

TOWN PLANNING BOARD

Minutes of 575th Meeting of the Rural and New Town Planning Committee held at 2:30 p.m. on 3.3.2017

Present

Director of Planning
Mr Raymond K.W. Lee

Chairman

Professor K.C. Chau

Mr Ivan C.S. Fu

Ms Janice W.M. Lai

Ms Christina M. Lee

Mr H.F. Leung

Dr F.C. Chan

Mr David Y.T. Lui

Mr Peter K.T. Yuen

Dr C.H. Hau

Mr Alex T.H. Lai

Mr Stephen L.H. Liu

Miss Winnie W.M. Ng

Chief Traffic Engineer/New Territories East,
Transport Department
Mr K.C. Siu

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

Principal Environmental Protection Officer (Metro Assessment),
Environmental Protection Department
Mr Tony W.H. Cheung

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

Mr Philip S.L. Kan

Dr Lawrence K.C. Li

In Attendance

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

Chief Town Planner/Town Planning Board
Mr Kepler S.Y. Yuen

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

Agenda Item 1

Confirmation of the Draft Minutes of the 574th RNTPC Meeting held on 17.2.2017

[Open Meeting]

1. The draft minutes of the 574th RNTPC meeting held on 17.2.2017 were confirmed without amendments.

Agenda Item 2

Matters Arising

[Open Meeting]

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

Sha Tin, Tai Po and North District

Agenda Item 3

Section 12A Application

[Open Meeting]

Y/ST/35 Application for Amendment to the Approved Sha Tin Outline Zoning Plan No. S/ST/32, To rezone the application site from “Village Type Development” to “Government, Institution or Community”, Lots No. 356, 357 (Part) and 521 (Part) in D.D. 185 and Adjoining Government Land, 167 Pai Tau Village, Sha Tin
(RNTPC Paper No. Y/ST/35)

3. The Committee noted that the applicant requested on 23.2.2017 deferment of the consideration of the application for two months in order to allow time for preparation of supplementary information required by the relevant government departments. It was the first time that the applicant requested deferment of the application.

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

Sai Kung and Islands District

Agenda Item 4

Section 16 Application

[Open Meeting]

A/TKO/109 Proposed Flat (Departmental Quarters for Customs and Excise Department) in “Government, Institution or Community” Zone, Government Land in Area 123, Po Lam Road, Tseung Kwan O
(RNTPC Paper No. A/TKO/109)

5. The Secretary reported that the site was located in Po Lam, Tseung Kwan O. Urbis Limited (Urbis) was one of the consultants of the applicant. The following Members had declared interests on the item:

Mr K.C. Siu - his spouse owning a property at Po Lam, Tseung
Chief Traffic Kwan O; and
Engineer/New
Territories East

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

6. The Committee noted that the applicant had requested deferment of consideration of the application and agreed that Mr K.C. Siu, Mr Ivan C.S. Fu and Ms Janice W.M. Lai could stay in the meeting as Mr Fu and Ms Lai had no involvement in the application and the property of Mr Siu’s spouse did not have a direct view of the site.

7. The Committee noted that the applicant requested on 17.2.2017 deferment of the consideration of the application for one month in order to allow time for preparation of further information to address the comments of relevant government departments. It was the first time that the applicant requested deferment of the application.

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

Sha Tin, Tai Po and North District

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

Agenda Item 5

Section 16 Application

[Open Meeting (Presentation and Question Sessions Only)]

A/NE-PK/113 Proposed House (New Territories Exempted House - Small House) in
 "Agriculture" Zone, Lot No. 1511 S.F in D.D. 91, Kai Leng, Sheung
 Shui
 (RNTPC Paper No. A/NE-PK/113)

Presentation and Question Sessions

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

- (a) background to the application;
- (b) the proposed house (New Territories Exempted House (NTEH) – Small

House);

- (c) departmental comments – departmental comments were set out in paragraph 9 and Appendix IV of the Paper. The Director of Agriculture, Fisheries and Conservation (DAFC) did not support the application as the site possessed potential for agricultural rehabilitation. The Commissioner for Transport had reservation on the application but considered that the application involving one Small House could be tolerated. Other concerned government departments had no objection to or no adverse comment on the application;
- (d) during the first three weeks of the statutory publication period, four public comments were received. A North District Council member supported the application, the Chairman of the Sheung Shui District Rural Committee indicated no comment on the application, and Designing Hong Kong Limited and an individual objected to the application. Major objection grounds were set out in paragraph 10 of the Paper; 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 the “Agriculture” zone, it was not incompatible with the surrounding rural setting. Regarding the Interim Criteria for Consideration of Application for NTEH/Small House in New Territories, more than 50% of the proposed Small House fell within the village ‘environs’ of Kai Leng Village and land available within the “V” zone was insufficient to meet the outstanding Small House applications and the future Small House demand. Regarding the adverse public comments, the comments of government departments and planning assessments above were relevant.

10. Members had no question on the application.

Deliberation Session

11. 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 3.3.2021, and after the said date, the permission should cease to have effect unless before the said date, the development permitted was commenced or the permission was renewed. The permission was subject to the following conditions :

- “(a) the provision of a septic tank, as proposed by the applicant, at a location to the satisfaction of the Director of Lands or of the TPB; and
- (b) the submission and implementation of a drainage proposal to the satisfaction of the Director of Drainage Services or of the TPB.”

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

Agenda Item 6

Section 16 Application

[Open Meeting (Presentation and Question Sessions Only)]

A/NE-KLH/522 Temporary Open Storage of Construction Materials for a Period of 3
Years in “Green Belt” Zone, Lot No. 556 RP (Part) in D.D. 9, Nam Wa
Po, Tai Po
(RNTPC Paper No. A/NE-KLH/522A)

Presentation and Question Sessions

13. 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 temporary open storage of construction materials for a period of three years;
- (c) departmental comments – departmental comments were set out in paragraph 10 of the Paper. The Director of Environmental Protection (DEP) did not support the application as the nearest village house of Nam Wa Po was located within 100m from the site boundary, and environmental nuisance was expected. Other concerned government departments had no objection to or no adverse comment on the application;
- (d) during the first three weeks of the statutory publication period, two public comments from individuals were received objecting 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 open storage of construction materials 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 “Green Belt” zone, it was not incompatible with the surrounding area. The application was generally in line with the Town Planning Board Guidelines No. 10 and 13E in that the site falling within Category 3 areas was the subject of the previously approved applications for the same open storage use; the applicant had made genuine efforts to comply with the approval conditions and had submitted, in the subject application, fire fighting, tree preservation and water pollution preventive proposals to address the concerns of relevant government departments; the temporary use would not cause adverse sewerage, water quality and landscape impacts; and concerned government departments, except DEP, had no adverse comment on the application. Although DEP did not support the application, there was no environmental complaint against the site over the past three years. Approval condition restricting the operation hours had been recommended to address DEP's concerns. Regarding the adverse public comments, the comments of government departments and planning assessments above were relevant.

14. Some Members raised the following questions:
- (a) whether any penalty had been imposed on the applicant for not complying with the previous approval conditions on the submission and implementation of the proposal for fire service installations (FSIs) and water supply for fire fighting;
 - (b) whether the applied use was to support the construction works of the Liantang/Heung Yuen Wai Boundary Control Point; and
 - (c) what the requirements for reinstatement were under approval condition (j) in paragraph 13.2 of the Paper.
15. Mr C.T. Lau, STP/STN, made the following responses:
- (a) since the applicant had already submitted the proposal for FSIs in the subject application and there was no adverse comment from the Fire Services Department (FSD), shorter compliance period for the relevant approval conditions was not recommended. No warning letter had been issued and no fines had been charged against the applicant by FSD;
 - (b) the applied use was for storage of construction materials in general; and
 - (c) the applicant was required to cover the site with grass upon the expiry of the planning permission.

Deliberation Session

16. A Member said that noting that FSD normally required considerable amount of time to examine provision of FSIs on site, he had no objection to the application as the site was indeed a works area and was no longer serving a green belt function

17. The Chairman said that the site was currently used for the applied use without a

valid planning permission. The Planning Authority could take enforcement action against an unauthorised development and fines might be charged if convicted by the court. The last planning permission was revoked due to non-compliance with approval conditions. Should the application be approved, the Committee could consider whether the compliance period for approval conditions on the submission and implementation of the proposal for FSIs and water supply for fire fighting should be shortened. The Committee agreed that compliance period for approval conditions (g) and (h) should be shortened.

18. After deliberation, the Committee decided to approve the application on a temporary basis for a period of 3 years until 3.3.2020, on the terms of the application as submitted to the Town Planning Board (TPB) and subject to the following conditions :

- “(a) no operation between 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 between 6:00 p.m. and 7:00 a.m. on Saturdays, Sundays and public holidays, as proposed by the applicant, is allowed on the site during the planning approval period;
- (c) no sinking of wells, blasting, drilling or piling works are allowed within the site during the planning approval period;
- (d) routine clearance and maintenance works should be carried out to avoid blockage of the drainage facilities at all times during the planning approval period;
- (e) preservation of trees within the site, as proposed by the applicant, at all times during the planning approval period;
- (f) maintenance of preventive measures against water pollution within the upper indirect water gathering grounds, as proposed by the applicant, at all times during the planning approval period;
- (g) the submission of a proposal for fire service installations and water supply

for fire fighting within 3 months from the date of planning approval to the satisfaction of the Director of Fire Services or of the TPB by 3.6.2017;

- (h) in relation to condition (g) above, the provision of fire service installations and water supply for fire fighting within 6 months from the date of planning approval to the satisfaction of the Director of Fire Services or of the TPB by 3.9.2017;
- (i) 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;
- (j) if any of the above planning conditions (g) or (h) is not complied with by the specified date, the approval hereby given shall cease to have effect and shall be revoked immediately without further notice; and
- (k) 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.”

19. The Committee also agreed to advise the applicant to note the advisory clauses as set out at Appendix VII of the Paper in addition to the following:

“ shorter compliance periods are imposed in order to closely monitor the progress of compliance with approval conditions. Should the applicant fail to comply with any of the approval conditions again resulting in the revocation of planning permission, sympathetic consideration would not be given to any further application.”

Agenda Item 7

Section 16 Application

[Open Meeting]

A/NE-KLH/525 Temporary Warehouse for Storage of Recreational Equipments for a Period of 3 Years in “Green Belt” Zone, Lots No. 617 S.B ss.1 and 618 S.B RP (Part) in D.D. 9, Nam Wa Po, Kau Lung Hang, Tai Po
(RNTPC Paper No. A/NE-KLH/525)

20. The Committee noted that the applicant requested on 14.2.2017 deferment of the consideration of the application for two months in order to allow time for preparation of additional information in support of the application. It was the first time that the applicant requested deferment of the application.

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

Agenda Item 8

Section 16 Application

[Open Meeting (Presentation and Question Sessions Only)]

A/NE-LT/594 Proposed House (New Territories Exempted House) in “Agriculture” Zone, Lot No. 1282 in D.D. 10 and Adjoining Government Land, Ng Tung Chai, Tai Po
(RNTPC Paper No. A/NE-LT/594B)

Presentation and Question Sessions

22. 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));
- (c) departmental comments – departmental comments were set out in paragraph 9 of the Paper. The Commissioner for Transport had reservation on the application but considered that the application involving one NTEH could be tolerated. The Director of Environmental Protection did not support the application as the use of septic tank and soakaway system within the water gathering ground (WGG) was not acceptable according to the Hong Kong Planning Standards and Guidelines. The Chief Town Planner/Urban Design and Landscape, Planning Department (PlanD) had reservation on the application as the tree crown of a mature tree to the south of the site would have to be removed and clearance of vegetation for the construction of a future access to the site would be required. The Director of Agriculture, Fisheries and Conservation did not support the application as there were active agricultural activities in the vicinity of the site and the site had high potential for agricultural rehabilitation. The Chief Engineer/Construction, Water Supplies Department, objected to the application as the site was located within the upper indirect WGG and the sewerage connection to the proposed NTEH was not technically feasible. Other concerned government departments had no objection to or no adverse comment on the application;
- (d) during the first three weeks of the statutory publication period, three public comments were received from The Hong Kong Bird Watching Society and individuals objecting to the application. Major objection grounds were set out in paragraph 10 of the Paper; and

- (e) PlanD's views – PlanD did not support the application based on the assessments set out in paragraph 11 of the Paper. The proposed NTEH was not in line with the planning intention of the “AGR” zone. There was no strong planning justification given in the submission for a departure from the planning intention. The proposed NTEH also did not comply with the Interim Criteria for Consideration of Application for NTEH/Small House in New Territories in that it would cause adverse landscape impact on the surrounding area and the proposed NTEH located within WGG would not be able to be connected to the existing or planned sewerage system in the area. The applicant also failed to demonstrate that the proposed NTEH would not cause adverse impact on the landscape and water quality in the area. Regarding the adverse public comments, the comments of government departments and planning assessments above were relevant.

23. In response to a Member's question, Mr C.T. Lau, STP/STN, said that “TS” as indicated on Plan A-2 of the Paper meant “Temporary Structure”.

Deliberation Session

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

- “(a) the proposed development is not in line with the planning intention of the “Agriculture” zone which is primarily to retain and safeguard good quality agricultural land/farm/fish ponds for agricultural purposes and also to retain fallow arable land with good potential for rehabilitation for cultivation and other agricultural purposes. There is no strong planning justification in the current submission for a departure from the planning intention; and
- (b) the proposed development does not comply with the Interim Criteria for Consideration of Application for New Territories Exempted House/Small House in the New Territories in that the proposed development would cause adverse landscape impact on the surrounding area and the proposed

development located within the water gathering ground would not be able to be connected to the existing or planned sewerage system in the area. The applicant fails to demonstrate that the proposed development would not cause adverse impacts on the landscape and water quality in the area.”

Agenda Items 9 and 10

Section 16 Applications

[Open Meeting (Presentation and Question Sessions Only)]

A/NE-LT/600 Proposed House (New Territories Exempted House – Small House) in “Agriculture” and “Village Type Development” Zones, Lots No. 225 RP, 225 S.C ss.2 S.A and 225 S.D in D.D.8, Tai Yeung Che Village, Lam Tsuen, Tai Po
(RNTPC Paper No. A/NE-LT/600)

A/NE-LT/601 Proposed House (New Territories Exempted House – Small House) in “Agriculture” and “Village Type Development” Zones, Lots No. 225 S.B ss.1 S.A, 225 S.B ss.4, 225 S.C ss.1, 225 S.C RP and 225 S.C ss.2 RP in D.D. 8, Tai Yeung Che Village, Lam Tsuen, Tai Po
(RNTPC Paper No. A/NE-LT/601)

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

26. The Secretary reported that Ove Arup & Partners Hong Kong Limited (Arup) was one of the consultants of the applicants. The following Members had declared interests on the items:

Mr Ivan C.S. Fu
Ms Janice W.M. Lai

} having current business dealings with Arup; and

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

27. The Committee agreed that Mr Ivan C.S. Fu, Ms Janice W.M. Lai and Mr Alex T.H. Lai could stay in the meeting as they had no involvement in the applications.

Presentation and Question Sessions

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

- (a) background to the applications;
- (b) the proposed house (NTEH – Small House) at each of the sites;
- (c) departmental comments – departmental comments were set out in paragraph 9 and Appendix IV of the Papers. Concerned government departments had no objection to or no adverse comment on the applications;
- (d) during the first three weeks of the statutory publication period, two public comments on application No. A/NE-LT/600 and three public comments on application No. A/NE-LT/601 were received from Designing Hong Kong Limited and individuals objecting to the applications. Major objection grounds were set out in paragraph 10 of the Papers; and
- (e) the Planning Department (PlanD)’s views – PlanD had no objection to the applications based on the assessments set out in paragraph 11 of the Papers. Although the proposed Small Houses were not in line with the planning intention of the “AGR” zone, they were not incompatible with the

surrounding areas. Regarding the Interim Criteria for Consideration of Application for NTEH/Small House in New Territories (the Interim Criteria), more than 50% of the footprint of the proposed Small Houses fell within the village 'environ' ('VE') of Tai Mong Che and Shui Wo. Although land was still available within the "V" zone to meet the outstanding Small House applications, the proposed Small Houses were mainly surrounded by existing Small Houses and there were other similar approved planning applications located to the further northwest of the sites. Regarding the adverse public comments, the comments of government departments and planning assessments above were relevant.

29. A Member noted that applications (No. A/NE-LT/357 and 358) for Small House development to the northwest of the sites were approved in 2006. The Member asked whether the land located to the west of the sites earmarked "DOM" on Plan A-2a were building lots, and whether planning permission was required. In response, Mr C.T. Lau, STP/STN, said that they were Small Houses and were applications approved before the promulgation of the Interim Criteria in 2000.

Deliberation Session

30. Some Members did not support the applications and had the following views:
- (a) according to Plan A-2b of the Papers, land was still available for Small House development within the subject "V" zone. Since the 'VE' of Tai Mong Che and Shui Wo was much larger than the "V" zone, approval of the applications might encourage proliferation of Small House developments to areas outside the "V" zone but within the 'VE'. In addition, there was no recent similar application for Small House development in the vicinity of the sites; and
 - (b) although the sites were located between the "V" zones of Tai Yeung Che and Shui Wo and adjacent to the existing village cluster, the total number of outstanding Small House applications for Tai Mong Che, Ma Po Mei and Shui Wo was just 47 and land available within the concerned "V"

zones could accommodate 148 Small Houses.

31. Members noted that application No. A/NE-LT/423 was rejected by the Committee mainly for the reasons of being not in line with the Interim Criteria in that the proposed Small House would not be able to connect with the planned public sewerage system in the area, and would affect the existing trees on the application site.

32. The Chairman supplemented that according to Plan A-2a of the Paper, an application (No. A/NE-LT/596) located to the further northwest of the sites were approved in 2017 on consideration that the application site was the subject of a previously approved application in 2012. The Committee noted that the sites under the subject applications were not the subject of any previously approved application.

33. A Member said that a number of similar applications for Small House development were concentrated to the west of the sites. Such applications should not be considered as appropriate references for the subject applications as they were not approved recently but earlier in 2012. Members generally concurred with this Member's views that it was appropriate to concentrate Small House developments within the "V" zone for a more orderly pattern.

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

- “(a) the proposed development is not in line with the planning intention of the “Agriculture” zone for the area which is primarily to retain and safeguard good quality agricultural land/farm/fish ponds for agricultural purposes. There is no strong planning justification provided in the submission to justify a departure from the planning intention; and
- (b) land is still available within the “Village Type Development” (“V”) zone of Tai Mong Che, Ma Po Mei and Shui Wo which is primarily intended for Small House development. It is considered more appropriate to concentrate the proposed Small House development within the “V” zone for more orderly development pattern, efficient use of land and provision of

infrastructure and services.”

Agenda Item 11

Section 16 Application

[Open Meeting (Presentation and Question Sessions Only)]

A/NE-TK/604 Proposed House (New Territories Exempted House – Small House) in “Green Belt” and “Village Type Development” Zones, Lot No. 1392 RP in D.D. 17, Lo Tsz Tin, Tai Po
(RNTPC Paper No. A/NE-TK/604)

Presentation and Question Sessions

35. 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 11 and Appendix IV of the Paper. The Chief Town Planner/Urban Design and Landscape, Planning Department (CTP/UD&L, PlanD) had some reservation on the application as the proposed Small House was not in line with planning intention of the “Green Belt” (“GB”) zone and approval of the application might set an undesirable precedent for further encroachment into the “GB” zone and detrimentally affecting its function as a green buffer against development. Other concerned government departments had no objection to or no adverse comment on the application;
- (d) during the first three weeks of the statutory publication period, four public

comments from an Indigenous Village Representative of Lo Tsz Tin (and two villagers), Designing Hong Kong Limited and two individuals were received objecting to the application. Major objection grounds were set out in paragraph 12 of the Paper; and

- (e) PlanD's views – PlanD had no objection to the application based on the assessments set out in paragraph 13 of the Paper. Although the proposed Small House was not in line with the planning intention of the “GB” zone, it was considered not incompatible with the surrounding areas. It was generally in line with the Town Planning Board Guidelines No. 10 in that there was no significant adverse impact on visual, landscape, drainage, sewerage and geotechnical aspects. Regarding the Interim Criteria for Consideration of Application for NTEH/Small House in New Territories, more than 50% of the proposed Small House footprint fell within the village ‘environ’ of Lo Tsz Tin. Although land was still available within the subject “V” zone to meet the outstanding Small House applications, the site was right adjacent to the existing village cluster of Lo Tsz Tin to the immediate west and the majority of the site fell within the “V” zone. Regarding the adverse public comments, the comments of government departments and planning assessments above were relevant.

36. Some Members raised the following questions:

- (a) whether the footprint of the proposed Small House could be shifted to fall entirely within the “V” zone;
- (b) the details of the enforcement case involving part of the site; and
- (c) the details of the devegetated area involving suspected excavation activities in the “GB” zone to the northeast of the site as shown on Plan A-3 of the Paper.

37. Mr C.T. Lau, STP/STN, made the following responses:

- (a) there might be room for the applicant to slightly shift the footprint of the proposed Small House to the west subject to on-site condition;
- (b) the unauthorised development under the concerned enforcement case comprising filling of land had been discontinued and the reinstatement requirements had been complied with. There was no information available on hand indicating whether there was any relationship between the land owner of the site and the person involving in the enforcement case; and
- (c) the concerned devegetated area was currently used for agricultural activities. The Planning Authority might take enforcement action if the area involved any unauthorised development.

Deliberation Session

38. In response to a Member's enquiry, the Chairman said that there were precedent cases where the applicants were advised to shift the footprint of the Small Houses nearer to the "V" zone subject to the existing site context and technical feasibility.

39. A Member said that the Committee should focus on the overall development pattern of Small Houses in the area instead of the layout of an individual Small House. In general, for Small Houses with more than 50% of their footprints falling within the "V" zone, sympathetic consideration might be given.

40. Noting that only 10% of the footprint of the proposed Small House falling outside the "V" zone and there was not much room for the applicant to shift the proposed Small House to the west of the site in view of the existing site condition as shown on Plan A-4 of the Paper, the Committee in general had no objection to the application but agreed that the applicant should be advised to shift the footprint of the proposed Small House within the "V" zone as far as practicable.

41. 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 3.3.2021, 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 a landscape proposal to the satisfaction of the Director of Planning or of the TPB;
- (b) the submission and implementation of a drainage proposal to the satisfaction of the Director of Drainage Services or of the TPB; and
- (c) the connection of the foul water drainage system to the public sewers to the satisfaction of the Director of Drainage Services or of the TPB.”

42. The Committee also agreed to advise the applicant to note the advisory clauses as set out at Appendix VI of the Paper in addition to the following:

- “ the footprint of the proposed Small House should be shifted within the “Village Type Development” zone as far as practicable.”

Agenda Item 12

Section 16 Application

[Open Meeting (Presentation and Question Sessions Only)]

A/NE-TK/605 Proposed Temporary Depositing of Two Containers for Selling of Refreshment, Hiring of Fishing-related Accessories and Storage for a Period of 3 Years in “Conservation Area” Zone, Government Land in D.D. 28, Tai Mei Tuk
(RNTPC Paper No. A/NE-TK/605)

Presentation and Question Sessions

43. 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 temporary depositing of two containers for selling of refreshment, hiring of fishing-related accessories and storage for a period of three years;
- (c) departmental comments – departmental comments were set out in paragraph 8 of the Paper. Concerned government departments had no objection to or no adverse comment on the application;
- (d) during the first three weeks of the statutory publication period, one public comment from an individual objecting to the application was received. Major objection grounds were set out in paragraph 9 of the Paper; and
- (e) the Planning Department (PlanD)'s views – PlanD considered that the temporary depositing of two containers for selling of refreshment, hiring of fishing-related accessories and storage could be tolerated for a period of three years based on the assessments set out in paragraph 10 of the Paper. Since the proposed development was small in scale and was on a temporary basis, it would not frustrate the long-term planning intention of the “Conservation Area” zone. The site was the subject of a previously approved application for the same use by the same applicants. The subject application was basically the same as the previously approved application and there was no major change in planning circumstances of the surrounding areas. Regarding the adverse public comment, the comments of government departments and planning assessments above were relevant.

44. In response to a Member's question, Mr C.T. Lau, STP/STN, said that a temporary planning permission for a period of three years was granted for the site which was lapsed in 2007, and no application for the proposed development had been received from 2007 to 2017. The operation of the previously approved use had ceased.

Deliberation Session

45. After deliberation, the Committee decided to approve the application on a temporary basis for a period of 3 years until 3.3.2020, on the terms of the application as submitted to the Town Planning Board (TPB) and subject to the following conditions :

- “(a) no operation between 10:00 p.m. to 7:00 a.m., as proposed by the applicant, is allowed on the site during the planning approval period;
- (b) no structure should be erected on the drainage reserve area at any time during the planning approval period;
- (c) the submission of landscape and tree preservation proposals within 6 months from the date of planning approval to the satisfaction of the Director of Planning or of the TPB by 3.9.2017;
- (d) in relation to (c) above, the implementation of landscape and tree preservation proposals within 9 months from the date of planning approval to the satisfaction of the Director of Planning or of the TPB by 3.12.2017;
- (e) the submission of a proposal for fire service installations and water supplies for fire fighting within 6 months from the date of planning approval to the satisfaction of the Director of Fire Services or of the TPB by 3.9.2017;
- (f) in relation to (e) above, the provision of fire service installations and water supplies for fire fighting within 9 months from the date of planning approval to the satisfaction of the Director of Fire Services or of the TPB by 3.12.2017;
- (g) if any of the above planning conditions (a) or (b) is not complied with during the planning approval period, the approval hereby given shall cease to have effect and shall be revoked immediately without further notice;
- (h) if any of the above planning conditions (c), (d), (e) or (f) is not complied

with by the specified date, the approval hereby given shall cease to have effect and shall be revoked immediately without further notice; and

- (i) 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.”

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

Agenda Item 13

Section 16 Application

[Open Meeting (Presentation and Question Sessions Only)]

A/TP/621 Proposed Food Waste Pre-treatment Facilities in “Other Specified Uses” Zone, Shuen Wan Leachate Pre-treatment Plant, 7 Dai Kwai Street, Tai Po Industrial Estate, Tai Po

(RNTPC Paper No. A/TP/621)

47. The Secretary reported that the application was submitted by the Environmental Protection Department (EPD). Ove Arup & Partners Hong Kong Limited (Arup), Hutchison Global Communications (which was a subsidiary of CK Hutchison Holdings Limited (CKH)) and The Hong Kong and China Gas Company Limited (Towngas) (which was a subsidiary of Henderson Land Development Company Limited (HLD)) were the three consultants of the applicant. The following Members had declared interests on the item:

Mr Tony W.H. Cheung - being the representative of EPD;

Principal

Environmental

Protection Officer

(Metro Assessment)

- Mr Ivan C.S. Fu - having current business dealings with Arup, CKH and HLD;
- Ms Janice W.M. Lai - having current business dealings with Arup and HLD;
- Mr Stephen L.H. Liu - having current business dealings with CKH and HLD;
- Mr Alex T.H. Lai - his firm having current business dealings with Arup and Towngas;
- Mr H.F. Leung - being an employee of the University of Hong Kong which has received a donation from a family member of the Chairman of HLD before;
- Ms Christina M. Lee - being the Secretary-General of the Hong Kong Metropolitan Sports Events Association which has obtained sponsorship from HLD before;
- Mr Peter K.T. Yuen - being a member of the Board of Governors of the Hong Kong Arts Centre which has received a donation from an Executive Director of HLD before; and
- Dr Lawrence K.C. Li - being the Treasurer of the Hong Kong Polytechnic University which has obtained sponsorship from HLD before.

48. The Committee noted that Dr Lawrence K.C. Li had tendered an apology for being unable to attend the meeting. The Committee agreed that Mr Tony W.H. Cheung and Mr Ivan C.S. Fu should leave the meeting temporarily as the interest of Mr Cheung was direct and Mr Fu had involvement in the application. The Committee also agreed that Ms Janice W.M. Lai, Mr Stephen L.H. Liu, Mr Alex T.H. Lai, Mr H.F. Leung, Ms Christina M. Lee and Mr Peter K.T. Yuen could stay in the meeting as Ms Lai, Mr Liu and Mr Lai had no

involvement in the application and the interests of Mr Leung, Ms Lee and Mr Yuen were indirect.

[Mr Tony W.H. Cheung and Mr Ivan C.S. Fu left the meeting temporarily at this point.]

Presentation and Question Sessions

49. 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 food waste pre-treatment facilities;
- (c) departmental comments – departmental comments were set out in paragraph 8 of the Paper. Concerned government departments had no objection to or no adverse comment on the application;
- (d) during the first three weeks of the statutory publication period, one public comment from an individual was received providing views on the application. Major views were set out in paragraph 9 of the Paper; and
- (e) the Planning Department (PlanD)'s views – PlanD had no objection to the application based on the assessments set out in paragraph 10 of the Paper. The proposed development would not contravene the planning intention of the “Other Specified Uses” annotated “Leachate Pre-treatment Works” zone and was considered not incompatible with the surrounding areas. Regarding the public comment, the comments of government departments and planning assessments above were relevant.

50. Members had no question on the application.

Deliberation Session

51. 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 3.3.2021, 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) no structure or support for any structure shall be erected within the area of the drainage reserve;
- (b) the submission and implementation of a landscape and tree preservation proposal to the satisfaction of the Director of Planning or of the TPB;
- (c) the submission and implementation of a drainage proposal to the satisfaction of the Director of Drainage Services or of the TPB;
- (d) the provision of fire service installations and water supplies for fire fighting to the satisfaction of the Director of Fire Services or of the TPB; and
- (e) the submission of a landfill gas monitoring plan prior to the construction of the proposed development and the implementation of the recommendations identified therein to the satisfaction of the Director of Environmental Protection or of the TPB.”

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

[Mr Tony W.H. Cheung and Mr Ivan C.S. Fu returned to join the meeting at this point.]

Fanling, Sheung Shui and Yuen Long East District

[Mr Jeff K.C. Ho and Ms Ivy C.W. Wong, Senior Town Planners/Fanling, Sheung Shui and Yuen Long East (STPs/FSYLE), and Miss Stephenie Y.T. Lee, Planning Assistant/Fanling, Sheung Shui and Yuen Long East (PA/FSYLE) were invited to the meeting at this point.]

Agenda Item 14

[Open Meeting (Presentation and Question Sessions only)]

Proposed Amendments to the Approved Kwu Tung South Outline Zoning Plan No. S/NE-KTS/14

(RNTPC Paper No. 1/17)

53. The Secretary reported that the proposed amendments to the Kwu Tung South Outline Zoning Plan (OZP) were mainly related to a site in Hang Tau Tai Po, Kwu Tung South. Dr Lawrence K.C. Li had declared an interest on the item as he was a member of the Fanling Golf Course which was located to the east of the concerned site.

54. Mr H.F. Leung, Mr Peter K.T. Yuen, Mr Stephen L.H. Liu, Ms Christina M. Lee, Mr Alex T.H. Lai and Mr David Y.T. Lui also declared interests on the item as they were members of the Hong Kong Jockey Club which operated the Beas River Country Club that was located to the northeast of the concerned site.

55. The Committee noted that Dr Lawrence K.C. Li had tendered an apology for being unable to attend the meeting. The Committee agreed that Mr H.F. Leung, Mr Peter K.T. Yuen, Mr Stephen L.H. Liu, Ms Christina M. Lee, Mr Alex T.H. Lai and Mr David Y.T. Lui could stay in the meeting as their interests were indirect.

Presentation and Question Sessions

56. With the aid of a PowerPoint presentation, Mr Jeff K.C. Ho, STP/FSYLE, presented the proposed amendments as detailed in the Paper and covered the following main points:

Proposed Amendments

Proposed Rezoning of the “Recreation” (“REC”) Zone

- (a) about 8.4ha of land at Hang Tau Tai Po fell within an area zoned “REC” on the approved Kwu Tung South OZP. On 7.12.2012, the Committee approved a section 12A application to rezone the north-eastern portion from “REC” to “Comprehensive Development Area” (“CDA”) to facilitate a low-rise and low-density residential development. The Committee also requested the Planning Department (PlanD) to carry out a zoning review (the 2014 Review) for the whole “REC” zone. On 23.5.2014, the Committee agreed to rezone the “REC” site to appropriate zonings;

Amendment Item A1 – A Site to the North of Hang Tau Village fronting Hang Tau Road (about 1.87ha)

- (b) Site A1 was proposed to be rezoned from “REC” to “CDA” to take forward the decision of the approved section 12A application for a proposed residential development of 30 detached houses, with a maximum plot ratio (PR) of 0.4, site coverage (SC) of 20% and building height (BH) of 3 storey including car park;

Amendment Item A2 – Eastern, Western and Northern Portions of the “REC” Zone at Hang Hau Tai Po (about 5.95ha)

- (c) Site A2 was mostly under private ownership and was proposed to be rezoned from “REC” to “Residential (Group D)” (“R(D)”), with a maximum PR of 0.4 and BH of 3 storeys, with a view to phasing out/upgrading existing temporary structures into permanent buildings through redevelopment;

Amendment Item A3 – Serenity Garden to the North of Hang Tau Village (about 0.59ha)

- (d) Site A3 was currently occupied by Serenity Garden, which was the subject of an approved planning application with a PR of 0.4. Under the 2014 Review, Site A3 was proposed to be rezoned from “REC” to “Village Type Development”, “Open Space(1)” and “Government, Institution or Community” (“G/IC”). In view that Serenity Garden together with the ancillary landscaped area and supporting facilities were covered by one approved development scheme, it was considered more appropriate to rezone the entire Site A3 to “R(D)1”, with the residential portion restricted to area (a) and the landscaped area with ancillary car parking and utility installations restricted to area (b), to reflect the as-built development;

Amendment Item A4 – Existing Hang Tau Sewage Pumping Station (about 0.06ha)

- (e) Site A4 was currently occupied by the Drainage Services Department’s sewage pumping station. It was the subject of an approved planning application, and was proposed to be rezoned from “REC” to “G/IC” to reflect the as-built development;

Technical Assessments

- (f) broad technical assessments had been conducted to confirm that the aforementioned amendments were feasible and would not cause insurmountable adverse visual, air ventilation, traffic, environmental and infrastructural impacts;

Reflecting As-built Developments

Amendment Items B1 and B2 – Ascot Park (about 0.79ha)

- (g) Sites B1 and B2 were the subject of an approved planning application. It was proposed to rezone the two sites from “Open Space” (Item B1) and

“REC” (Item B2) respectively to “Residential (Group C)2”, with a maximum PR of 0.4, SC of 20% and BH of 3 storeys including car park to reflect the as-built development;

Amendment Items C1, C2 and C3 – Existing Fan Kam Road to the Southwest of Ying Pun (about 1.43ha)

- (h) the amendments were mainly to reflect the alignment of existing Fan Kam Road and the existing situation;

Public Consultation

- (i) relevant government departments had no objection to or no adverse comment on the proposed amendments; and
- (j) the North District Council and the Sheung Shui District Rural Committee would be consulted during the exhibition period of the draft Kwu Tung South OZP.

57. Some Members raised the following questions/points:

- (a) the reasons for imposing a maximum PR of 0.4 for the sites under Amendment Items A1 and A2, and whether a higher PR could be considered;
- (b) whether the land utilisation and use of the Fanling Golf Course were subject to review;
- (c) the colour scheme of Plan 5 of the Paper should be revised to avoid using green colour to indicate those brownfield sites; and
- (d) the location of a new residential development in the vicinity of the Fanling Golf Course.

58. Mr Jeff K.C. Ho, STP/FSYLE, made the following responses:

- (a) Amendment Item A1 was to take forward the Committee's decision on a section 12A application, in which the applicant had proposed a residential development with a PR of 0.4. As to the site under Amendment Item A2, having considered the potential industrial/residential interface problems and the constraints due to the insufficient capacity of Hang Tau Road and the existing sewerage system, concerned government departments did not support a higher development density for the area. The applicants would be required to conduct various technical assessments for the proposed "CDA" and "R(D)" zones at the section 16 planning application stage to confirm the technical feasibility of each proposal;
- (b) the Fanling Golf Course was not covered by any OZP;
- (c) Members' comment on the colour scheme on Plan A5 of the Paper was noted; and
- (d) the new residential development was located adjacent to Fan Kam Road and was not covered by any OZP.

59. The Chairman supplemented that the Fanling Golf Course was subject to a Private Recreational Lease and the Home Affairs Bureau was currently conducting a review of the policy on Private Recreational Leases.

60. A Member asked whether the Government had any long-term planning on the subject "REC" zone and the wider Kwu Tung South area and whether there were any planned improvement projects for the existing infrastructure facilities. In response, Mr Jeff K.C. Ho said that three studies were currently being conducted by various government bureau/departments for Kwu Tung South. According to the "Preliminary Feasibility Study on Developing the New Territories North", Kwu Tung South fell within the study area but was not identified as one of the potential development areas. Under the "Engineering Feasibility Study for the Establishment of an Agricultural Park", an agricultural park was proposed to be located in Kwu Tung South which was currently occupied by active and

fallow agricultural land. As to the “Planning and Engineering Study for Kwu Tung South - Feasibility Study”, the Government had yet to arrive at a conclusion concerning the Study due to work priority and resource allocation. The Member considered that since the aforementioned studies had yet to be completed and there was a lack of infrastructure facilities in the Kwu Tung South area, the land in the area could not be fully utilised. The Government should consider accelerating the progress of such studies in order to unleash the development potential of Kwu Tung South. Mr Jeff K.C. Ho supplemented that the proposed development density of the subject “REC” zone had taken into account the development pattern of the wider Kwu Tung area with a decrease in development density in the area from north to south. A plot ratio of 5 to 6 was proposed for the Kwu Tung North New Development Area (KTN NDA) in areas around the Kwu Tung railway station, while a lower development density was considered more appropriate for Kwu Tung South due to the infrastructural constraints. To the further south and west of the subject “REC” zone, the land was mainly for agricultural uses. In view of the rural setting of Kwu Tung South, a maximum PR of 0.4 was considered appropriate for the proposed “CDA” and “R(D)” zones under Amendment Items A1 and A2.

61. Some Members raised the following questions/points:

- (a) there was a drastic reduction in development density of the area to the south of Fanling Highway in Kwu Tung South. There might be scope to review the development density of the entire Kwu Tung area, and increase the development density of Kwu Tung South, particularly those sites located closer to the proposed Kwu Tung railway station, to fully utilise the planned provision of infrastructure facilities in KTN NDA; and
- (b) the location of the agricultural park proposed under the “Engineering Feasibility Study for the Establishment of an Agricultural Park”.

62. In response, Mr Jeff K.C. Ho said that the location and boundary of the agricultural park were subject to confirmation. As regards the development density in the Kwu Tung South area, the existing PR of residential developments in the area was in general about 0.4.

63. A Member considered that the amendments proposed in the Paper could be taken forward first as further amendments could be proposed in the future when the findings of the studies were available. The Member also agreed to the proposed PR under Amendment Items A1 and A2 as the development density of Hang Tau Village was low, and it was the applicant's proposal for a residential development with a maximum PR of 0.4 at Site A1 which the Committee should respect. Another Member said that the proposed amendments were appropriate which were to reflect the approved rezoning application and as-built developments/conditions. Other Members concurred.

64. The Committee requested PlanD to take into account their concerns in the further review of the development potential of the Kwu Tung South area.

65. After deliberation, the Committee decided to :

- (a) agree to the proposed amendments to the approved Kwu Tung South OZP No. S/NE-KTS/14 and that the draft Kwu Tung South OZP No. S/NE-KTS/14A (to be renumbered to S/NE-KTS/15 upon gazetting) and its Notes were suitable for exhibition for public inspection under section 5 of the Town Planning Ordinance; and
- (b) adopt the revised Explanatory Statement (ES) for the draft Kwu Tung South OZP No. S/NE-KTS/14A (to be renumbered to S/NE-KTS/15 upon gazetting) as an expression of the planning intentions and objectives of the Town Planning Board for the various land use zones on the OZP and agree that the revised ES was suitable for publication together with the OZP.

[Mr Alex T.H. Lai and Mr David Y.T. Lui left the meeting at this point.]

Agenda Item 15

Section 16 Application

[Open Meeting (Presentation and Question Sessions Only)]

A/KTN/31 Temporary Cold Store with Ancillary Storage and Office for a Period of 3 Years in “Open Space” Zone and an area shown as ‘Road’, Lots No. 741 S.G, 741 S.H, 742 S.B, 742 RP and 743 S.A in D.D. 92, Kwu Tung North, Sheung Shui
(RNTPC Paper No. A/KTN/31)

66. The Secretary reported that the site was located in Kwu Tung North. Dr C.H. Hau, who owned a property in Kwu Tung North, had declared an interest on the item. The Committee agreed that Dr Hau could stay in the meeting as his property did not have a direct view of the site.

Presentation and Question Sessions

67. Mr Jeff K.C. Ho, STP/FSYLE, drew Members’ attention that one page (page 1) of the Main Paper was tabled at the meeting for Members’ reference. He then presented the application and covered the following aspects as detailed in the Paper :

- (a) background to the application;
- (b) the temporary cold store with ancillary storage and office for a period of three years;
- (c) departmental comments – departmental comments were set out in paragraph 9 of the Paper. Concerned government departments had no objection to or no adverse comment on the application;
- (d) during the first three weeks of the statutory publication period, four public comments were received. The Chairman of the Sheung Shui District Rural Committee and the incumbent North District Council (NDC) member had no comment on the application while another incumbent NDC member

and a general public objected to the application. Major objection grounds were set out in paragraph 10 of the Paper; and

- (e) the Planning Department (PlanD)'s views – PlanD considered that the temporary cold store with ancillary storage and office could be tolerated for a period of three years based on the assessments set out in paragraph 11 of the Paper. Although the applied use was not in line with the planning intention of the “Open Space” zone and an area shown as ‘Road’, it was not incompatible with the surrounding land uses. The site fell within the remaining packages of the Kwu Tung North New Development Area (KTN NDA). As the construction works of the remaining packages were tentatively scheduled to commence after 2021, the applied use for a temporary period of three years until March 2020 would not pose as a constraint to the development of KTN NDA. Approval of the application on a temporary basis would not frustrate the long-term planning intention of the concerned zonings. There were similar applications approved by the Committee to the immediate north of the site. The circumstances of those applications were similar to the subject application. Regarding the adverse public comments, the comments of government departments and planning assessments above were relevant.

68. Members had no question on the application.

Deliberation Session

69. Members noted that the structures erected on the site would have to be demolished should the temporary planning permission expire and the lot owner and the tenant would have to reinstate the site to an amenity area. The long-term planning intention of KTN NDA would not be affected.

70. Another Member said that although part of the site fell within an area shown as ‘Road’, approval of the application would not have any impact on the existing road condition as a majority part of the site fell within a planned road.

71. After deliberation, the Committee decided to approve the application on a temporary basis for a period of 3 years until 3.3.2020, 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 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 medium/heavy goods vehicle exceeding 5.5 tonnes, including container tractor/trailer, as defined in the Road Traffic Ordinance, as proposed by the applicant, is allowed to enter/exit the site at any time during the planning approval period;
- (d) 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 3.9.2017;
- (e) in relation to (e) above, the implementation of the drainage proposal with 9 months from the date of planning approval to the satisfaction of the Director of Drainage Services or of the TPB by 3.12.2017 ;
- (f) the submission of a landscape proposal within 6 months from the date of planning approval to the satisfaction of the Director of Planning or of the TPB by 3.9.2017;
- (g) in relation to (f) above, the implementation of the landscape proposal within 9 months from the date of planning approval to the satisfaction of the Director of Planning or of the TPB by 3.12.2017;
- (h) the submission of a proposal for fire service installations and water supplies for fire-fighting within 6 months from the date of planning approval to the satisfaction of the Director of Fire Services or of the TPB by 3.9.2017;

- (i) in relation to (h) above, the implementation of the proposal for fire service installations and water supplies for fire-fighting within 9 months from the date of planning approval to the satisfaction of the Director of Fire Services or of the TPB by 3.12.2017;
- (j) if any of the above planning conditions (a), (b) or (c) is not complied with during the planning approval period, the approval hereby given shall cease to have effect and shall be revoked without further notice; and
- (k) if any of the above planning conditions (d), (e), (f), (g), (h) or (i) is not complied with by the specified date, the approval hereby given shall cease to have effect and shall on the same date be revoked without further notice.”

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

Agenda Item 16

Section 16 Application

[Open Meeting (Presentation and Question Sessions Only)]

A/YL-KTN/550 School (Nursery/Kindergarten) in “Village Type Development” Zone,
1/F, Kam Tin Centre, Lot No. 1684 in D.D.109, Kam Tin Road, Kam
Tin, Yuen Long
(RNTPC Paper No. A/YL-KTN/550)

Presentation and Question Sessions

73. 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 school (nursery/kindergarten);
- (c) departmental comments – departmental comments were set out in paragraph 9 of the Paper. Concerned government departments had no objection to or no adverse comment on the application;
- (d) during the first three weeks of the statutory publication period, no public comment was received; and
- (e) the Planning Department (PlanD)’s views – PlanD had no objection to the application based on the assessments set out in paragraph 11 of the Paper. The applied use was compatible with other non-domestic uses in the same building. In view of its small scale and nature, the applied use would unlikely cause any significant traffic, drainage and environmental impacts on the surrounding areas.

74. Members had no question on the application.

Deliberation Session

75. After deliberation, the Committee decided to approve the application, on the terms of the application as submitted to the Town Planning Board (TPB). The permission was subject to the following conditions :

- “(a) the submission of proposals for fire service installations and water supplies for fire fighting within 6 months from the date of planning approval to the satisfaction of the Director of Fire Services or of the TPB by 3.9.2017;
- (b) in relation to (a) above, the provision of fire service installations and water supplies for fire fighting within 9 months from the date of planning approval to the satisfaction of the Director of Fire Services or of the TPB by 3.12.2017; and

- (c) if any of the above planning condition (a) or (b) is not complied with by the specified date, the approval hereby given shall cease to have effect and shall on the same date be revoked without further notice.”

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

Agenda Item 17

Section 16 Application

[Open Meeting]

A/YL-KTS/705 Proposed Residential Development (Houses) in “Comprehensive Development Area” Zone, Lots No. 547 RP (Part) and 2160 RP in D.D.106 and Adjoining Government Land, Kam Tin South, Yuen Long (RNTPC Paper No. A/YL-KTS/705B)

77. The Secretary reported that the site was located in Kam Tin South, and the application was submitted by Super Asset Development Limited, which was a subsidiary of Henderson Land Development Company Limited (HLD). MVA Hong Kong Limited (MVA) and Mott MacDonald Hong Kong Limited (MMHK) were two of the consultants of the applicant. The following Members had declared interests on the item:

- Mr Ivan C.S. Fu - having current business dealings with HLD and MVA;
- Ms Janice W.M. Lai - having current business dealings with HLD; and her family member owning a property at Cheung Po Tsuen, Kam Tin South;
- Mr Stephen L.H. Liu - having current business dealings with HLD;
- Mr Alex T.H. Lai - his firm having current business dealings with MMHK;

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

78. The Committee noted that Dr Lawrence K.C. Lai had tendered an apology for being unable to attend the meeting and Mr Alex T.H. Lai had already left the meeting. The Committee noted that the applicant had requested deferment of consideration of the application, and agreed that as the interests of Mr Ivan C.S. Fu, Ms Janice W.M. Lai and Mr Stephen L.H. Liu were direct, they could stay in the meeting but should refrain from participating in the discussion; and since the interests of Mr H.F. Leung, Ms Christina M. Lee and Mr Peter K.T. Yuen were not direct, they could stay in the meeting.

79. The Committee noted that the applicant's representative requested on 22.2.2017 deferment of the consideration of the application for two months in order to allow time to address the outstanding departmental comments on environmental and sewerage aspects. It was the third time that the applicant requested deferment of the application. Since the last deferment, the applicant had submitted further information on technical assessments, and tables of responses-to-comments to address the departmental comments.

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

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

Agenda Item 18

Section 16 Application

[Open Meeting (Presentation and Question Sessions Only)]

A/YL-KTS/730 Renewal of Planning Approval for Temporary Open Storage of Construction Materials with Ancillary Site Office and Staff Restrooms for a Period of 3 Years in "Residential (Group D)" Zone, Lot No. 1280 RP (Part) in D.D. 106 and Adjoining Government Land, Kong Ha Wai, Kam Sheung Road, Pat Heung, Yuen Long
(RNTPC Paper No. A/YL-KTS/730)

81. The Secretary reported that the site was located in Kam Tin South. Ms Janice W.M. Lai had declared an interest on the item as her family member owned a property at Cheung Po Tsuen, Kam Tin South. The Committee agreed that Ms Lai could stay in the meeting as the property of Ms Lai's family member did not have a direct view of the site.

Presentation and Question Sessions

82. Ms Ivy C.W. Wong, STP/FSYLE, drew Members' attention that two pages (page 8 of the Main Paper and page 1 of Appendix VIII) of the Paper regarding the revisions in the District Lands Officer/Yuen Long's comments and advisory clause (a) were tabled 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 renewal of planning approval for temporary open storage of construction materials with ancillary site office and staff restrooms 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 environmental nuisance was expected. Other concerned government departments had no objection to or no adverse comment on the application;
- (d) during the first three weeks of the statutory publication period, two public comments were received from Designing Hong Kong Limited and an individual objecting 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 open storage of construction materials with ancillary site office and staff restrooms could be tolerated for a period of three years based on the assessments set out in paragraph 12 of the Paper. Although the temporary use was not in line with the planning intention of the “Residential (Group D)” (“R(D)”) zone, it was considered not incompatible with the surrounding areas. There was also no known programme for the long-term residential development at the site. Approval of the application on a temporary basis would not frustrate the long-term planning intention of the “R(D)” zone. The temporary use was in line with the Town Planning Board Guidelines No. 13E and 34B in that last planning approval for same use was granted in 2014 and all approval conditions under the last application had been complied with. Compared with the last application, the subject application submitted by the same applicant was essentially the

same. As there was no change in planning circumstances since the last approval, sympathetic consideration could be given to the application. Although DEP did not support the application, no environmental complaint had been received in the past three years. Relevant approval conditions were recommended to address DEP's concern. Regarding the adverse public comments, the comments of government departments and planning assessments above were relevant.

83. Members had no question on the application.

Deliberation Session

84. After deliberation, the Committee decided to approve the application on a temporary basis for a period of 3 years from 5.4.2017 to 4.4.2020, 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 9:00 a.m., as proposed by the applicant, is allowed on the site during the planning approval period;
- (b) no operation on Sundays and public holidays, as proposed by the applicant, is allowed on the site during the planning approval period;
- (c) no dismantling, maintenance, repairing, cleansing, paint spraying or other workshop activities, as proposed by the applicant, are allowed on the site at any time during the planning approval period;
- (d) no medium or heavy goods vehicles exceeding 5.5 tonnes, including container tractors/trailers, as defined in the Road Traffic Ordinance, as proposed by the applicant, are allowed to be parked/stored on or enter/exit the site at any time during the planning approval period;
- (e) no disturbance to the mitigation planting areas along the eastern boundary of the site (Plan A-2 of the Paper) in order to preserve and protect the

vegetation at any time during the planning approval period;

- (f) the existing boundary fence on the site shall be maintained at all times 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 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 5.10.2017;
- (i) in relation to (h) above, the implementation of the tree preservation proposal within 9 months from the date of commencement of the renewed planning approval to the satisfaction of the Director of Planning or of the TPB by 5.1.2018;
- (j) the existing drainage facilities on the site shall be maintained at all times during the planning approval period;
- (k) the submission of a record of the existing drainage facilities on the site within 3 months from the date of commencement of the renewed planning approval to the satisfaction of the Director of Drainage Services or of the TPB by 5.7.2017;
- (l) the provision of fire extinguisher(s) with a valid fire certificate (FS 251) 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 17.5.2017;
- (m) the submission of a fire service installation 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 5.10.2017;

- (n) in relation to (m) above, the provision of fire service installations within 9 months from the date of commencement of the renewed planning approval to the satisfaction of the Director of Fire Services or of the TPB by 5.1.2018;
- (o) if any of the above planning conditions (a), (b), (c), (d), (e), (f), (g) or (j) is not complied with during the planning approval period, the approval hereby given shall cease to have effect and shall be revoked immediately without further notice;
- (p) if any of the above planning conditions (h), (i), (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 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.”

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

Agenda Item 19

Section 16 Application

[Open Meeting]

A/YL-PH/740

Temporary Open Storage of Building Materials, Second-hand Vehicles and Automotive Parts with Ancillary Staff Canteen for a Period of 3 Years in “Agriculture” Zone, Lots No. 1832 RP (Part), 1840 (Part), 1861 (Part), 1864 RP (Part), 1865 (Part), 1866 (Part), 1867 (Part) and 1868 (Part) in D.D. 111, Pat Heung, Yuen Long
(RNTPC Paper No. A/YL-PH/740)

86. The Secretary reported that the site was located in Pat Heung. Ms Janice W.M. Lai had declared an interest on the item as her family member owned a property at Leung Uk Tsuen, Pat Heung. The Committee noted that the applicant had requested deferment of consideration of the application, and agreed that Ms Lai could stay in the meeting as the property of her family member did not have a direct view of the site.

87. The Committee noted that the applicant requested on 22.2.2017 deferment of the consideration of the application for two months in order to allow time to prepare further information to address departmental comments. It was the first time that the applicant requested deferment of the application.

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

Agenda Item 20

Section 16 Application

[Open Meeting (Presentation and Question Sessions Only)]

A/YL-PH/741 Renewal of Planning Approval for Temporary Open Storage of Construction Materials, Machinery (Electricity Generator), Vehicle Parts, Temporary Transit Shipment Particles and Containers for Storage of Plastic Barriers for a Period of 3 Years in "Agriculture" and "Residential (Group D)" Zones, Lots No. 2887 (Part), 2888 (Part) and 2901 in D.D.111, Pat Heung, Yuen Long
(RNTPC Paper No. A/YL-PH/741)

89. The Secretary reported that the site was located in Pat Heung. Ms Janice W.M. Lai had declared an interest on the item as her family member owned a property at Leung Uk Tsuen, Pat Heung. The Committee agreed that Ms Lai could stay in the meeting as the property of her family member did not have a direct view of the site.

Presentation and Question Sessions

90. Ms Ivy C.W. Wong, STP/FSYLE, drew Members' attention that two pages (pages 14 and 15) of the Main Paper were dispatched to Members before the meeting. She then presented the application and covered the following aspects as detailed in the Paper :

- (a) background to the application;
- (b) the renewal of planning approval for temporary open storage of construction materials, machinery (electricity generator), vehicle parts, temporary transit shipment particles and containers for storage of plastic barriers 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 environmental nuisance was expected. Other concerned government departments had no objection to or no adverse comment on the application;
- (d) during the first three weeks of the statutory publication period, three public comments were received from Designing Hong Kong Limited and the general public objecting 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 open storage of construction materials, machinery (electricity generator), vehicle parts, temporary transit shipment particles and

containers for storage of plastic barriers could be tolerated for a period of three years based on the assessments set out in paragraph 12 of the Paper. Although the temporary use was not in line with the planning intention of the “Residential (Group D)” (“R(D)”) and “Agriculture” zones, there was no known permanent development at that part of the “R(D)” zone, and the site had been paved and used for open storage. Approval of the application on a temporary basis would not frustrate the long-term planning intention of the “R(D)” and “AGR” zones. The application was in line with the Town Planning Board Guidelines No. 13E and 34B in that previous approval for the same applied use was granted in 2014 and all the approval conditions under the previous approval had been complied with. As there was no major change in planning circumstances since the last approval, sympathetic consideration could be given to the application. Although DEP did not support the application, there was no environmental complaint in the past three years. Relevant approval conditions were recommended to address DEP’s concern. Regarding the adverse public comments, the comments of government departments and planning assessments above were relevant.

91. Members had no question on the application.

Deliberation Session

92. After deliberation, the Committee decided to approve the application on a temporary basis for a period of 3 years from 5.4.2017 to 4.4.2020, 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 9:00 a.m., as proposed by the applicant, is allowed on the site during the planning approval period;
- (b) no operation on Sundays and public holidays, as proposed by the applicant, is allowed on the site during the planning approval period;

- (c) no dismantling, maintenance, repairing, cleansing, paint spraying or other workshop activities, as proposed by the applicant, shall be carried out on the site at any time during the planning approval period;
- (d) no medium or heavy goods vehicles exceeding 5.5 tonnes, including container tractors/trailers, as defined in the Road Traffic Ordinance, as proposed by the applicant, are allowed to be parked/stored on or enter/exit the site at any time during the planning approval period;
- (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 should be maintained at all times during the planning approval period;
- (g) the submission of a record of 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 5.7.2017;
- (h) 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 5.10.2017;
- (i) in relation to (h) 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 5.1.2018;
- (j) the provision of fire extinguisher(s) with a valid fire certificate (FS 251) 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 17.5.2017;

- (k) the submission of a fire services 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 5.10.2017;
- (l) in relation to (k) above, the implementation of the fire services 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 5.1.2018;
- (m) if any of the above planning conditions (a), (b), (c), (d), (e) or (f) is not complied with during the planning approval period, the approval hereby given shall cease to have effect and shall be revoked immediately without further notice;
- (n) if any of the above planning conditions (g), (h), (i), (j), (k) or (l) is not complied with by the specified date, the approval hereby given shall cease to have effect and shall on the same date be revoked without further notice; and
- (o) upon expiry of the planning permission, the reinstatement of the site to an amenity area to the satisfaction of the Director of Planning or of the TPB.”

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

Agenda Item 21

Section 16 Application

[Open Meeting]

A/YL-PH/742 Temporary Open Storage of Sauce with Ancillary Canteen for a Period of 3 Years in “Residential (Group D)” Zone, Lot No. 172 (Part) in D.D.108, Pat Heung, Yuen Long
(RNTPC Paper No. A/YL-PH/742)

94. The Secretary reported that the site was located in Pat Heung. Ms Janice W.M. Lai had declared an interest on the item as her family member owned a property at Leung Uk Tsuen, Pat Heung. The Committee noted that the applicant had requested deferment of consideration of the application, and agreed that Ms Lai could stay in the meeting as the property of her family member did not have a direct view of the site.

95. The Committee noted that the applicant requested on 24.2.2017 deferment of the consideration of the application for two months in order to allow time to prepare further information to address departmental comments. It was the first time that the applicant requested deferment of the application.

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

Agenda Item 22

Section 16 Application

[Open Meeting]

A/YL-SK/223 Proposed Temporary Open Storage of Construction Material for a
Period of 3 Years in “Agriculture” Zone, Lot No. 441 in D.D.112, Kam
Sheung Road, Pat Heung, Yuen Long
(RNTPC Paper No. A/YL-SK/223)

97. The Committee noted that the applicant requested on 14.2.2017 deferment of the consideration of the application for two months in order to allow time to prepare further information to address departmental comments. It was the first time that the applicant requested deferment of the application.

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

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

Agenda Item 23

Section 16 Application

[Open Meeting]

A/YL-ST/500 Temporary Goods Storage and Distribution Use for a Period of 3 Years
in “Undetermined” Zone, Lots No. 87(Part) and 88(Part) in D.D.99,
San Tin, Yuen Long
(RNTPC Paper No. A/YL-ST/500)

99. The Committee noted that on 28.2.2017, after issuance of the Paper, the applicant wrote to the Town Planning Board requesting deferment of the consideration of the application for two months to allow time to provide further information in response to the comments from government departments. The applicant’s letter was tabled at the meeting for Members’ consideration. This was the first time that the applicant requested deferment of the application.

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

[The Chairman thanked Mr Jeff K.C. Ho and Ms Ivy C.W. Wong, STPs/FSYLE, and Miss Stephenie Y.T. Lee, PA/FSYLE for their attendance to answer Members’ enquiries. Mr Ho, Ms Wong and Miss Lee left the meeting at this point.]

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

Tuen Mun and Yuen Long West District

[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 24

Section 16 Application

[Open Meeting (Presentation and Question Sessions Only)]

A/TM-LTYYY/327 Proposed Temporary Shop and Services (Real Estate Agency) for a Period of Three Years in “Village Type Development” Zone, Lot No. 2160 in D.D. 130, Sun Fung Wai, Tuen Mun
(RNTPC Paper No. A/TM-LTYYY/327)

Presentation and Question Sessions

101. 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. Concerned government departments had no objection to or no adverse comment on the application;
- (d) during the first three weeks of the statutory publication period, one public comment from a member of the Tuen Mun District Council supporting the application. Major supporting views were set out in paragraph 10 of the Paper; and
- (e) the Planning Department (PlanD)’s views – PlanD considered that the

temporary shop and services (real estate agency) could be tolerated for a period of three years based on the assessments set out in paragraph 11 of the Paper. Although the proposed development was not entirely in line with the planning intention of the “Village Type Development” (“V”) zone, it could provide real estate services to serve any such demand in the area. There was currently no Small House application within the site. Approval of the application on a temporary basis would not jeopardise the long-term planning intention of the “V” zone. The proposed development was considered not incompatible with the surrounding land uses and the rural character of the surrounding area. No major adverse impacts on environment, traffic, drainage and landscape were expected.

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 3.3.2020, on the terms of the application as submitted to the Town Planning Board (TPB) and subject to the following conditions :

- “(a) no operation between 8:00 p.m. and 9:00 a.m., as proposed by the applicant, is allowed on the site during the planning approval period;
- (b) the 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 3.9.2017;
- (c) in relation to (b) 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 3.12.2017;
- (d) in relation to (c) above, the implemented drainage facilities shall be maintained at all times during the planning approval period;

- (e) the submission of a fire service installations proposal within 6 months from the date of the planning approval to the satisfaction of the Director of Fire Services or of the TPB by 3.9.2017;
- (f) in relation to (e) above, the implementation of the fire service installations proposal within 9 months from the date of the planning approval to the satisfaction of the Director of Fire Services or of the TPB by 3.12.2017;
- (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 3.9.2017;
- (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 3.12.2017;
- (i) if any of the above planning conditions (a) 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;
- (j) if any of the above planning conditions (b), (c), (e), (f), (g) or (h) is not complied with by the specified date, the approval hereby given shall cease to have effect and shall on the same date be revoked without further notice;
and
- (k) upon 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.”

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

Agenda Item 25

Section 16 Application

[Open Meeting (Presentation and Question Sessions Only)]

A/TM-LTY Y/328 Temporary Shop and Services (Retail Shop) for a Period of 5 Years in “Village Type Development” Zone, Lot No. 694 S.L ss.1 in D.D. 130 and Adjoining Government land, G/F, 28 Lam Tei Main Street, Tuen Mun
(RNTPC Paper No. A/TM-LTY Y/328)

Presentation and Question Sessions

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

- (a) background to the application;
- (b) the temporary shop and services (retail shop) for a period of five years;
- (c) departmental comments – departmental comments were set out in paragraph 9 of the Paper. Concerned government departments had no objection to or no adverse comment on the application;
- (d) during the first three weeks of the statutory publication period, no public comment was received; and
- (e) the Planning Department (PlanD)’s views – PlanD considered that the temporary shop and services (retail shop) could be tolerated for a period of five 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 at the site. The applied use could provide commercial use to meet any such demand in the area. Approval of the application on a temporary basis would not jeopardise the long-term planning intention of

the “V” zone. The applied use was not incompatible with the surrounding land uses, and was not expected to create any adverse traffic, environmental, drainage, landscape or visual impacts. Since the last planning permission for the same use was revoked due to non-compliance with the submission of drainage and fire service installations proposals, shorter compliance periods were recommended in order to closely monitor the progress on compliance with the associated approval conditions.

106. Members had no question on the application.

Deliberation Session

107. In response to Members’ enquiry on the rationale for granting a temporary permission for five years in the subject application as compared with three years in other applications, the Secretary said that “Shop and Services” was a Column 2 use under the “V” zone and there was provision for application for a temporary use longer than three years. The Chairman supplemented that as to uses that were under neither Column 1 nor Column 2, there was provision to seek planning permission for a temporary use not exceeding three years under the covering Notes of a rural Outline Zoning Plan.

108. After deliberation, the Committee decided to approve the application on a temporary basis for a period of 5 years until 3.3.2022, on the terms of the application as submitted to the Town Planning Board (TPB) and subject to the following conditions :

- “(a) no operation between 10:00 p.m. and 8:00 a.m., as proposed by the applicant, is allowed on the site during the planning approval period;
- (b) a minimum horizontal clearance of 500mm from Lam Tei Main Street and a minimum vertical clearance of 3.5m over the road verge, as proposed by the applicant, shall be maintained at all times during the planning approval period to the satisfaction of the Commissioner for Transport or of the TPB;
- (c) the submission of a drainage proposal within 3 months from the date of planning approval to the satisfaction of the Director of Drainage Services

or of the TPB by 3.6.2017;

- (d) in relation to (c) above, the implementation of the drainage proposal within 6 months from the date of planning approval to the satisfaction of the Director of Drainage Services or of the TPB by 3.9.2017;
- (e) in relation to (d) above, the implemented drainage facilities shall be maintained at all times during the planning approval period;
- (f) the submission of a fire service installations proposal within 3 months from the date of the planning approval to the satisfaction of the Director of Fire Services or of the TPB by 3.6.2017;
- (g) in relation to (f) above, 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 3.9.2017;
- (h) if the above planning condition (a), (b) or (e) is not complied with during the planning approval period, the approval hereby given shall cease to have effect and shall be revoked immediately without further notice;
- (i) if any of the above planning conditions (c), (d), (f) or (g) is not complied with by the specified date, the approval hereby given shall cease to have effect and shall on the same date be revoked without further notice; and
- (j) upon 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.”

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

Agenda Item 26

Section 16 Application

[Open Meeting (Presentation and Question Sessions Only)]

A/YL-PS/533 Proposed Temporary Shop and Services (Convenient Store) for a
Period of 3 Years in “Open Space” Zone, Lot No. 998 (Part) in D.D.
124 and Adjoining Government Land, near Hung Yuen Road, Hung
Shui Kiu, Yuen Long
(RNTPC Paper No. A/YL-PS/533)

Presentation and Question Sessions

110. 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 (convenient store) for a period of three years;
- (c) departmental comments – departmental comments were set out in paragraph 9 of the Paper. Concerned government departments had no objection to or no adverse comment on the application;
- (d) during the first three weeks of the statutory publication period, two public comments were received from individuals objecting to the application. Major objecting views were set out in paragraph 10 of the Paper; and
- (e) the Planning Department (PlanD)’s views – PlanD considered that the temporary shop and services (convenient store) could be tolerated for a period of three years based on the assessments set out in paragraph 11 of the Paper. Although the proposed development was not in line with the planning intention of the “Open Space” zone, it could provide retail shop facilities to meet any such demand in the area and was not incompatible

with the surrounding land uses. Approval of the application on a temporary basis would not jeopardise the long-term development of the area, and should the application be approved, the applicant should be advised that the site might be subject to land resumption for the implementation of the Hung Shui Kiu New Development Area which might take place at any time before the expiry of the temporary planning permission. Regarding the adverse public comments, the comments of government departments and planning assessments above were relevant.

111. Members had no question on the application.

Deliberation Session

112. Members noted that the site covered by Short Term Tenancy could be resumed before the expiry of the temporary planning permission in accordance with the development programme of HSK NDA and an advisory clause had been proposed to remind the applicant.

113. After deliberation, the Committee decided to approve the application on a temporary basis for a period of 3 years until 3.3.2020, on the terms of the application as submitted to the Town Planning Board (TPB) and subject to the following conditions :

- “(a) no operation between 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) only private cars and light goods vehicles as defined in the Road Traffic Ordinance, as proposed by the applicant, are allowed to enter/be parked on the site at all times during the planning approval period;
- (c) no vehicle is allowed to queue back to or reverse onto/from public road at any time during the planning approval period;
- (d) the existing drainage facilities 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 planning approval to the satisfaction of the Director of Drainage Services or of the TPB by 3.6.2017;
- (f) the submission of a fire service installations proposal within 6 months from the date of planning approval to the satisfaction of the Director of Fire Services or of the TPB by 3.9.2017;
- (g) in relation to (f) above, the implementation of the fire service installations proposal within 9 months from the date of planning approval to the satisfaction of the Director of Fire Services or of the TPB by 3.12.2017;
- (h) the submission of a landscape proposal within 6 months from the date of planning approval to the satisfaction of the Director of Planning or of the TPB by 3.9.2017;
- (i) in relation to (h) above, the implementation of the landscape proposal within 9 months from the date of planning approval to the satisfaction of the Director of Planning or of the TPB by 3.12.2017;
- (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.”

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

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

Agenda Item 27

Section 16 Application

[Open Meeting (Presentation and Question Sessions Only)]

A/YL-HT/1066 Temporary Open Storage of Recyclable Materials (including Metal and Plastic) for a Period of 3 Years in “Recreation” Zone, Lots No. 282 (Part), 285 (Part) and 288 (Part) in D.D.125, Ha Tsuen, Yuen Long
(RNTPC Paper No. A/YL-HT/1066)

115. The Secretary reported that the site was located in Ha Tsuen. Ms Janice W.M. Lai had declared an interest on 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

116. Mr Vincent T.K. Lai, STP/TMYLW, drew Members’ attention that two pages (page 5 of the Main Paper and page 1 of Appendix VI) of the Paper were tabled for Members’ reference. He then presented the application and covered the following aspects as detailed in the Paper :

- (a) background to the application;
- (b) the temporary open storage of recyclable materials (including metal and plastic) 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, and environmental nuisance was expected. Other concerned government departments had no objection to or no adverse comment on the application;

- (d) during the first three weeks of the statutory publication period, one public comment was received from a member of the public objecting to the application. Major objecting views were set out in paragraph 11 of the Paper; and
- (e) the Planning Department (PlanD)'s views – PlanD considered that the temporary open storage of recyclable materials (including metal and plastic) 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 “Recreation” (“REC”) zone, there was no programme/known intention to implement the zoned use and the applied use was not incompatible with the surrounding areas. Approval of the application on a temporary basis would not jeopardise the long-term development of the area. The applied use was in line with the Town Planning Board Guidelines No. 13E in that there was no adverse departmental comment from concerned government departments, except DEP. Although DEP did not support the application, there had been no substantiated environmental complaint concerning the site received in the past three years. Relevant approval conditions had been recommended to address DEP's concerns. Regarding the adverse public comment, the comments of government departments and planning assessments above were relevant.

117. Members had no question on the application.

Deliberation Session

118. After deliberation, the Committee decided to approve the application on a temporary basis for a period of 3 years until 3.3.2020, on the terms of the application as

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

- “(a) no operation between 7:00 p.m. to 9:00 a.m., as proposed by the applicant, is allowed on the site, during the planning approval period;
- (b) no operation on Sundays and public holidays, as proposed by the applicant, is allowed on the site during the planning approval period;
- (c) no cutting, dismantling, cleansing, compacting or other workshop activity is allowed on the site at any time during the planning approval period;
- (d) no goods vehicles exceeding 5.5 tonnes, including medium goods vehicles, heavy goods vehicles, container tractor/trailers, as defined in the Road Traffic Ordinance, as proposed by the applicant, are allowed to enter/ exit or to be parked/stored 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 time during the planning approval period;
- (f) the submission of a drainage proposal within 6 months from the date of planning approval to the satisfaction of the Director of Drainage Services or of the TPB by 3.9.2017;
- (g) in relation to (f) above, the implementation of the accepted 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 3.12.2017;
- (h) in relations to (g) above, the implemented drainage facilities on site shall be maintained at all times during the planning approval period;
- (i) 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 3.9.2017;

- (j) in relation to (i) 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 3.12.2017;
- (k) 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 14.4.2017;
- (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 3.9.2017;
- (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 3.12.2017;
- (n) the provision of fencing of the site within 6 months from the date of planning approval to the satisfaction of the Director of Planning or of the TPB by 3.9.2017;
- (o) if any of the above planning conditions (a), (b), (c), (d), (e) or (h) is not complied with during the planning approval period, the approval hereby given shall cease to have effect and shall be revoked immediately without further notice;
- (p) if any of the above planning conditions (f), (g), (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.”

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

Agenda Item 28

Section 16 Application

[Open Meeting (Presentation and Question Sessions Only)]

A/YL-HT/1067 Renewal of Planning Approval for Temporary Warehouse for Storage of Machinery and Spare Parts for a Period of 3 Years in “Comprehensive Development Area” Zone, Lots No. 23 RP (Part), 28 RP (Part), 30 RP (Part), 43 (Part), 193, 194 (Part), 195 (Part) and 196 (Part) in D.D. 128, and Adjoining Government Land, Ha Tsuen, Yuen Long
(RNTPC Paper No. A/YL-HT/1067)

120. The Secretary reported that the site was located in Ha Tsuen. Ms Janice W.M. Lai had declared an interest on 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

121. Mr Vincent T.K. Lai, STP/TMYLW, drew Members’ attention that two pages (page 5 of the Main Paper and page 1 of Appendix V) of the Paper were tabled for Members’ reference. He then presented the application and covered the following aspects as detailed in the Paper :

- (a) background to the application;
- (b) the renewal of planning approval of temporary warehouse for storage of machinery and spare parts for a period of three years;

- (c) departmental comments – departmental comments were set out in paragraph 10 of the Paper. The Director of Environmental Protection (DEP) did not support the application because there were sensitive users in the vicinity of the site and along the access road, and environmental nuisance was expected. Other concerned government departments had no objection to or no adverse comment on the application;
- (d) during the first three weeks of the statutory publication period, no public comment was received; and
- (e) the Planning Department (PlanD)’s views – PlanD considered that the temporary warehouse for storage of machinery and spare parts 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 “Comprehensive Development Area” (“CDA”), there was no programme/known intention to implement the zoned use, and the applied use was not incompatible with the surrounding land uses. Approval of the application on a temporary basis would not jeopardise the long-term development of the area. The application was in line with the Town Planning Board Guidelines No. 34B in that there was no change in planning circumstances since the previous temporary approval, and the applicant had complied with all the approval conditions. Although DEP did not support the application, there was no substantiated environmental complaint pertaining to the site in the past three years. Relevant approval conditions had been recommended to address DEP’s concerns. Approval of the application was in line with the Committee’s previous decisions.

122. Members had no question on the application.

Deliberation Session

123. After deliberation, the Committee decided to approve the application on a temporary basis for a period of 3 years from 5.4.2017 to 4.4.2020, on the terms of the

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

- “(a) no operation from 11:00 p.m. to 7:00 a.m., as proposed by the applicant, is allowed on the site during the planning approval period;
- (b) no operation on Sundays and public holidays, as proposed by the applicant, is allowed on the site during the planning approval period;
- (c) no cutting, dismantling, cleansing, repairing and workshop activity is allowed on the site at any time during the planning approval period;
- (d) no vehicle exceeding 24 tonnes, including container trailer/tractore, as defined in the Road Traffic Ordinance, as proposed by the applicant, is allowed to enter/exit or to be parked/stored 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 time during the planning approval period;
- (f) the existing fencing on the site shall be maintained at all times during the planning approval period;
- (g) the existing drainage facilities shall be maintained at all times during the planning approval period;
- (h) the submission of a condition record of the existing drainage facilities within 3 months from the date of commencement of the renewed planning approval to the satisfaction of the Director of Drainage Services or of the TPB by 5.7.2017;
- (i) the implementation of the accepted 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 5.10.2017;

- (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 5.10.2017;
- (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 5.1.2018;
- (l) 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;
- (m) if any of the above planning conditions (h), (i), (j) or (k) 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
- (n) upon expiry of the planning permission, the reinstatement of the site to an amenity area to the satisfaction of the Director of Planning or of the TPB.”

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

Agenda Item 29

Section 16 Application

[Open Meeting (Presentation and Question Sessions Only)]

A/YL-HT/1068 Temporary Open Storage of Construction Materials and Storage with Ancillary Office for a Period of 3 Years in “Comprehensive Development Area” Zone, Lots No. 844 RP (Part), 845 (Part) and 850 S.B RP (Part) in D.D. 125, Ha Tsuen, Yuen Long
(RNTPC Paper No. A/YL-HT/1068)

125. The Secretary reported that the site was located in Ha Tsuen. Ms Janice W.M. Lai had declared an interest on 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

126. 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 construction materials and storage with ancillary office for a period of three years;
- (c) departmental comments – departmental comments were set out in paragraph 10 of the Paper. The Director of Environmental Protection (DEP) did not support the application because there were sensitive users in the vicinity and along the access road, and environmental nuisance was expected. Other concerned government departments had no objection to or no adverse comment on the application;
- (d) during the first three weeks of the statutory publication period, one public comment from Designing Hong Kong Limited was received objecting to

the application. Major objecting views were set out in paragraph 11 of the Paper; and

- (e) the Planning Department (PlanD)'s views – PlanD considered that the temporary open storage of construction materials and storage with ancillary office 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 “Comprehensive Development Area” zone, there was no programme/known intention to implement the zoned use and the applied use was not incompatible with the surrounding land uses. Approval of the application on a temporary basis would not jeopardise the long-term development of the area. The application was generally in line with the Town Planning Board Guidelines No. 13E in that the site fell within Category 1 areas which were considered suitable for open storage and port back-up uses. Although DEP did not support the application, there was no substantiated environmental complaint pertaining to the site in the past three years. Relevant approval conditions had been recommended to address DEP's concerns. Regarding the adverse public comment, the comments of government departments and planning assessments above were relevant.

127. Members had no question on the application.

Deliberation Session

128. After deliberation, the Committee decided to approve the application on a temporary basis for a period of 3 years until 3.3.2020, 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 9:00 a.m., as proposed by the applicant, is allowed on the site during the planning approval period;
- (b) no operation on Sundays and public holidays, as proposed by the applicant, is allowed on the site during the planning approval period;

- (c) no vehicle is allowed to queue back to or reverse onto/from the public road at any time during the planning approval period;
- (d) the existing boundary fencing on site shall be maintained at all times during the planning approval period;
- (e) the existing drainage facilities on site shall be maintained at all times during the planning approval period;
- (f) the submission of a condition record of existing drainage facilities within 3 months to the satisfaction of the Director of Drainage Services or of the TPB by 3.6.2017;
- (g) the submission of 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 3.9.2017;
- (h) in relation to (g) 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 3.12.2017;
- (i) the implementation of the accepted 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 3.9.2017;
- (j) the submission of a fire service installations proposal within 6 months from the date of planning approval to the satisfaction of the Director of Fire Services or of the TPB by 3.9.2017;
- (k) in relation to (j) above, the implementation of the fire service installations proposal within 9 months from the date of planning approval to the satisfaction of the Director of Fire Services or of the TPB by 3.12.2017;

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

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

Agenda Item 30

Section 16 Application

[Open Meeting (Presentation and Question Sessions Only)]

A/YL-TYST/828 Renewal of Planning Approval for Temporary Open Storage of Metal Goods with Ancillary Warehouse for a Period of 3 Years in “Undetermined” Zone, Lots No. 776 (Part), 1878 (Part), 1879(A) and 1879(B) (Part), 1943 (Part), 1944 (Part) and 1945 (Part) in D.D. 117 and Adjoining Government Land, Kung Um Road, Yuen Long
(RNTPC Paper No. A/YL-TYST/828)

Presentation and Question Sessions

130. 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 renewal of planning approval for temporary open storage of metal goods with ancillary warehouse 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 environmental nuisance was expected. Other concerned government departments had no objection to or no adverse comment on the application;
- (d) during the first three weeks of the statutory publication period, no public comment was received; and
- (e) the Planning Department (PlanD)’s views – PlanD considered that the temporary open storage of metal goods with ancillary warehouse could be tolerated for a period of three years based on the assessments set out in paragraph 12 of the Paper. The temporary use was not in conflict with the planning intention of the “Undetermined” (“U”) zone and was not incompatible with the surrounding uses. Approval of the application on a temporary basis would not frustrate the long-term development of the area. The application was generally in line with the Town Planning Board (TPB) Guidelines No. 34B in that there had been no material change in planning circumstances since the granting of the previous approval, and the approval conditions had been complied with. The application was also generally in line with the TPB Guidelines No. 13E in that the site fell within Category 1 areas which were considered suitable for open storage and port back-up use. Although DEP did not support the application, there had been no environmental complaint concerning the site received in the past three years. Relevant approval conditions were also recommended to address DEP’s concern.

131. Members had no question on the application.

Deliberation Session

132. After deliberation, the Committee decided to approve the application on a temporary basis for a period of 3 years from 5.4.2017 to 4.4.2020, 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 storage or handling (including loading and unloading) of used electrical appliances, computer/electronic parts (including cathode-ray tubes) or any other types of electronic waste, as proposed by the applicant, is allowed on the site at any time during the planning approval period;
- (d) no dismantling, repairing, cleansing, paint-spraying or other workshop activities, as proposed by the applicant, shall be carried out on the site at any time during the planning approval period;
- (e) no medium or heavy goods vehicles exceeding 5.5 tonnes, including container tractor/trailer, as defined in the Road Traffic Ordinance, as proposed by the applicant, is allowed to park/store on or enter/exit the site at any time during the planning approval period;
- (f) no vehicle is allowed to queue back to or reverse onto/from public road at any time during the planning approval period;
- (g) all existing trees and landscape plantings within the site shall be maintained at all times during the planning approval period;
- (h) the existing drainage facilities on the site should be maintained at all times

during the planning approval period;

- (i) the submission of a record of 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 5.7.2017;
- (j) the provision of fire extinguisher(s) with valid fire certificate (FS 251) 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 17.5.2017;
- (k) the submission of fire service installations proposal within 6 months from the date of commencement of the renewed planning approval to the satisfaction of the Director of Fire Services or of the TPB by 5.10.2017;
- (l) in relation to (k) above, the implementation of fire service installations proposal within 9 months from the date of commencement of the renewed planning approval to the satisfaction of the Director of Fire Services or of the TPB by 5.1.2018;
- (m) if any of the above planning conditions (a), (b), (c), (d), (e), (f), (g) or (h) is not complied with during the planning approval period, the approval hereby given shall cease to have effect and shall be revoked immediately without further notice;
- (n) if any of the above planning conditions (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 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.”

133. The Committee also agreed to advise the applicant to note the advisory clauses as set out at Appendix VII 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. Ms Ng, Mr Lai and Mr Au left the meeting at this point.]

Agenda Item 31

Any Other Business

Section 16A Application

[Open Meeting]

A/NE-SSH/95-6 Application for Extension of Time for Compliance with Planning Conditions, Lot No. 465 in D.D. 207, Shap Sz Heung, Ma On Shan

134. The Secretary reported that an application for extension of time (EOT) for compliance with approval conditions (b), (d), (e) and (f) under application No. A/NE-SSH/95 was received by the Town Planning Board on 13.2.2017. The subject application was approved with conditions by the Committee on 22.5.2015. The deadline for compliance with approval conditions (b), (d), (e) and (f) was 22.2.2017.

135. The subject EOT application was received on 13.2.2017, which was eight working days before the expiry of the specified time limit for the approval conditions (b), (d), (e) and (f). It was recommended not to consider the application as the deadline for compliance with conditions (b), (d), (e) and (f) had already expired on 22.2.2017, and the planning approval for the subject application had ceased to have effect and had on the same date been revoked.

136. After deliberation, the Committee agreed that the section 16A application could not be considered as the planning permission was no longer valid at the time of consideration.

137. There being no other business, the meeting closed at 5:10 p.m..