s requirements. He added that the detailed design of the proposed school would be vetted by the relevant authorities to ensure compliance with relevant regulations.

16. The Chairman and a Member had the following further questions :

- (a) whether the applicant would further pursue the church development previously approved; and
- (b) whether the submitted TIA had addressed C for T’s comment on the uncertainty of the road improvement works.

17. Messrs Tai Chi Wah and Gary Tsui made the following responses :

- (a) should the current rezoning application be approved, the applicant would

pursue the proposed school development. However, the applicant did not give any instruction on whether to pursue the church development if the current application was rejected; and

- (b) the submitted TIA had considered both situations of 'with' and 'without' the road improvement works. While the traffic congestion at the junction would be improved with the road improvement works in place, the traffic impact arising from the proposed school development would be insignificant compared to the current situation even without the road improvement works.

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

#### Deliberation Session

19. Members in general did not support the application and had the following views :
- (a) the Site was unable to accommodate a properly designed primary school with adequate open space provision given its substandard site area. The applicant's plan to use adjoining land for open space use by the school was far too uncertain at this stage; and
  - (b) it might not be practical to rely on the lease to ensure the effective implementation of the proposed traffic management measures as re-entry of the site due to a breach of special condition in this regard could not timely resolve the traffic impact generated and would affect those admitted students.
20. Regarding C for T's concern on the practicality and effectiveness of the proposed

traffic mitigation measures, Mr Samson S.S. Lam, the Chief Traffic Engineer/New Territories West of Transport Department, elaborated that according to the experience in handling Harrow's case, the traffic impact arising from the school development could only be alleviated recently after protracted discussion with the school on the implementation of additional measures to address the traffic congestion problem. The Transport Department (TD)'s comments on the proposed traffic management measures of the current application had made reference to the experience of similar school developments in the area. Besides, the estimated trip generation adopted in the TIA for the proposed school was unreasonably low. The applicant tried to justify the low trip rates by the proposed traffic management measures. However, TD considered that there was insufficient information on how those proposed traffic management measures could be implemented effectively and continuously. Regarding the approved application for kindergarten in Kowloon Tong as quoted by the applicant's representative, Mr Lam considered that the quoted case was temporary in nature and it was not appropriate to compare a kindergarten with the current application for a primary school.

21. After deliberation, the Committee decided not to agree to the application for the following reasons :

- “(a) the applicant fails to demonstrate that the site is suitable for accommodating a properly designed primary school taking into consideration its configuration and sub-standard site area; and
- (b) the applicant fails to demonstrate that the proposed school development would not cause adverse traffic impact on the surrounding areas.”

**Agenda Item 3A**

**Section 12A Application**

[Open Meeting]

Y/YL-LFS/8                      Application for Amendment to the Approved Lau Fau Shan & Tsim Bei Tsui Outline Zoning Plan No. S/YL-LFS/7, To rezone the application site from “Recreation” to “Government, Institution or Community (1)”, Lot 1862 (Part) in D.D. 129, Lau Fau Shan, Yuen Long, New Territories  
  
(RNTPC Paper No. Y/YL-LFS/8)

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22.            The Secretary reported that the application was submitted by Chun Wo Construction and Engineering Company Limited, which was a subsidiary of Chun Wo Development Holdings Limited (Chun Wo). Ramboll Environ Hong Kong Limited (Environ) was one of the consultants of the applicant. The following Members had declared interests in the item :

- |                     |   |   |
|---------------------|---|---|
| Mr H.F. Leung       | - | having current business dealings with Chun Wo;  |
| Mr Ivan C.S. Fu     | ] | having current business dealings with Environ; and  |
| Ms Janice W.M. Lai  | ] |   |
| Ms Christina M. Lee | - | being the Secretary-General of the Hong Kong Metropolitan Sports Events Association which obtained sponsorship from Chun Wo before. |

23.            The Committee noted that Ms Christina M. Lee had tendered apology for being unable to attend the meeting. The Committee also noted that the applicant had requested deferral of consideration of the application. As the interest of Mr H.F. Leung was direct, the Committee agreed that he could stay in the meeting but should refrain from participating in the discussion. The Committee also agreed that Mr Ivan C.S. Fu and Ms Janice W.M. Lai could stay in the meeting as they had no involvement in the application.

24.            The Committee noted that the applicant requested on 1.12.2016 for deferment of

the consideration of the application for two months in order to allow time to respond to comments raised by the Hong Kong Police Force and the Transport Department. It was the third time that the applicant requested deferment of the application. Since the last deferment, the applicant had submitted further information on 2.11.2016 providing responses to departmental comments including submission of various revised impact assessments.

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

### **Sai Kung and Islands District**

#### **Agenda Item 4**

##### **Section 16 Application**

[Open Meeting]

A/SK-SKT/9                      Proposed Comprehensive Residential Development in “Comprehensive Development Area (1)” zone, Various Lots in D.D. 221 and Adjoining Government Land, Sha Ha, Sai Kung, New Territories  
(RNTPC Paper No. A/SK-SKT/9C)

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26. The Secretary reported that one of the applicants was Boxwin Limited, which was a subsidiary of New World Development Company Limited (New World). Ramboll Environ Hong Kong Limited (Environ), MVA Hong Kong Limited (MVA), WCWP

International Limited (WCWP) and Urbis Limited (Urbis) were four of the consultants of the applicants. The following Members had declared interests in the item :

- |                     |   |
|---------------------|---|
| Mr Ivan C.S. Fu     | - having current business dealings with New World, Environ, MVA, WCWP and Urbis;  |
| Ms Janice W.M. Lai  | - having current business dealings with New World, Environ and Urbis;   |
|                     | - her spouse owning a property in Sai Kung Town;  |
| Mr Stephen L.H. Liu | - having current business dealings with New World; and  |
| Dr C.H. Hau         | - being a principal lecturer and programme director of the University of Hong Kong, which K11 Concept Limited of New World had sponsored a project of his students. |

27. The Committee noted that Mr Stephen L.H. Liu had tendered apology for being unable to attend the meeting. The Committee also noted that the applicants had requested deferral of consideration of the application. As the interests of Mr Ivan C.S. Fu and Ms Janice W.M. Lai were direct, the Committee agreed that they could stay in the meeting but should refrain from participating in the discussion. The Committee also agreed that Dr C.H. Hau could stay in the meeting as his interest was indirect.

28. The Committee noted that the applicant requested on 23.11.2016 for deferment of the consideration of the application for two months in order to allow time to address the comments of relevant departments. It was the fourth time that the applicant requested deferment of the application. Since the last deferment, the applicant had submitted further information on 14.10.2016 providing revised visual impact assessment and air ventilation assessment in response to departmental comments.

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



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

### **Sha Tin, Tai Po and North District**

#### **Agenda Item 5**

##### **Section 16 Application**

[Open Meeting]

A/NE-FTA/165      Proposed Temporary Place of Recreation, Sports or Culture (Hobby Farm) for a Period of 3 Years in "Agriculture" zone and an area shown as 'Road', Lot 554 S.A RP (Part) in D.D. 89, Man Kam To Road, Sha Ling, New Territories  
(RNTPC Paper No. A/NE-FTA/165)

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30.            The Committee noted that the applicant requested on 22.11.2016 for deferment of the consideration of the application for two months in order to allow time for the applicant to prepare further information to address various departmental comments. It was the first time that the applicant requested deferment of the application.

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

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

[Mr C.T. Lau, Senior Town Planner/Shia Tin, Tai Po and North (STP/STN), was invited to the meeting at this point.]

### **Agenda Item 6**

#### **Section 16 Application**

[Open Meeting (Presentation and Question Sessions Only)]

A/NE-KLH/523      Proposed House (New Territories Exempted House - Small House) in  
"Agriculture" and "Village Type Development" zones, Lot 344 S.A  
ss.1 in D.D. 9, Kau Lung Hang, Tai Po, New Territories  
(RNTPC Paper No. A/NE-KLH/523)

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#### **Presentation and Question Sessions**

32.            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. Consulted 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 raising objection to the application mainly for reasons of being not in line with the planning intention of “Agriculture” (“AGR”) zone and setting of an undesirable precedent; 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. Although the proposed Small House was not in line with the planning intention of “AGR” zone, the Director of Agricultural, Fisheries and Conservation had no strong view on the application as the site had low potential of rehabilitation for agriculture activities. Regarding the Interim Criteria for Consideration of Application for NTEH/Small House Development in New Territories, more than 50% of the footprint of the proposed Small House fell within the village ‘environs’ of Yuen Leng, Kau Lung Hang San Wai and Kau Lung Hang Lo Wai. While land was still available within the “Village Type Development” zone to meet the outstanding Small House applications, the site was located in close proximity to the existing village cluster and bounded by some approved Small House developments in the north and south. The site was also the subject of two previously approved planning applications (No. A/NE-KLH/372 and 472) for the same use. Despite the proposed development being located within the upper indirect Water Gathering Ground, the concerned departments had no objection to the application provided that the applicant could connect the proposed Small House with public sewer for sewerage disposal. Regarding the objecting public comments, the assessments above were relevant.

33. Members had no question on the application.

#### Deliberation Session

34. 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 9.12.2020, and after the said date, the permission should cease to have effect unless before the said date, the development permitted was commenced or the

permission was renewed. The permission was subject to the following conditions :

- “(a) the submission and implementation of landscape proposal to the satisfaction of the Director of Planning or of the TPB;
- (b) the submission and implementation of drainage proposal to the satisfaction of the Director of Drainage Services or of the TPB;
- (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; and
- (d) the provision of protection measures to ensure no pollution or siltation occurs to the water gathering grounds to the satisfaction of the Director of Water Supplies or of the TPB.”

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

### **Agenda Item 7**

#### **Section 16 Application**

[Open Meeting]

A/NE-TK/595            Proposed Temporary Shop and Services (Fresh Provision Supplier) for a Period of 3 Years in “Agriculture” zone, Lot 308 RP (Part) in D.D. 29, Ting Kok Village, Tai Po, New Territories  
(RNTPC Paper No. A/NE-TK/595)

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36. The Committee noted that the applicant requested on 29.11.2016 for deferment of the consideration of the application for two months in order to allow time for the applicant to prepare further information in support of the application. It was the first time that the applicant requested deferment of the application.

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

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

### **Agenda Item 8**

#### **Section 16 Application**

[Open Meeting (Presentation and Question Sessions Only)]

A/TP/614                      Renewal of Planning Approval for Temporary Institutional Use for a Period of 5 Years in "Village Type Development" zone, Lots 1314 S.B, 1639 and 1934 in D.D. 6 and Adjoining Government Land, Kam Shan, Tai Po, New Territories  
(RNTPC Paper No. A/TP/614)

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38.            The Secretary reported that the application site was located in Tai Po. Mr H.W. Cheung had declared interest in the item as he owned a flat in Tai Po Market. The Committee noted that Mr Cheung had tendered apology for being unable to attend the meeting.

#### **Presentation and Question Sessions**

39.            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 renewal of planning approval for temporary institutional use under planning application No. A/TP/510 for a period of five years;

- (c) departmental comments – departmental comments were set out in paragraph 9 of the Paper. Consulted 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
- (e) the Planning Department (PlanD)'s views – PlanD considered that the temporary use could be tolerated for a period of five years based on the assessments set out in paragraph 11 of the Paper. Since the site had new grant building status and the development was of temporary nature, it would not affect the possible long-term use of the site for the Small House development. The District Lands Officer/Tai Po had no adverse comment on the application. The temporary use was not incompatible with the surrounding areas which were predominantly rural in character and would unlikely cause adverse impacts. The application complied with the Town Planning Board Guidelines No. 34B on Renewal of Planning Approval and Extension of Time for Compliance with Planning Conditions for Temporary Use or Development in that the current application was the same as the previously approved application, there had not been any material change in planning circumstances since the previous planning approval and all the approval conditions for the last planning application had been complied with. Concerned departments had no objection to or no adverse comment on the application.

40. Members had no question on the application.

#### Deliberation Session

41. After deliberation, the Committee decided to approve the application on a temporary basis for a period of 5 years from 17.12.2016 until 16.12.2021, on the terms of the application as submitted to the Town Planning Board (TPB) and subject to the following conditions :

- “(a) the maintenance of all existing trees and landscape planting on site at healthy conditions throughout the approval period to the satisfaction of the Director of Planning or of the TPB; and
- (b) the provision of water supplies for fire fighting and fire service installations to the satisfaction of the Director of Fire Services or of the TPB.”

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

[The Chairman thanked Mr C.T. Lau, STP/STN, for his attendance to answer Members' enquiries. Mr Lau left the meeting at this point.]

### **Fanling, Sheung Shui and Yuen Long East District**

[Mr Otto K.C. Chan, Mr Jeff H.C. Ho, Ms Ivy C.W. Wong and Ms Emily P.W. Tong, Senior Town Planners/Fanling, Sheung Shui and Yuen Long East (STPs/FSYLE), were invited to the meeting at this point.]

### **Agenda Item 9**

#### **Section 16 Application**

[Open Meeting (Presentation and Question Sessions Only)]

A/FLN/9                      Temporary Private Car Park (Private Cars, Light Goods Vehicles and Medium Goods Vehicles) and Storage of Clothes and Computers Accessories for a Period of 3 Years in “Government, Institution or Community”, “Green Belt” and “Other Specified Uses” annotated “Port Back-up Uses” zones and an area shown as ‘Road’, Lots 168 RP (Part), 170 RP (Part) and 181 RP (Part) in D.D. 52 and Adjoining Government Land, Wa Shan, Sheung Shui, New Territories (RNTPC Paper No. A/FLN/9B)

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43. The Committee noted that a replacement page (page 13 of the Paper), rectifying typos in recommended approval conditions, was tabled at the meeting for Members' reference.

#### Presentation and Question Sessions

44. 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 private car park (private cars, light goods vehicles and medium goods vehicles) and storage of clothes and computers accessories for a period of three years;
- (c) departmental comments – departmental comments were set out in paragraph 10 of the Paper. Consulted 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. Two commenters raised concerns, while the remaining three had no comment on the application. The District Officer (North) also conveyed that the incumbent NDC member and some Indigenous Inhabitant Representatives had concerns on the application. The major concerns on the application were set out in paragraphs 10 and 11 of the Paper; and
- (e) the Planning Department (PlanD)'s views – PlanD considered that the temporary use could be tolerated for a period three years based on the assessments set out in paragraph 12 of the Paper. Although the applied use was not in line with the planning intentions of the “Government, Institution or Community” and “Green Belt” (“GB”) zones, the concerned department had no adverse comment on the application to be approved on a



temporary basis. The encroached “GB” portion was physically separated from principal part of the “GB” zone. Temporary approval would not jeopardize the long-term planning intention and the implementation of the planned road projects and would have minimal impact on the adjoining “GB” zone. Besides, it was generally in line with the planning intention of “Other Specified Use” annotated “Port Back-up” and was not incompatible with the surrounding land uses mainly comprising open storage yards, public vehicle parks and goods distribution and storage use. A major portion (92%) of the site fell within Category 1 areas and a minor portion within Categories 3 and 4 (6% and 2% respectively) under Town Planning Board Guidelines No. 13E (TPB PG-No. 13E). The applied use was considered generally in line with TPB PG-No. 13E in that there was previous planning permission granted and no adverse departmental comments were received. Nevertheless, the previous planning applications (No. A/NE-FTA/101 and 112) were revoked due to non-compliance with the approval conditions. Shorter compliance periods were recommended to closely monitor the compliance with conditions. Regarding the adverse public comments, the planning assessments above were relevant.

45. Members had no question on the application.

#### Deliberation Session

46. After deliberation, the Committee decided to approve the application on a temporary basis for a period of 3 years until 9.12.2019, 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) the submission of tree preservation and landscape proposal within 3 months from the date of planning approval to the satisfaction of the Director of Planning or of the TPB by 9.3.2017;
- (d) in relation to (c) above, the implementation of tree preservation and landscape proposal within 6 months from the date of planning approval to the satisfaction of the Director of Planning or of the TPB by 9.6.2017;
- (e) the submission of fire service installations and water supplies proposal within 3 months from the date of planning approval to the satisfaction of the Director of Fire Services or of the TPB by 9.3.2017;
- (f) in relation to (e) above, the implementation of fire service installations and water supplies proposal within 6 months from the date of planning approval to the satisfaction of the Director of Fire Services or of the TPB by 9.6.2017;
- (g) the implementation of the accepted drainage proposal within 6 months from the date of planning approval to the satisfaction of the Director of Drainage Services or of the TPB by 9.6.2017;
- (h) if any of the above planning conditions (a) and (b) is not complied with during the approval period, the approval hereby given shall cease to have effect and shall be revoked immediately without further notice; and
- (i) if any of the above planning conditions (c), (d), (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.”

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

**Agenda Item 10**

**Section 16 Application**

[Open Meeting]

A/FSS/249 Columbarium in “Government, Institution or Community” zone, The Emperor Hall (G/F, 1/F, 2/F, 3/F, 5/F and 6/F only), 18 Sha Tau Kok Road, Lung Yeuk Tau, Fanling, New Territories  
(RNTPC Paper No. A/FSS/249B)

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48. The Secretary reported that the site is located in Fanling and Sheung Shui area. Mr Samson S.S. Lam had declared interest in the item as his spouse owned a flat in Sheung Shui. The Committee noted that the applicant had requested deferral of consideration of the application and agreed that Mr Lam could stay in the meeting as the said property did not have a direct view of the site

49. The Committee noted that the applicant requested on 30.11.2016 for deferment of the consideration of the application for two months in order to allow time for preparation of responses to address the comments of relevant departments. It was the third time that the applicant requested deferment of the application. Since the last deferment, the applicant had submitted further information to address departmental comments.

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

**Agenda Items 11 to 19**

**Section 16 Applications**

[Open Meeting (Presentation and Question Sessions Only)]

- A/NE-KTS/432 Proposed House (New Territories Exempted House - Small House) in “Recreation” zone, Lot 409 S.F ss.1 in D.D. 94, Hang Tau Tai Po, Sheung Shui, New Territories
- A/NE-KTS/433 Proposed House (New Territories Exempted House - Small House) in “Recreation” zone, Lot 409 S.F ss.2 in D.D. 94, Hang Tau Tai Po, Sheung Shui, New Territories
- A/NE-KTS/434 Proposed House (New Territories Exempted House - Small House) in “Recreation” zone, Lot 409 S.F ss.3 in D.D. 94, Hang Tau Tai Po, Sheung Shui, New Territories
- A/NE-KTS/435 Proposed House (New Territories Exempted House - Small House) in “Recreation” zone, Lot 409 S.F ss.4 in D.D. 94, Hang Tau Tai Po, Sheung Shui, New Territories
- A/NE-KTS/436 Proposed House (New Territories Exempted House - Small House) in “Recreation” zone, Lot 409 S.F ss.5 in D.D. 94, Hang Tau Tai Po, Sheung Shui, New Territories
- A/NE-KTS/437 Proposed House (New Territories Exempted House - Small House) in “Recreation” zone, Lot 409 S.F ss.6 in D.D. 94, Hang Tau Tai Po, Sheung Shui, New Territories
- A/NE-KTS/438 Proposed House (New Territories Exempted House - Small House) in “Recreation” zone, Lot 409 S.F ss.7 in D.D. 94, Hang Tau Tai Po, Sheung Shui, New Territories
- A/NE-KTS/439 Proposed House (New Territories Exempted House - Small House) in “Recreation” zone, Lot 409 S.F ss.8 in D.D. 94, Hang Tau Tai Po, Sheung Shui, New Territories

A/NE-KTS/440 Proposed House (New Territories Exempted House - Small House) in “Recreation” zone, Lot 409 S.F ss.9 in D.D. 94, Hang Tau Tai Po, Sheung Shui, New Territories  
(RNTPC Paper No. A/NE-KTS/432 to 440)

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51. The Committee noted that the nine applications for proposed house (New Territories Exempted House (NTEH) – Small House) were similar in nature and the sites were located in close proximity to each other and within the same “Recreation” (“REC”) zone. The Committee agreed that these applications could be considered together.

Presentation and Question Sessions

52. Mr Jeff H.C. Ho, STP/FSYLE, 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) on each of the sites;
- (c) departmental comments – departmental comments were set out in paragraph 10 and Appendix V of the Paper. The Director of Environmental Protection (DEP) advised that the application might be subject to adverse Industrial/Residential (I/R) interface problems. The Commissioner for Transport (C for T) had reservation on the applications and considered that Small House developments should be confined with the “Village Type Development” (“V”) zones. Other concerned departments had no objection to or no adverse comments on the applications;
- (d) during the first three weeks of the statutory publication period, four public comments on each application (36 public comments in total) were received. The District Officer (North) also conveyed that the Resident Representative of Hang Tau Village raised objection to the applications. Major objection grounds were set out in paragraphs 10 and 11 of the Paper; and
- (e) the Planning Department (PlanD)’s views – PlanD did not support the

applications based on the assessments set out in paragraph 12 of the Paper. The sites fell entirely within the “REC” zone which had been agreed by the Committee to be rezoned to “Residential (Group D)” (“R(D)”) zone to encourage phasing out/upgrading of the existing temporary structures into permanent buildings. Although the proposed Small House developments were not entirely in conflict with the latest planning intention for residential use, the existing I/R interface problem with the nearby rural industrial uses was not addressed in the submissions and DEP had adverse comments on the same aspect. Regarding the Interim Criteria for Consideration of Application for NTEH/Small House Development in New Territories, land was still available within the “V” zone of Hang Tau Village to meet the outstanding Small House applications. It was considered more appropriate to concentrate the proposed Small Houses within the “V” zone for orderly development pattern, efficient use of land and provision of infrastructures and services. Though two similar applications within the same “REC” zone were approved by the Committee between 2001 and 2004, they were different from the current applications in that they were close to the village cluster of Hang Tau and straddled on the “V” and “REC” zones. Some of the public comments also raised concerns on the potential traffic impact to this area which would aggravate the traffic congestion problem in Hang Tau Tai Po.

53. A Member asked whether the rural industrial uses in the vicinity of the sites falling with the “REC” zone had obtained planning permission. In response, Mr Jeff H.C. Ho, STP/FSYLE, said no planning permission had been granted for those rural industrial use in the vicinity as those uses were in existence before the gazette of the interim development permission area plan covering the area in 1990. They were tolerated under the current planning regime. In response to the same Member’s further enquiry, Mr Jeff H.C. Ho confirmed that those uses were not subject to enforcement action by the Planning Authority.

#### Deliberation Session

54. Members in general did not support the applications. A Member considered that the rejection reason (b) should be slightly revised as the rural industrial uses in the area was

only tolerated under the current planning regime and rejecting the application on the ground of I/R interface problem would send a wrong message that rural industrial uses were permissible in the “REC” zone. The Committee noted in paragraph 5.3 of the Paper that the recommendations of the land use review to rezone the sites and surrounding areas from “REC” to “R(D)” were agreed by the Committee in order to improve and upgrade the existing temporary structures through redevelopment of the existing temporary structures into permanent building and for low-rise, low-density residential developments subject to planning permission from the Board. Technical assessments would be required from the project proponent of future residential development to address the potential environmental impacts and I/R interface problems. To address the Member’s concern, the Secretary suggested to revise rejection reason (b) by adding “existing” before “industrial/residential interface problems”. Members agreed.

55. A Member was of the view that the roads in the area were subject to severe traffic congestion and asked whether the applications should also be rejected on traffic grounds. The Committee noted the Transport Department’s comments that the proposed Small Houses could be tolerated from traffic management point of view. Nevertheless, the Committee took note of the concern that the traffic condition in the area was poor.

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

- “(a) land is still available within the “Village Type Development” zone of Hang Tau Village 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 of Hang Tau for more orderly development pattern, efficient use of land and provision of infrastructures and services; and
- (b) the applicant failed to demonstrate that the proposed development would not be subject to adverse environmental impacts and existing industrial/residential interface problems.”

**Agenda Item 20**

**Section 16 Application**

[Open Meeting]

A/YL-KTN/535 Proposed Temporary Place of Recreation, Sports or Culture (Hobby Farm and Caravan Holiday Camp) for a Period of 3 Years in “Agriculture” zone, Lots No. 5 RP (Part), 5 S.M-S.Z, 5 S.AA-S.AC, 5 S.AT, 5 S.AV-S.AZ, 5 S.BC, 6, 8 RP (Part), 9 RP, 9 S.B-S.H in D.D. 110 and Adjoining Government Land, Tai Kong Po, Kam Tin, Yuen Long, New Territories  
(RNTPC Paper No. A/YL-KTN/535A)

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57. The Committee noted that the applicant requested on 24.11.2016 for deferment of the consideration of the application for two months in order to allow time for preparation of responses to address departmental comments. It was the second time that the applicant requested deferment of the application. Since the last deferment, the applicant had submitted further information to address departmental comments.

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



**Agenda Item 21**

**Section 16 Application**

[Open Meeting]

A/YL-KTN/536      Proposed Temporary Place of Recreation, Sports or Culture (Hobby Farm and Caravan Holiday Camp) for a Period of 3 Years in “Agriculture” zone, Lots No. 1786, 1787 S.B and 1787 RP in D.D. 107, Fung Kat Heung, Kam Tin, Yuen Long, New Territories  
(RNTPC Paper No. A/YL-KTN/536A)

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59.            The Committee noted that the applicant requested on 24.11.2016 for deferment of the consideration of the application for two months in order to allow time for preparation of 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 had submitted further information to address departmental comments.

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

**Agenda Item 22**

**Section 16 Application**

[Open Meeting]

A/YL-KTN/538 Proposed Temporary Place of Recreation, Sports or Culture (Hobby Farm) for a Period of 3 Years in “Agriculture” zone, Lots 97 S.A (Part), 97 S.B RP (Part), 106 (Part) and 107 (Part) in D.D. 110, Tsat Sing Kong, Pat Heung, Yuen Long, New Territories  
(RNTPC Paper No. A/YL-KTN/538)

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61. The Committee noted that the application was rescheduled.

**Agenda Item 23**

**Section 16 Application**

[Open Meeting (Presentation and Question Sessions Only)]

A/YL-KTN/542 Renewal of Planning Approval for Temporary Storage of Logistics Products and Goods with Ancillary Office for a Period of 3 Years in “Agriculture” zone, Lots 409 S.A (Part) and 413 in D.D. 110, Pat Heung, Yuen Long, New Territories  
(RNTPC Paper No. A/YL-KTN/542)

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**Presentation and Question Sessions**

62. Ms Ivy C.W. Wong, 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 storage of logistics products and goods with ancillary office under application No. A/YL-KTN/428 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 residential structures were found to the immediate west of the site and environmental nuisance was expected. Other concerned departments had no objection to or no adverse comment on the application;

- (d) during the first three weeks of the statutory publication period, one public comment was received raising objection to the application. Major objection grounds were set out in paragraph 11 of the Paper; and
- (e) the Planning Department (PlanD)'s views – PlanD considered that the temporary use could be tolerated for a period of three years based on the assessments set out in paragraph 12 of the Paper. Although the applied use was not in line with the planning intention of “Agriculture” zone, the Director of Agriculture, Fisheries and Conservation had no adverse comment on the application as the site had low potential for agricultural rehabilitation. Also, the use was considered not incompatible with the surrounding land uses predominated by open storage/storage yards, workshop, warehouse, scattered residential structures and plant nursery. The application was generally in line with the Town Planning Board Guidelines No. 34B on Renewal of Planning Approval and Extension of Time for Compliance with Planning Conditions for Temporary Use of Development in that all the approval conditions under the previous planning approval had been complied with, there was no adverse comment from the relevant departments except DEP and no major change in planning circumstances since the last approval. Though DEP did not support the application, there was no environmental complaint in the past three years. To address DEP's concern, relevant approval conditions were recommended to minimize the possible nuisance generated by the applied use. Regarding the adverse public comment, the assessments above were relevant.

63. Members had no question on the application.

Deliberation Session

64. After deliberation, the Committee decided to approve the application on a temporary basis for a period of 3 years from 29.1.2017 to 28.1.2020, on the terms of the application as submitted to the Town Planning Board (TPB) and subject to the following conditions :

- “(a) no operation between 6:00 p.m. and 8:00 a.m., as proposed by the applicant, is allowed on the site during the planning approval period;
- (b) no operation on Sundays and public holidays, as proposed by the applicant, is allowed on the site during the planning approval period;
- (c) no heavy goods vehicles exceeding 24 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;
- (d) no vehicle is allowed to reverse into or out of the site at any time during the planning approval period;
- (e) no dismantling, maintenance, repairing, cleansing, paint spraying or other workshop activities are allowed on the site at any time during the planning approval period;
- (f) the existing trees and landscape planting on the site should be maintained at all times during the planning approval period;
- (g) the existing drainage facilities on the site should be maintained at all times during the planning approval period;
- (h) the submission of the condition record of the existing drainage facilities on the site within 3 months from the date of commencement of the renewed planning approval to the satisfaction of the Director of Drainage Services

or of the TPB by 29.4.2017;

- (i) 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 29.7.2017;
- (j) in relation to (i) above, the provision of the 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 29.10.2017;
- (k) if any of the above planning conditions (a), (b), (c), (d), (e), (f) or (g) is not complied with during the planning approval period, the approval hereby given shall cease to have effect and shall be revoked immediately without further notice;
- (l) if any of the above planning conditions (h), (i) or (j) is not complied with by the specified date, the approval hereby given shall cease to have effect and shall on the same date be revoked without further notice; and
- (m) upon expiry of the planning permission, the reinstatement of the application site to an amenity area to the satisfaction of the Director of Planning or of the TPB.”

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

**Agenda Item 24**

**Section 16 Application**

[Open Meeting (Presentation and Question Sessions Only)]

A/YL-KTS/723        Renewal of Planning Approval for Temporary Training Centre for Construction Industry for a Period of 3 Years in “Village Type Development” zone, Government Land in D.D. 106, Yuen Kong Tsuen, Pat Heung, Yuen Long, New Territories  
(RNTPC Paper No. A/YL-KTS/723)

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66.        The Secretary reported that the application was submitted by the Construction Industry Council (CIC). The following Members had declared interests in the item :

- Mr Ivan C.S. Fu                        - being a Member of the Construction Workers Registration Board of CIC;
- Mr H.F. Leung                         - being a Member of a committee of CIC; and
- Ms Janice W.M. Lai                    - her family member owned a property in Kam Tin South.

67.        As the interests of Mr Ivan C.S. Fu and Mr H.F. Leung were direct, the Committee agreed that they should leave the meeting temporarily for the item. The Committee also agreed that Ms Janice W.M. Lai could stay in the meeting as the said property did not have a direct view of the application site.

[Mr Ivan C.S. Fu and Mr H.F. Leung left the meeting temporarily at this point.]

**Presentation and Question Sessions**

68.        Ms Ivy C.W. Wong, 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 training centre for construction industry under planning application No. A/YL-KTS/629 for a period of three years;
- (c) departmental comments – departmental comments were set out in paragraph 10 of the Paper. Consulted 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 supporting the application; and
- (e) the Planning Department (PlanD)’s views – PlanD considered that the temporary use could be tolerated for a period of three years based on the assessments set out in paragraph 12 of the Paper. Although the applied use was not in line with the planning intention of “Village Type Development” zone, there was no Small House application at the site and the renewal application on a temporary basis would not frustrate the long-term planning intention. The application was in line with the Town Planning Board Guidelines No. 34B on Renewal of Planning Approval and Extension of Time for Compliance with Planning Conditions for Temporary Use or Development in that all the approval conditions under the previous application had been complied with and there was no material change in planning circumstance since the last approval. Besides, relevant approval conditions were recommended to minimise any possible environmental nuisance generated by the applied use and to address the technical concerns of the concerned departments.

69. Members had no question on the application.

#### Deliberation Session

70. After deliberation, the Committee decided to approve the application on a temporary basis for a period of 3 years, from 22.2.2017 until 21.2.2020, on the terms of the

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

- “(a) no operation between 5:00 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 Saturdays, Sundays and public holidays, as proposed by the applicant, is allowed on the site during the planning approval period;
- (c) no noisy activities such as drilling or ground breaking, as proposed by the applicant, shall be carried out on the site at any time during the planning approval period;
- (d) the existing drainage facilities on the site shall be maintained at all times during the planning approval period;
- (e) the submission of a condition record of the existing drainage facilities on the site within 3 months from the date of commencement of the renewed planning approval to the satisfaction of the Director of Drainage Services or of the TPB by 22.5.2017;
- (f) the submission of a tree preservation and landscape proposal within 6 months from the date of commencement of the renewed planning approval to the satisfaction of the Director of Planning or of the TPB by 22.8.2017;
- (g) in relation to (f) above, the implementation of the tree preservation and landscape proposal within 9 months from the date of commencement of the renewed planning approval to the satisfaction of the Director of Planning or of the TPB by 22.11.2017;
- (h) the submission of a fire service installations proposal within 6 months from the date of commencement of the renewed planning approval to the satisfaction of the Director of Fire Services or of the TPB by 22.8.2017;



- (i) in relation to (h) above, the implementation of the fire service installations proposal within 9 months from the date of commencement of the renewed planning approval to the satisfaction of the Director of Fire Services or of the TPB by 22.11.2017;
- (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;
- (k) if any of the above planning conditions (e), (f), (g), (h) or (i) is not complied with by the specified date, the approval hereby given shall cease to have effect and shall on the same date be revoked without further notice; and
- (l) upon the 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.”

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

[Mr Ivan C.S. Fu and Mr H.F. Leung returned to join the meeting at this point.]

**Agenda Item 25**

**Section 16 Application**

[Open Meeting (Presentation and Question Sessions Only)]

A/YL-PH/738            Proposed Temporary Open Storage of Vehicles and Landscape Plant Materials for a Period of 3 Years in “Residential (Group D)” zone, Lots 9 (Part) and 10 (Part) in D.D.111, Pat Heung, Yuen Long, New Territories  
(RNTPC Paper No. A/YL-PH/738)

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72.            The Secretary reported that the site was located in Pat Heung. Ms Janice W.M. Lai had declared interest in the item as her family member owned a property in Pat Heung. The Committee noted that Ms Lai could stay at the meeting as the said property did not have a direct view of the site.

**Presentation and Question Sessions**

73.            Ms Ivy C.W. Wong, STP/FSYLE, drew Members’ attention that replacement pages (pages 11 and 17 of the Paper and page 2 of Appendix VII) and an additional page (Appendix VIII) incorporating the latest comments of the Buildings Department were tabled at the meeting for Members’ reference. She then 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 vehicles and landscape plant 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 residential structures were found in the vicinity of the site and environmental nuisance was expected. Other concerned departments had no objection to or no adverse comment on the application;

- (d) during the first three weeks of the statutory publication period, two comments were received objecting the application. Major objection grounds were set out in paragraph 11 of the Paper; and
  
- (e) the Planning Department (PlanD)'s views – PlanD considered that the temporary use could be tolerated for a period of three years based on the assessments set out in paragraph 12 of the Paper. Although the applied use was not in line with the planning intention of the “Residential (Group D)” zone, there was no known programme for permanent development on the site and it was considered not incompatible with the surrounding land uses predominated by open storage or storage yards. Approval of the application on a temporary basis would not frustrate the long-term planning intention of the zone and the applied use would unlikely lead to significant adverse environmental impact to the surrounding areas. The application was generally in line with the Town Planning Board Guidelines No. 13E on Application for Open Storage and Port Back-up Uses in that the site fell within Category 2 areas, no adverse impact was anticipated and concerned departments had no objection to or no adverse comment, except DEP and two adverse public comments. Though DEP did not support the application, there was no environmental complaint for the site in the past three years. To address DEP's concerns, relevant approval conditions restricting the operation hours and types of vehicles and prohibiting dismantling, maintenance, repairing, cleansing, paint spraying or other workshop activities were recommended. Regarding the adverse public comments, the assessments above were relevant.

74. Members had no question on the application.

#### Deliberation Session

75. After deliberation, the Committee decided to approve the application on a temporary basis for a period of 3 years until 9.12.2019, on the terms of the application as submitted to the Town Planning Board (TPB) and subject to the following conditions :

- “(a) no operation between 6:00 p.m. and 8:00 a.m., as proposed by the applicant, is allowed on the site during the planning approval period;
- (b) no operation on Sundays and statutory holidays, as proposed by the applicant, is allowed on the site during the planning approval period;
- (c) no dismantling, maintenance, repairing, cleansing, paint spraying or other workshop activities are allowed on the site at any time during the planning approval period;
- (d) no heavy goods vehicles exceeding 30 tonnes, including container tractors/trailers, as defined in the Road Traffic Ordinance are allowed to be parked/stored on or enter/exit the site at any time during the planning approval period;
- (e) no reversing of vehicles into or out of the site is allowed at any time during the planning approval period;
- (f) the existing boundary fencing shall be maintained at the site at all times during the planning approval period;
- (g) the existing drainage facilities at the site shall be maintained at all times during the planning approval period;
- (h) the submission of condition records of the drainage facilities on-site within 3 months from the date of planning approval to the satisfaction of the Director of Drainage Services or of the TPB by 9.3.2017;
- (i) the submission of a tree preservation proposal within 6 months from the date of planning approval to the satisfaction of the Director of Planning or of the TPB by 9.6.2017;
- (j) in relation to condition (i) above, the implementation of the tree

preservation proposal within 9 months from the date of planning approval to the satisfaction of the Director of Planning or of the TPB by 9.9.2017;

- (k) the provision of fire extinguisher(s) within 6 weeks with a valid fire certificate (FS 251) from the date of planning approval to the satisfaction of the Director of Fire Services or of the TPB by 20.1.2017;
- (l) 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 9.6.2017;
- (m) if any of the above planning conditions (a), (b), (c), (d), (e), (f) or (g) is not complied with during the planning approval period, the approval hereby given shall cease to have effect and shall be revoked immediately without further notice;
- (n) if any of the above planning conditions (h), (i), (j), (k) or (l) is not complied with by the specified date, the approval hereby given shall cease to have effect and shall on the same date be revoked without further notice; and
- (o) upon expiry of the planning permission, the reinstatement of the application site to an amenity area to the satisfaction of the Director of Planning or of the TPB.”

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

**Agenda Item 26**

**Section 16 Application**

[Open Meeting (Presentation and Question Sessions Only)]

A/YL-MP/254            Renewal of Planning Approval for Temporary Shop and Services (Real Estate Agency) for a Period of 3 Years in “Open Space” zone, Lot 2905 S.C RP (Part) in D.D. 104 and Adjoining Government Land, Mai Po, Yuen Long, New Territories  
(RNTPC Paper No. A/YL-MP/254)

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77.            The Secretary reported that the site was located in Mai Po. Dr Lawrence K.C. Li had declared interest in the item as he co-owned a property with his spouse in Mai Po. The Committee noted that Dr Li had tendered apology for being unable to attend the meeting.

**Presentation and Question Sessions**

78.            Ms Emily P.W. Tong, 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 shop and services (real estate agency) under planning application No. A/YL-MP/225 for a period of three years;
- (c) departmental comments – departmental comments were set out in paragraph 10 of the Paper. Consulted departments had no objection to or no adverse comment on the application;
- (d) during the first three weeks of the statutory publication, two public comments were received. Their major concerns were set out in paragraph 11 of the Paper; and
- (e) the Planning Department (PlanD)’s views – PlanD considered that the

temporary use could be tolerated for a period of three years based on the assessments set out in paragraph 12 of the Paper. Since there was no development programme for implementing the proposed open space and the Director of Leisure and Cultural Services had no objection to the application, approval of the application on a temporary basis would not frustrate the long-term planning intention of the “Open Space” zone. The application was in line with the Town Planning Board Guidelines No. 34B on Renewal of Planning Approval and Extension of Time for Compliance with Planning Conditions for Temporary Use or Development in that there had not been any material change in planning circumstances since the last approval, concerned departments had no objection to or adverse comment on the application, all the approval conditions under the previous approval had been complied with, and the 3-year approval period sought was the same as in the last approval. The site fell within the Wetland Buffer Area under the Town Planning Board Guidelines No. 12C on Application for Developments within Deep Bay Area, which specified that planning applications for temporary uses were exempted from the requirement of Ecological Impact Assessment. The Director of Agriculture, Fisheries and Conservation had no adverse comment on the application from nature conservation point of view. Relevant approval conditions were recommended to address the technical concerns of relevant departments and to minimize any potential environmental nuisance. Regarding the adverse public comments, the assessments above were relevant.

79. Members had no question on the application.

#### Deliberation Session

80. After deliberation, the Committee decided to approve the application on a temporary basis for a period of 3 years from 24.12.2016 to 23.12.2019, on the terms of the application as submitted to the Town Planning Board (TPB) and subject to the following conditions :

“(a) no operation between 8:00p.m. and 10:15a.m., as proposed by the applicant,

is allowed on the site during the planning approval period;

- (b) the paving and boundary fencing on the site shall be maintained at all times during the planning approval period;
- (c) the landscape planting 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 condition records of the existing drainage facilities on site within 3 months from the date of commencement of the renewed planning approval to the satisfaction of the Director of Drainage Services or of the TPB by 24.3.2017;
- (f) 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 24.6.2017;
- (g) in relation to (f) 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 24.9.2017;
- (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 the expiry of the planning permission, the reinstatement of the application site to an amenity area to the satisfaction of the Director of Planning or of the TPB.”

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

### **Agenda Item 27**

#### **Section 16 Application**

[Open Meeting]

A/YL-NSW/250 Proposed Petrol Filling Station with Sales Office and Ancillary Facilities in “Undetermined” zone and an area shown as ‘Road’, Lots 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, New Territories  
(RNTPC Paper No. A/YL-NSW/250)

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82. The Committee noted that the applicant requested on 23.11.2016 for deferment of the consideration of the application for two months in order to allow time for the applicant to prepare further information to address departmental comments. It was the first time that the applicant requested deferment of the application.

83. After deliberation, the Committee decided to defer a decision on the application as requested by the applicant pending the submission of further information from the applicant. The Committee agreed that the application should be submitted for its consideration within two months from the date of receipt of further information from the applicant. If the further information submitted by the applicant was not substantial and could be processed within a shorter time, the application could be submitted to an earlier meeting for the Committee’s consideration. The Committee also agreed to advise the applicant that two months were allowed for preparation of the submission of further information, 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-ST/497            Renewal of Planning Approval for Temporary Container Vehicle Park, Open Storage of Containers and Public Car Park for a Period of 3 Years in “Undetermined” zone, Lot 372 S.D RP (Part) in D.D. 99 and Adjoining Government Land, San Tin, Yuen Long, New Territories (RNTPC Paper No. A/YL-ST/497)

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**Presentation and Question Sessions**

84.            Ms Emily P.W. Tong, 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 vehicle park, open storage of containers and public car park under planning application No. A/YL-ST/441 for a period of three years;
- (c) departmental comments – departmental comments were set out in paragraph 10 of the Paper. Consulted 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 raising objection to the application. The District Officer (Yuen Long) also relayed an objection letter from the village representative of Yan Sau Wai Tsuen, which was also received by the Board. Major objection grounds were set out in paragraph 11 of the Paper; and
- (e) the Planning Department (PlanD)’s views – PlanD considered that the temporary use could be tolerated for a period of three years based on the

assessments set out in paragraph 12 of the Paper. The applied use was not incompatible with the surrounding land uses predominated by vehicle parks (including container vehicle parks) and open storage yards. Approval of the application on a temporary basis would not frustrate the long-term use of the “Undetermined” zone which was subject to further review under the New Territories North Study. The application was in line with the Town Planning Board Guidelines No. 34B on Renewal of Planning Approval and Extension of Time for Compliance with Planning Conditions for Temporary Use or Development in that there had been no material change since the last planning approval, concerned departments had no objection to or no adverse comment on the application, all the approval conditions under the previous approval had been complied with and the 3-year approval period sought was the same as in the previous application. The site fell within the Wetland Buffer Area under the Town Planning Board Guidelines No. 12C on Application for Developments within Deep Bay Area, which specified that planning applications for temporary uses were exempted from the requirement of Ecological Impact Assessment. The Director of Agriculture, Fisheries and Conservation had no adverse comment on the application from nature conservation point of view. The application also fell within Category 1 areas and the application was in line with the Town Planning Board Guidelines No. 13E. To mitigate potential environmental impacts on the surrounding areas and to address technical concerns of relevant departments, relevant approval conditions were recommended. Regarding the adverse public comments, the assessments above were relevant.

85. Members had no question on the application.

#### Deliberation Session

86. After deliberation, the Committee decided to approve the application on a temporary basis for a period of 3 years from 29.1.2017 to 28.1.2020, 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. for container vehicles and handling/loading/unloading of containers, as proposed by the applicant, is allowed on the site during the planning approval period;
- (b) no vehicle without valid licence issued under the Road Traffic Ordinance is allowed to be parked/stored on the site at any time during the planning approval period;
- (c) no dismantling, maintenance, repairing, cleansing, paint spraying or other workshop activities shall be carried out on the site at any time during the planning approval period;
- (d) the containers stacked within 5m of the periphery shall not exceed the height of the boundary fence at any time during the planning approval period;
- (e) the stacking height of containers stored at any other location within the site shall not exceed 8 units at any time during the planning approval period;
- (f) the paving and boundary fencing on the site shall be maintained at all times during the planning approval period;
- (g) the existing drainage facilities on the site shall be maintained at all times during the planning approval period;
- (h) the submission of an as-built drainage plan and photographic records of the existing drainage facilities within 6 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 29.7.2017;
- (i) the provision of fire extinguisher(s) within 6 weeks from the date of commencement of the renewed planning approval to the satisfaction of the Director of Fire Services or of the TPB by 12.3.2017;

- (j) the submission of a fire service installations proposal within 6 months from the date of commencement of the renewed planning approval to the satisfaction of the Director of Fire Services or of the TPB by 29.7.2017;
- (k) in relation to (j) 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 29.10.2017;
- (l) 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 29.7.2017;
- (m) in relation to (l) 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 29.10.2017;
- (n) if any of the above planning conditions (a), (b), (c), (d), (e), (f) or (g) is not complied with during the planning approval period, the approval hereby given shall cease to have effect and shall be revoked immediately without further notice;
- (o) if any of the above planning conditions (h), (i), (j), (k), (l) or (m) is not complied with by the 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 the expiry of the planning permission, the reinstatement of the application site to an amenity area to the satisfaction of the Director of Planning or of the TPB.”

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

set out at Appendix VII of the Paper.

**Agenda Item 29**

**Section 16 Application**

[Open Meeting]

A/YL-ST/498                      Proposed Temporary Cross-Boundary Shopping Centre with Ancillary Car Park, Eating Place, Shop and Services (Fast Food Shop), Office and Storage of Consumer Goods for a Period of 3 Years in “Undetermined” zone, Lot 372 S.D RP (Part) in D.D. 99 and Adjoining Government Land, San Tin, Yuen Long, New Territories  
(RNTPC Paper No. A/YL-ST/498)

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88.                      The Committee noted that the applicant requested on 25.11.2016 for deferment of the consideration of the application for two months in order to allow time for the applicant to prepare further information to address departmental comments. It was the first time that the applicant requested deferment of the application.

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

[The Chairman thanked Mr Otto K.C. Chan, Mr Jeff H.C. Ho, Ms Ivy C.W. Wong and Ms Emily P.W. Tong, STPs/FSYLE, for their attendance to answer Members’ enquiries. They left the meeting at this point.]

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

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

**Tuen Mun and Yuen Long West District**

**Agenda Item 30**

**Section 16 Application**

[Open Meeting]

A/TM/490                      Proposed Place of Recreation, Sports or Culture (Shooting Range),  
Utility Installation for Private Project (Water Pump and Transformer  
Houses) in “Green Belt” zone, Pillar Point Valley Landfill, Tuen Mun,  
New Territories  
  
(RNTPC Paper No. A/TM/490B)

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90.            The Secretary reported that Ramboll Environ Hong Kong Limited (Environ), MVA Hong Kong Limited (MVA) and Ove Arup & Partners Hong Kong Limited (Arup) 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 Arup;

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

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

91.            The Committee noted that Mr Alex T.H. Lai had tendered apology for being unable to attend the meeting while Ms Janice W.M. Lai had already left the meeting. The Committee also noted that the applicant had requested deferral of consideration of the

application. Since Mr Ivan C.S. Fu had no involvement in the application, the Committee agreed that he could stay in the meeting.

92. The Committee noted that the applicant requested on 23.11.2016 for deferment of the consideration of the application for two months in order to allow time for applicant to resolve outstanding departmental comments. It was the third time that the applicant requested deferment of the application. Since the last deferment, the applicant had submitted further information to address departmental comments.

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

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

### **Agenda Item 31**

#### **Section 16 Application**

[Open Meeting (Presentation and Question Sessions Only)]

A/TM-LTY Y/321 Proposed Temporary Shop and Services (Real Estate Agency) for a Period of 3 Years in "Village Type Development" zone, Lot 2995 RP (Part) in D.D. 124 and Adjoining Government Land, Chung Uk Tsuen, Tuen Mun, New Territories  
(RNTPC Paper No. A/TM-LTY Y/321)

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Presentation and Question Sessions

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

- (a) background to the application;
- (b) the proposed temporary shop and services (real estate agency) for a period of three years;
- (c) departmental comments – departmental comments were set out in paragraph 9 of the Paper. Consulted 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
- (e) the Planning Department (PlanD)'s views – PlanD considered the temporary use could be tolerated for a period of three years based on the assessments set out in paragraph 11 of the Paper. Although the applied use was not entirely in line with the planning intention of the “Village Type Development” zone, there was no Small House application within the site and the proposed development was not incompatible with the surrounding land uses and the rural character. Approval of the application on a temporary basis would not jeopardize the long-term planning intention of the zone. Given its scale, no major adverse impact on environment, drainage, traffic and landscape aspects were expected and concerned departments had no objection to or no adverse comment on the application. The site was the subject of a previously approved application No. A/TM-LTYT/264 for the same use. Approval of the current application was in line with the previous decisions of the Committee.

95. Members had no question on the application.

Deliberation Session

96. After deliberation, the Committee decided to approve the application on a temporary basis for a period of 3 years until 9.12.2019, on the terms of the application as submitted to the Town Planning Board (TPB) and subject to the following conditions :

- “(a) no operation between 8:00 p.m. and 9:00 a.m., as proposed by the applicant, is allowed on the site during the planning approval period;
- (b) no vehicle is allowed to enter or be parked/stored on the site, as proposed by the applicant, at any time during the planning approval period;
- (c) the submission of a drainage proposal within 6 months from the date of the planning approval to the satisfaction of the Director of Drainage Services or of the TPB by 9.6.2017;
- (d) in relation to (c) above, the implementation of the drainage proposal within 9 months from the date of the planning approval to the satisfaction of the Director of Drainage Services or of the TPB by 9.9.2017;
- (e) the implemented drainage facilities shall be maintained at all times during the planning approval period;
- (f) the implementation of the fire service installations proposal within 6 months from the date of the planning approval to the satisfaction of the Director of Fire Services or of the TPB by 9.6.2017;
- (g) the submission of a tree preservation and landscape proposal within 6 months from the date of the planning approval to the satisfaction of the Director of Planning or of the TPB by 9.6.2017;
- (h) in relation to (g) above, the implementation of the tree preservation and landscape proposal within 9 months from the date of the planning approval

to the satisfaction of the Director of Planning or of the TPB by 9.9.2017;

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

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

### **Agenda Item 32**

#### **Section 16 Application**

[Open Meeting]

A/YL-PN/45                      Proposed Temporary Place of Recreation, Sports or Culture (Hobby Farm) for a Period of 3 Years in “Agriculture” zone and an area shown as ‘Road’, Lot 33 RP in D.D. 135 and Adjoining Government Land, Nim Wan Road, Sheung Pak Nai, Yuen Long, New Territories  
(RNTPC Paper No. A/YL-PN/45A)

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98. The Committee noted that the applicant requested on 2.12.2016 for deferment of the consideration of the application for two months in order to allow time to address departmental comments. It was the second time that the applicant requested deferment of the application. Since the last deferment, the applicant had submitted further information clarifying the future operation of the proposed development in response to departmental

comments.

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

### **Agenda Item 33**

#### **Section 16 Application**

[Open Meeting (Presentation and Question Sessions Only)]

A/YL-HT/1052      Temporary Open Storage of Containers and Parking of Container Tractor with Ancillary Container Repair Workshop for a Period of 3 Years in "Comprehensive Development Area" zone, Lots 51 (Part), 71 (Part), 72 (Part), 140 (Part), 141 (Part), 142 (Part), 143 (Part), 144 (Part), 145, 147 (Part), 148 (Part), 149 (Part), 150 (Part), 151, 152 (Part), 153 (Part), 157 (Part), 158 (Part), 173 (Part) and 174 (Part) in D.D. 125, Ha Tsuen, Yuen Long, New Territories  
(RNTPC Paper No. A/YL-HT/1052)

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

#### **Presentation and Question Sessions**

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

- (a) background to the application;
- (b) the temporary open storage of containers and parking of container tractor with ancillary container repair workshop for a period of three years;
- (c) departmental comments – departmental comments were set out in paragraph 10 of the Paper. The Director of Environmental Protection (DEP) did not support the application as there were residential dwelling in the vicinity of the site and environmental nuisance was expected. Other concerned departments had no objection to or no adverse comment on the application;
- (d) no public comment was received during the first three weeks of the statutory publication period; and
- (e) the Planning Department (PlanD)’s views – PlanD considered that the temporary use could be tolerated for a period of three years based on the assessments set out in paragraph 12 of the Paper. The proposed use was not in line with the planning intention of the “Comprehensive Development Area” zone. However, since there was not yet any programme/known intention to implement the zoned use and the development programme of Hung Shui Kiu New Development Area was being formulated, approval of the application on a temporary basis would not jeopardise the long-term development of the area. The applied use was not incompatible with the surrounding land uses predominated by warehouse, logistics centre and open storage yards. The application was in line with the Town Planning Board Guidelines No. 13E on Application for Open Storage and Port Back-up Uses in that the site fell within Category 2 areas, no adverse impact was anticipated and concerned departments had no objection to or no adverse comment on the application, except DEP. Although DEP did

not support the application, there was no environmental complaint for the site in the past three years. To address DEP's concerns, relevant approval conditions were recommended to mitigate any potential environmental impacts arising from the applied use.

102. Members had no question on the application.

#### Deliberation Session

103. After deliberation, the Committee decided to approve the application on a temporary basis for a period of 3 years until 9.12.2019, on the terms of the application as submitted to the Town Planning Board (TPB) and subject to the following conditions :

- “(a) no operation between 8:00 p.m. and 8:00 a.m., as proposed by the applicant, is allowed on the site during the planning approval period;
- (b) no operation on Sundays and public holidays, as proposed by the applicant, is allowed on the site during the planning approval period;
- (c) the stacking height of containers stored within the site shall not exceed 8 units at all times during the planning approval period;
- (d) no handling (including loading, unloading and storage) of electrical/electronic appliances/components, including cathode-ray tubes (CRT), CRT computer monitors/television sets and CRT equipment, as proposed by the applicant, is allowed on the site at any time during the planning approval period;
- (e) no vehicle is allowed to queue back to or reverse onto/from the public road at any times during the planning approval period;
- (f) the stacking height of containers stored within 5m 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 submission of a revised drainage impact assessment (DIA) within 6 months from the date of the planning approval to the satisfaction of the Director of Drainage Services or of the TPB by 9.6.2017;
- (h) in relation to (g) above, the implementation of the drainage proposals identified in the revised DIA within 9 months from the date of the planning approval to the satisfaction of the Director of Drainage Services or of the TPB by 9.9.2017;
- (i) the implemented drainage facilities on site shall be maintained at all times during the planning approval period;
- (j) the submission of a tree preservation and landscape proposal within 6 months from the date of planning approval to the satisfaction of the Director of Planning or of the TPB by 9.6.2017;
- (k) in relation to (j) above, the implementation of the tree preservation and landscape proposal within 9 months from the date of planning approval to the satisfaction of the Director of Planning or of the TPB by 9.9.2017;
- (l) the provision of the fire extinguisher(s) and the submission of a valid fire certificate (FS 251) within 6 weeks from the date of planning approval to the satisfaction of the Director of Fire Services or of the TPB by 20.1.2017;
- (m) 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 9.6.2017;
- (n) in relation to (m) 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 9.9.2017;
- (o) the provision of boundary fence 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 9.6.2017;

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

104. 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 temporarily at this point.]

### **Agenda Item 34**

#### **Section 16 Application**

[Open Meeting]

A/YL-HT/1057      Temporary Open Storage of Construction Material and Warehouse for a Period of 3 Years in “Green Belt” zone, Lots 192 S.A, 192 S.B and 193 in D.D. 125, Ha Tsuen, Yuen Long, New Territories  
(RNTPC Paper No. A/YL-HT/1057)

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105. The Secretary reported that the application site was located in Ha Tsuen. Ms Janice W.M. Lai had declared interest in the item as her spouse was a shareholder of a company which owned two pieces of land in Ha Tsuen. The Committee noted that Ms Lai



had already left the meeting.

106. The Committee noted that the applicant requested on 24.11.2016 for deferment of the consideration of the application for two months in order to allow time for the applicant to prepare further information to address departmental comments. It was the first time that the applicant requested deferment of the application.

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

**Agenda Item 35**

**Section 16 Application**

[Open Meeting (Presentation and Question Sessions Only)]

A/YL-HT/1058          Proposed Temporary Logistics Centre for a Period of 3 Years in  
“Comprehensive Development Area” zone, Lots 2999 (Part), 3000 RP  
(Part), 3010 RP (Part), 3011 RP, 3012 RP (Part), 3035 RP (Part), 3038  
RP (Part), 3041 RP, 3042 RP, 3043 (Part), 3044 (Part), 3045 RP, 3046  
RP (Part), 3047 RP, 3050 RP (Part), 3051 (Part), 3053 (Part), 3055  
(Part), 3056 S.A (Part), 3056 S.B (Part), 3058 (Part), 3062 (Part), 3063  
(Part), 3064, 3065, 3066 (Part), 3067, 3068, 3069, 3070, 3071, 3072  
(Part), 3073 S.A (Part), 3074, 3075 (Part), 3076, 3077 (Part), 3078  
(Part), 3105 (Part), 3106, 3107, 3108 (Part), 3109, 3110, 3111 RP  
(Part), 3112 RP (Part), 3113, 3134 RP (Part) and 3135 (Part) in D.D.  
129 and Adjoining Government Land, Ha Tsuen, Yuen Long, New  
Territories  
(RNTPC Paper No. A/YL-HT/1058)

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

**Presentation and Question Sessions**

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

- (a) background to the application;
- (b) the proposed temporary logistics centre for a period of three years;
- (c) departmental comments – departmental comments were set out in paragraph 10 of the Paper. The Director of Environmental Protection

(DEP) did not support the application as there were sensitive receivers in the vicinity of the site and along the access road, such that environmental nuisance was expected. The Chief Town Planner/Urban Design and Landscape of Planning Department (CTP/UD&L, PlanD) had reservation on the application and required clarification on the number and treatment of the existing trees. Other concerned departments had no objection to or no adverse comment on the application;

- (d) during the first three weeks of the statutory publication period, one comment was received and indicated no comment; and
- (e) PlanD's views – PlanD considered that the temporary use could be tolerated for a period of three years based on the assessments set out in paragraph 12 of the Paper. The proposed use was not in line with the planning intention of the “Comprehensive Development Area” zone. However, since there was not yet any programme/known intention to implement the zoned use, approval of the application on a temporary basis would not jeopardise the long-term development of the area. The proposed development was not incompatible with the surrounding land uses predominated by logistics centres, open storages and vehicle service centre uses. The application was in line with the Town Planning Board Guidelines No. 13E on Application for Open Storage and Port Back-up Uses in that the site fell within Category 1 areas, no adverse impact was anticipated and concerned departments had no objection to or no adverse comment on the application, except DEP and CTP/UD&L, PlanD. Although DEP did not support the application and there was one environmental complaint received in 2016 but not related to the proposed temporary use, relevant approval conditions were recommended to address the concerns of DEP, CTP/UD&L, PlanD and other relevant departments.

110. Members had no question on the application.

Deliberation Session

111. After deliberation, the Committee decided to approve the application on a temporary basis for a period of 3 years until 9.12.2019, on the terms of the application as submitted to the Town Planning Board (TPB) and subject to the following conditions :

- “(a) no operation between 11:00 p.m. to 7:00 a.m., as proposed by the applicant, is allowed on the site during the 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 recycling, cleaning, repairing, dismantling work nor workshop activity, as proposed by the applicant, is allowed on the site at any time during the planning approval period;
- (d) no vehicle is allowed to queue back to or reverse onto/from the public road at any time during the planning approval period;
- (e) the submission of a drainage proposal within 6 months from the date of planning approval to the satisfaction of the Director of Drainage Services or of the TPB by 9.6.2017;
- (f) in relation to (e) above, the implementation of the drainage proposal within 9 months from the date of planning approval to the satisfaction of the Director of Drainage Services or of the TPB by 9.9.2017;
- (g) the implemented drainage facilities shall be maintained at all times during the planning approval period;
- (h) the submission of a run-in/out proposal within 6 months from the date of planning approval to the satisfaction of the Director of Highways or of the TPB by 9.6.2017;
- (i) in relation to (h) above, the implementation of the run-in/out proposal within 9 months from the date of planning approval to the satisfaction of

the Director of Highways or of the TPB by 9.9.2017;

- (j) the submission of a tree preservation and landscape proposal within 6 months from the date of planning approval to the satisfaction of the Director of Planning or of the TPB by 9.6.2017;
- (k) in relation to (j) above the implementation of the tree preservation and landscape proposal within 9 months from the date of planning approval to the satisfaction of the Director of Planning or of the TPB by 9.9.2017;
- (l) the submission of a fire service installations proposal within 6 months from the date of planning approval to the satisfaction of the Director of Fire Services or of the TPB by 9.6.2017;
- (m) in relation to (l) above, the implementation of the fire service installations proposal within 9 months from the date of planning approval to the satisfaction of the Director of Fire Services or of the TPB by 9.9.2017;
- (n) the provision of boundary fence on the site, as proposed by the applicant, within 6 months from the date of planning approval to the satisfaction of the Director of Planning or of the TPB by 9.6.2017;
- (o) if any of the above planning conditions (a), (b), (c), (d) or (g) is not complied with during the approval period, the approval hereby given shall cease to have effect and shall be revoked immediately without further notice;
- (p) if any of the above planning conditions (e), (f), (h), (i), (j), (k), (l), (m) or (n) is not complied with by the specified date, the approval hereby given shall cease to have effect and shall on the same date be revoked without further notice; and
- (q) upon expiry of the planning permission, the reinstatement of the site to an amenity area to the satisfaction of the Director of Planning or of the TPB.”

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

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

### **Agenda Item 36**

#### **Section 16 Application**

[Open Meeting (Presentation and Question Sessions Only)]

A/YL-TT/394 Temporary Place of Recreation, Sports or Culture (Hobby Farm) for a Period of 3 Years in “Agriculture” zone, Lots 1403, 1404, 1406, 1408, 1409, 1410 (Part), 1411, 1412, 1413 RP (Part), 1419 (Part) and 1420 (Part) in D.D. 117, Tai Tong Shan Road, Yuen Long, New Territories (RNTPC Paper No. A/YL-TT/394)

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#### **Presentation and Question Sessions**

113. Mr Alan Y.L. Au, STP/TMYLW, presented the application and covered the following aspects as detailed in the Paper :

- (a) background to the application;
- (b) the temporary place of recreation, sports or culture (hobby farm) for a period of three years;
- (c) departmental comments – departmental comments were set out in paragraph 9 of the Paper. The Chief Town Planner/Urban Design and Landscape of Planning Department (CTP/UD&L, PlanD) had reservation on the application in that vegetation within the site and its immediate vicinity was observed to be missing and replaced by access road, parking and agriculture as compared to the situation in 2015. The overall landscape impact could not be ascertained. Other concerned departments

had no objection to or no adverse comment on the application;

- (d) during the first three weeks of the statutory publication period, six public comments were received raising objection to the application. Major objection grounds were set out in paragraph 10 of the Paper; and
- (e) PlanD's views – PlanD considered that the temporary use could be tolerated for a period of three years based on the assessments set out in paragraph 11 of the Paper. The proposal involving agricultural use was not entirely in conflict with the planning intention of the “Agriculture” (“AGR”) zone and the Director of Agriculture, Fisheries and Conservation had no objection to the application from agriculture point of view. Although land filling and vegetation clearance occurred at parts of the site, majority of the site (about 92.6%) would be uncovered and used for farming and associated ancillary use, with only 7.4% of site area as roofed over area. The scale of the development was not entirely incompatible with the surrounding areas and it would unlikely cause adverse environmental, traffic and drainage impacts. To address CTP/UD&L, PlanD's concerns, approval conditions on the submission and implementation of tree preservation and landscape proposal were recommended. Regarding the adverse public comments, the assessments above were relevant.

114. Noting that a similar application No. A/YL-TT/353 was rejected by the Committee, the Chairman enquired the reasons for different treatment of the current application. In response, Mr Alan Y.L. Au, STP/TMYLW said that the similar application No. A/YL-TT/353 involved extensive land and pond filling as well as a total of 13 temporary structures occupying about 23.6% of the site area. It was rejected for the reasons of being not in line with the planning intention of “AGR” zone, adverse landscape impact and setting of an undesirable precedent. Compared to the current application, only 6 structures with a much smaller roofed-over area (i.e. about 7.4% of the site) and no pond filling were involved. The scale of the current application was much smaller and would unlikely cause any unacceptable adverse impact.

Deliberation Session

115. After deliberation, the Committee decided to approve the application on a temporary basis for a period of 3 years until 9.12.2019, 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 vehicle is allowed to queue back to or reverse onto/from public road at any time during the planning approval period;
- (c) no medium or heavy goods vehicles exceeding 5.5 tonnes, including container tractors/trailers, as defined in the Road Traffic Ordinance, are allowed to be parked/stored on or enter/exit the site, as proposed by the applicant, at any time during the planning approval period;
- (d) the provision of boundary fence 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 9.6.2017;
- (e) the submission of a run-in/out proposal within 6 months from the date of planning approval to the satisfaction of the Director of Highways or of the TPB by 9.6.2017;
- (f) in relation to (e) above, the implementation of the run-in/out proposal within 9 months from the date of planning approval to the satisfaction of the Director of Highways or of the TPB by 9.9.2017;
- (g) the submission of a tree preservation and landscape proposal within 6 months from the date of planning approval to the satisfaction of the Director of Planning or of the TPB by 9.6.2017;
- (h) in relation to (g) above, the implementation of the tree preservation and landscape proposal within 9 months from the date of planning approval to



the satisfaction of the Director of Planning or of the TPB by 9.9.2017;

- (i) the submission of a drainage proposal within 6 months from the date of planning approval to the satisfaction of the Director of Drainage Services or of the TPB by 9.6.2017;
- (j) in relation to (i) above, the implementation of the drainage proposal within 9 months from the date of planning approval to the satisfaction of the Director of Drainage Services or of the TPB by 9.9.2017;
- (k) in relation to (j) above, the implemented drainage facilities shall be maintained at all times during the planning approval period;
- (l) the submission of a fire service installations proposal within 6 months from the date of planning approval to the satisfaction of the Director of Fire Services or of the TPB by 9.6.2017;
- (m) in relation to (l) above, the implementation of the fire service installations proposal within 9 months from the date of planning approval to the satisfaction of the Director of Fire Services or of the TPB by 9.9.2017;
- (n) if any of the above planning conditions (a), (b), (c) or (k) 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 (d), (e), (f), (g), (h), (i), (j), (l) or (m) is not complied with by the above specified date, the approval hereby given shall cease to have effect and shall on the same date be revoked without further notice; and
- (p) upon expiry of the planning permission, the reinstatement of the site to an amenity area to the satisfaction of the Director of Planning or of the TPB.”

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

**Agenda Item 37**

Section 16 Application

[Open Meeting]

A/YL-TYST/789 Temporary Eating Place with Ancillary Parking Spaces for a Period of 3 Years in “Residential (Group B) 1” zone, Lots 1355 RP and 1356 RP (Part) in D.D. 121, Tong Yan San Tsuen, Yuen Long, New Territories (RNTPC Paper No. A/YL-TYST/789B)

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117. The Committee noted that the applicant requested on 24.11.2016 for deferment of the consideration of the application for two months in order to allow time for preparation of supplementary information of the quantitative risk assessment study report and for submission of the revised report to the Electrical and Mechanical Services Department. It was the third time that the applicant requested deferment of the application. Since the last deferment, the applicant had submitted further information to address departmental comments.

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

**Agenda Item 38**

**Section 16 Application**

[Open Meeting (Presentation and Question Sessions Only)]

A/YL-TYST/816      Temporary Warehouse for Storage of Vehicles and Spare Parts with Ancillary Site Office for a Period of 3 Years in “Undetermined” zone, Lots 1149 S.A (Part) and 1149 RP (Part) in D.D. 119, Pak Sha Tsuen, Yuen Long, New Territories  
(RNTPC Paper No. A/YL-TYST/816)

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**Presentation and Question Sessions**

119.            Mr Alan Y.L. Au, STP/TMYLW, presented the application and covered the following aspects as detailed in the Paper :

- (a) background to the application;
- (b) the temporary warehouse for storage of vehicles and spare parts with ancillary site office for a period of three years;
- (c) departmental comments – departmental comments were set out in paragraph 9 of the Paper. The Director of Environmental Protection (DEP) did not support the application as there were residential uses to the immediate north of the site and environmental nuisance was expected. Other concerned departments had no objection to or no adverse comment on the application;
- (d) during the first three weeks of the statutory publication period, one public comment was received raising objection to the application for reasons of traffic congestion as well as air and noise pollutions; and
- (e) the Planning Department (PlanD)’s views – PlanD considered that the temporary use could be tolerated for a period of three years based on the assessments set out in paragraph 11 of the Paper. The applied use was not

in conflict with the planning intention of “Undetermined” zone and was not incompatible with the surrounding uses predominated by warehouses/storages, open storage yards and vehicle repair workshops. Concerned departments had no objection to or no adverse comment on the application, except DEP. Although DEP did not support the application, there had been no environmental complaint concerning the site received in the past three years. To address DEP’s concerns, relevant approval conditions restricting workshop activities and light, medium and heavy goods vehicles accessing the site were recommended. Given that the Committee had approved 67 similar applications in the vicinity of the site, approval of the subject application was in line with the Committee’s previous decisions. Regarding the adverse public comment, the assessments above were relevant.

120. Members had no question on the application.

#### Deliberation Session

121. After deliberation, the Committee decided to approve the application on a temporary basis for a period of 3 years until 9.12.2019, on the terms of the application as submitted to the Town Planning Board (TPB) and subject to the following conditions :

- “(a) no operation between 9:00 p.m. and 9:00 a.m., as proposed by the applicant, is allowed on the site during the planning approval period;
- (b) no operation on Sundays and public holidays, as proposed by the applicant, is allowed on the site during the planning approval period;
- (c) no repairing, dismantling, paint-spraying, cleansing, maintenance or other workshop activities, as proposed by the applicant, are allowed on the site at any time during the planning approval period;
- (d) no light, medium or heavy goods vehicles, including container tractor/trailer, as defined in the Road Traffic Ordinance, as proposed by the

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

- (e) no vehicle is allowed to queue back to or reverse onto/from public road at any time during the planning approval period;
- (f) the existing drainage facilities on the site shall be maintained at all times during the planning approval period;
- (g) the submission of condition records of the existing drainage facilities on the site within 3 months from the date of planning approval to the satisfaction of the Director of Drainage Services or of the TPB by 9.3.2017;
- (h) 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 9.6.2017;
- (i) in relation to (h) 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 9.9.2017;
- (j) 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;
- (k) if any of the above planning conditions (g), (h) or (i) is not complied with by the specified date, the approval hereby given shall cease to have effect and shall on the same date be revoked without further notice; and
- (l) upon the expiry of the planning permission, the reinstatement of the application site to an amenity area to the satisfaction of the Director of Planning or of the TPB.”

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

### **Agenda Item 39**

#### **Section 16 Application**

[Open Meeting (Presentation and Question Sessions Only)]

A/YL-TYST/817 Temporary Open Storage of Construction Materials and Recycled Materials (Including Metal, Paper and Plastic Goods) for a Period of 3 Years in “Undetermined” zone, Lot 1662 RP (Part) in D.D. 121, Shan Ha Tsuen, Yuen Long, New Territories  
(RNTPC Paper No. A/YL-TYST/817)

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#### **Presentation and Question Sessions**

123. Mr Alan Y.L. Au, STP/TMYLW, presented the application and covered the following aspects as detailed in the Paper :

- (a) background to the application;
- (b) the temporary open storage of construction materials and recycled materials (including metal, paper and plastic goods) for a period of three years;
- (c) departmental comments – departmental comments were set out in paragraph 10 of the Paper. The Director of Environmental Protection (DEP) did not support the application as there were residential structures located to the southwest and environmental nuisance was expected. Other concerned departments had no objection to or no adverse comment on the application;
- (d) no public comment was received during the first three weeks of the statutory publication period; and

- (e) the Planning Department (PlanD)'s views – PlanD considered that the temporary use could be tolerated for a period of three years based on the assessments set out in paragraph 12 of the Paper. The applied use was not in conflict with the planning intention of “Undetermined” (“U”) zone and was not incompatible with the surrounding uses predominated by open storage yards, warehouses and workshops. The application was generally in line with the Town Planning Board Guidelines No. 13E on Application for Open Storage and Port Back-up Uses in that the site fell within Category 1 areas, no adverse impact was anticipated and concerned departments had no objection to or no adverse comment on the application, except DEP. Although DEP did not support the application, there had been no environmental complaint concerning the site received in the past three years. To address DEP's concerns, relevant approval conditions were recommended. Given that the Committee had approved 104 other similar applications in the same “U” zone, approval of the application was in line with the Committee's previous decisions.

124. Members had no question on the application.

#### Deliberation Session

125. After deliberation, the Committee decided to approve the application on a temporary basis for a period of 3 years until 9.12.2019, 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 7:00 a.m., as proposed by the applicant, is allowed on the site during the planning approval period;
- (b) no operation on Sundays and public holidays, as proposed by the applicant, is allowed on the site during the planning approval period;
- (c) no storage or handling (including loading and unloading) of used electrical appliances, computer/electronic parts (including cathode-ray tubes) or any other types of electronic waste, as proposed by the applicant, is allowed on

the site at any time during the planning approval period;

- (d) no repairing, cleansing, dismantling or any other workshop activities, as proposed by the applicant, is allowed on the site at any time during the planning approval period;
- (e) the existing boundary fence on the site shall be maintained at all times during the planning approval period;
- (f) no heavy goods vehicles exceeding 24 tonnes, including container tractors/trailers, as defined in the Road Traffic Ordinance are allowed to be parked/stored on or enter/exit the site, as proposed by the applicant, at any time during the planning approval period;
- (g) no vehicle is allowed to queue back to or reverse onto/from public road at any time during the planning approval period;
- (h) the existing trees and landscape plantings on the site shall be maintained at all times during the planning approval period;
- (i) the existing drainage facilities on the site shall be maintained at all times during the planning approval period;
- (j) the submission of condition records of the existing drainage facilities on the site within 3 months from the date of planning approval to the satisfaction of the Director of Drainage Services or of the TPB by 9.3.2017;
- (k) the provision of fire extinguisher(s) with valid fire certificate (FS 251) within 6 weeks from the date of planning approval to the satisfaction of the Director of Fire Services or of the TPB by 20.1.2017;
- (l) the submission of a fire service installations proposal within 6 months from the date of planning approval to the satisfaction of the Director of Fire Services or of the TPB by 9.6.2017;



- (m) in relation to (l) above, the implementation of the fire service installations proposal within 9 months from the date of planning approval to the satisfaction of the Director of Fire Services or of the TPB by 9.9.2017;
- (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 the 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.”

126. 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 Stella Y. Ng, Mr Vincent T.K. Lai and Mr Alan Y.L. Au, STPs/TMYLW, for their attendance to answer Members’ enquiries. They left the meeting at this point.]

**Agenda Item 40**

**Any Other Business**

127. There being no other business, the meeting closed at 4:50 p.m..