

## **TOWN PLANNING BOARD**

### **Minutes of 579<sup>th</sup> Meeting of the Rural and New Town Planning Committee held at 2:30 p.m. on 12.5.2017**

#### **Present**

Director of Planning  
Mr Raymond K.W. Lee

Chairman

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

Mr Philip S.L. Kan

Dr Lawrence K.C. Li

Mr Stephen L.H. Liu

Miss Winnie W.M. Ng

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

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

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

Assistant Director/Regional 3,  
Lands Department  
Mr John K.T. Lai

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

Secretary

**Absent with Apologies**

Mr H.W. Cheung

Professor K.C. Chau

Mr Ivan C.S. Fu

Dr C.H. Hau

Mr Alex T.H. Lai

**In Attendance**

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

Chief Town Planner/Town Planning Board  
Ms Doris S. Y. Ting

Town Planner/Town Planning Board  
Miss Karmin Tong

**Agenda Item 1**

Confirmation of the Draft Minutes of the 578<sup>th</sup> RNTPC Meeting held on 28.4.2017

[Open Meeting]

1. The draft minutes of the 578<sup>th</sup> RNTPC meeting held on 28.4.2017 were confirmed without amendments.

**Agenda Item 2**

Matters Arising

[Open Meeting]

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

**Sai Kung and Islands District**

**Agenda Item 3**

**Section 12A Application**

[Open Meeting]

Y/SK-PK/6                      Application for Amendment to the Approved Pak Kong and Sha Kok Mei Outline Zoning Plan No. S/SK-PK/11, To rezone the application site from “Conservation Area” to “Other Specified Uses” annotated “Columbarium”, Lots 169 S.A, 169 S.B, 169 S.C, 169 S.D, 169 S.E, 169 S.F, 169 S.G, 169 S.H, 169 S.I, 169 S.J, 169 S.K, 169 S.L, 169 S.M and 169 RP in D.D. 219 and Adjoining Government Land, Kei Pik Shan, Sai Kung, New Territories  
(RNTPC Paper No. Y/SK-PK/6B)

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

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

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

4.            The Committee noted that Mr Ivan C.S. Fu had tendered apology for being unable to attend the meeting and Ms Janice W.M. Lai had not yet arrived to join the meeting.

5.            The Committee noted that the applicant requested on 4.5.2017 deferment of the consideration of the application for two months to allow time to resolve comments from relevant government departments.    It was the third time that the applicant requested deferment of the application.    Since the last deferment, the applicant had submitted further information including responses to comments from relevant government departments and revised plans and pages of assessments.

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

[Ms Donna Y.P. Tam, District Planning Officer/Sai Kung and Islands (DPO/SKIs) and Mr William W.T. Wong, Senior Town Planner/Sai Kung and Islands (STP/SKIs), were invited to the meeting at this point.]

[Mr Stephen L.H. Liu arrived to join the meeting at this point.]

#### **Agenda Item 4**

[Open Meeting]

Proposed Amendment to the Approved South Lantau Coast Outline Zoning Plan (OZP) No. S/SLC/19

(RNTPC Paper No. 3/17)

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7. The Secretary reported that the proposed amendment was related to the rezoning of a site for the development of a sewage treatment works (STW) by the Drainage Services Department (DSD) and Black and Veatch Hong Kong Limited (B&V) was the consultant of DSD. The following Members had declared interests in the item :

Ms Janice W.M. Lai	}	having current business dealings with DSD; and
Dr C.H. Hau		
Mr Alex T.H. Lai		
	-	his firm having current business dealings with B&V.

8. The Committee noted that Dr C.H. Hau and Mr Alex T.H. Lai had tendered apologies for being unable to attend the meeting and Ms Janice W.M. Lai had not yet arrived to join the meeting.

#### Presentation and Question Sessions

9. With the aid of a PowerPoint presentation, Ms Donna Y.P. Tam, DPO/SKIs, PlanD, presented the proposed amendments as detailed in the Paper and covered the following main points :

#### Background

- (a) there was currently no public sewerage in South Lantau. DSD commissioned the Project entitled “Outlying Islands Sewerage Stage 2 – South Lantau Sewerage Works” (the Project) to serve the village/residential houses, government institution, beaches, etc. in South Lantau. The Project comprised the development of a STW, six sewage pumping stations and sewerage network;

#### Proposed Amendment to the OZP

- (b) Amendment Item A – a site of about 5,500m<sup>2</sup> located to the south of South Lantau Road at Pui O was proposed to be rezoned from “Coastal Protection Area” and “Other Specified Uses” annotated “Sewage Treatment Works” (“OU(STW)”) to facilitate the proposed STW development;

Proposed Amendments to the Notes of the OZP

- (c) incorporation of a new set of Notes for the “OU(STW)” zone;
- (d) incorporation of technical amendments to the Covering Notes of the OZP to follow the latest version of the Master Schedule of Notes to Statutory Plans;

Technical Assessments

- (e) the Environmental Impact Assessment report, which included the landscape and visual impact assessment, was approved by the Director of Environmental Protection on 24.4.2017. Based on the assessment results and with incorporation of the recommended mitigation measures, no adverse impacts on the neighbouring environment were anticipated and the landscape and visual impacts were considered acceptable;
- (f) other technical assessments, including traffic impact assessment, drainage impact assessment, water supply assessment and site formation assessment had been conducted, which concluded that the proposed STW would not have any adverse traffic, drainage and water supply impacts, and no insurmountable site formation issue was expected;

Departmental Consultation

- (g) relevant bureaux and departments consulted had no objection to or no adverse comment on the proposed amendment; and

Public Consultation

- (h) in 2010-2011, DSD consulted the Islands District Council (IsDC), South Lantau Rural Committee and villagers of San Shek Wan, Pui O Sai Wan Tsuen and Lok Uk Tsuen. The IsDC members and villagers were supportive of the Project. The IsDC would be further consulted during the

exhibition period of the draft OZP.

10. Members had no question on the proposed amendment.

### Deliberation Session

11. After deliberation, the Committee decided to :

- “(a) agree to the proposed amendment to the approved South Lantau Coast OZP and that the draft South Lantau Coast OZP No. S/SLC/19A at Appendix II of the Paper (to be renumbered to S/SLC/20 upon exhibition) and its Notes at Appendix III of the Paper were suitable for exhibition under section 5 of the Town Planning Ordinance; and
- (b) adopt the revised Explanatory Statement (ES) at Appendix IV of the Paper for the draft South Lantau Coast OZP No. S/SLC/19A as an expression of the planning intentions and objectives of the Board for the various land use zonings of the OZP and agree that the revised ES was suitable for publication together with the OZP.”

[The Chairman thanked Ms Donna Y.P. Tam, DPO/SKIs, for her attendance to answer Members' enquiries. Ms Tam left the meeting at this point.]

### Agenda Items 5 and 6

#### Section 16 Applications

[Open Meeting (Presentation and Question Sessions Only)]

A/SK-HC/267 Proposed House (New Territories Exempted House - Small House) in “Agriculture” Zone, Government Land in D.D. 244, Ho Chung, Sai Kung, New Territories



A/SK-HC/268 Proposed House (New Territories Exempted House - Small House) in  
“Agriculture” Zone, Government Land in D.D. 244, Ho Chung, Sai  
Kung, New Territories  
(RNTPC Paper No. A/SK-HC/267A and 268A)

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12. The Committee noted that the two applications were similar in nature and the sites were located close to one another and within the same “Agriculture” (“AGR”) zone. The Committee agreed that the two applications would be considered together.

#### Presentation and Question Sessions

13. Mr William W.T. Wong, STP/SKIs, presented the applications and covered the following aspects as detailed in the Paper :

- (a) background to the applications;
- (b) the proposed house (New Territories Exempted House (NTEH) – Small House) on each of the sites;
- (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 applications as the sites possessed potential for agricultural rehabilitation. The Commissioner for Transport had reservation on the applications, but considered that construction of two Small Houses could be tolerated. Other concerned departments had no objection to or no adverse comment on the applications;
- (d) during the first three weeks of statutory publication period, six public comments were received, including three comments from individuals providing views on the applications and three comments from Kadoorie Farm & Botanic Garden Corporation, Designing Hong Kong Limited and an individual objecting to the applications. The major grounds of objection and views were set out in paragraph 10 of the Paper; 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 Paper. Although the proposed developments were not in line with the planning intention of the “AGR” zone and DAFC did not support the applications, the proposed developments were not incompatible with the landscape character of the surrounding areas and there were no active farming within the sites. The applications generally complied with the Interim Criteria for Consideration of Application for NTEH/Small House in New Territories in that the proposed Small Houses fell entirely within the village ‘environ’ (‘VE’) of Ho Chung and land available within the “Village Type Development” (“V”) zone was insufficient to meet the future Small House demand. Concerned government departments had no objection to or no adverse comment on the applications. Regarding the public comments, no request had been received from relevant departments to reserve the sites for community uses and the planning assessments above were relevant.

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

- 14. Some Members raised the following questions :
  - (a) whether there was any information on who paved the site;
  - (b) further elaboration on the locations of the approved Small House applications in the vicinity of the site within the “AGR” zone; and
  - (c) further elaboration on the tunnel reserve to the south of the sites and whether there had been approved Small House applications falling within the tunnel reserve area.
  
- 15. Mr William W.T. Wong, STP/SKIs, made the following responses :
  - (a) the site was vacant Government land previously formed by the Government;

- (b) with reference to Plan A-2a of the Paper, the application sites fell wholly within the 'VE' of Ho Chung and the "AGR" zone. There were a number of Small House applications to the north, northwest and east of the site within the same "AGR" which had been approved by the Committee; and
- (c) the dotted line to the south of the site, as shown on Plan A-2a of the Paper, was the Water Supplies Department (WSD)'s Ho Chung/Tseung Kwan O Tunnel Reserve. While the sites fell within the tunnel reserve area, the applicants had indicated that the sites were about 25m away from the tunnel reserve area and had submitted information to demonstrate that the tunnel would not be adversely affected by the construction of the proposed Small Houses. The Chief Engineer/Construction, WSD had no adverse comment on the applications. A few Small House applications in the immediate vicinity of the sites also fell within the tunnel reserve area and were previously approved by the Committee.

#### Deliberation Session

16. After deliberation, the Committee decided to approve the applications, on the terms of the applications as submitted to the Town Planning Board (TPB). Each of the permissions should be valid until 12.5.2021, 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. Each of the permissions was subject to the following condition :

“ the provision of septic tank, as proposed by the applicant, at a location to the satisfaction of the Director of Lands or of the TPB.”

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

**Agenda Item 7**

**Section 16 Application**

[Open Meeting (Presentation and Question Sessions Only)]

A/SK-PK/237            Proposed Temporary Shop and Services and Eating Place (Restaurant)  
for a Period of 3 Years in an area shown as 'Road', Lot 1617A RP in  
D.D. 221 and Adjoining Government Land, 19H Po Tung Road, Sai  
Kung, New Territories  
(RNTPC Paper No. A/SK-PK/237)

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**Presentation and Question Sessions**

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

- (a) background to the application;
- (b) the proposed temporary shop and services and eating place (restaurant) for a period of three years;
- (c) departmental comments – departmental comments were set out in paragraph 8 of the Paper. The Chief Town Planner/Urban Design and Landscape, Planning Department (CTP/UD&L, PlanD) had some reservation on the application as the trees and vegetation growing on the slope along the existing berm at the western part of the site would likely be affected by the proposed filling works. There was no justification for the proposed filling for the temporary use. Other concerned government departments had no objection to or no adverse comment on the application;
- (d) during the first three weeks of statutory publication period, four public comments were received from individuals raising objections to or concerns on the application. The major grounds of objection and concerns were set out in paragraph 9 of the Paper; and

- (e) the Planning Department (PlanD)'s views – PlanD did not support the application based on the assessments set out in paragraph 10 of the Paper. The site fell within an area shown as 'Road' forming part of the land reserved for the future widening and junction improvement of Hiram's Highway. The proposed development would involve piling and the existing berm within the site would be filled. No information had been provided to demonstrate that the proposed development was a temporary building and the filling of the existing berm would be removed and the site be reinstated upon expiry of the planning approval. As the temporary nature of the proposed use could not be established, the application would frustrate the planning intention of the area shown as 'Road'. Also, there was potential landscape impact due to the proposed filling works near the vegetated slope to the immediate west of the site and CTP/UD&L, PlanD had reservation on the application. The applicants failed to demonstrate that the proposed development would not have adverse landscape impact on the surrounding areas. While the site was the subject of two previous planning approvals, the applicants of those approved cases had demonstrated that the proposal was temporary in nature and that the existing berm would not be affected and no landscape impact was anticipated. The current application with a different layout and additional filling works should not warrant the same consideration of the previous cases. Regarding the public comments, the planning assessments above were relevant.

19. Some Members raised the following questions /points:

- (a) the reason why the two previous planning permissions were revoked;
- (b) whether there was any information on the party responsible for maintenance of the concrete berm within the site;
- (c) whether the permitted development under the last two planning approvals was implemented;

- (d) whether there was any information on the structural safety of the concrete berm within the site; and
- (e) whether the proposals under the two previous approvals involved filling of the existing berm.

20. Mr William W.T. Wong, STP/SKIs, made the following responses :

- (a) the two previous planning permissions were revoked due to non-compliance with any of the approval conditions by the applicants;
- (b) the applicants, who were the current land owner of the private land portion of the site, were responsible for maintenance and management of the concrete berm within the site;
- (c) the site was the subject of two previous planning permissions under applications No. A/SK-PK/109 and 205. The former application was submitted by different applicants, whereas the latter was submitted by two of the applicants of the current application. The applicants of both planning permissions had not taken forward the implementation of the permitted development;
- (d) H(GEO), CEDD had no geotechnical objection to the application. Should the application be approved, the applicants would need to make necessary submissions in accordance with the provisions of the Buildings Ordinance; and
- (e) the applicants of the two previous approvals had indicated that no part of the berm or the existing slope at the western portion of the site would be affected.

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

Deliberation Session

*Planning Intention*

21. A Member remarked that it might be rather difficult to establish that the proposed development was not a temporary use and would therefore frustrate the planning intention of the site. However, it was noted that information had been provided in the previously approved application No. A/SK-PK/109 to demonstrate that the design and construction of the proposed structure was temporary in nature and the structures would be demolished upon expiry of the planning approval. Moreover, no part of the existing berm within the site would be affected under approved applications No. A/SK-PK/109 and 205. As compared with the previous approvals, there was doubt on the temporary nature of the proposed development, which involved the construction of a rather permanent structure with piling works and filling of the existing berm.

22. A Member considered that implementation of the future road widening project should not be affected by the proposed development even if it was a permanent structure as some existing permanent structures in the vicinity would also be affected by the future road widening project. In contrary, another Member said that since there were known plans for road improvement along Hiram's Highway, approval of the current application might set an undesirable precedent and complicate the land resumption in future.

23. A Member considered that favourable consideration might be given to the application on consideration that the proposed use was not entirely incompatible with the surrounding developments and the requirements for reinstatement of the site and landscape concerns could be addressed by imposing appropriate approval conditions. Another Member shared the view that the concern on approval of the application would frustrate the planning intention of the area shown as 'Road' might be addressed through the imposition of approval condition requiring the applicant to reinstate the site upon expiry of planning permission.

24. A few other Members had a different view and considered that the proposed development which would be housed in a permanent structure, if approved, would pose additional hurdle for the future land resumption associated with the road widening project.

*Landscape Impact*

25. Noting that one of the rejection reasons was landscape related, two Members queried how the proposed filling works would create adverse landscape impact. It was then noted that CTP/UD&L, PlanD had reservation on the application in that there was no justification for the proposed filling works for the temporary use and the existing vegetation on the slope along the berm would likely be affected by the proposed filling and hence some impacts on existing landscape resources and character were anticipated.

*Geotechnical Concern*

26. A Member opined that it was important to ascertain whether the existing berm within the site was structurally safe and whether the proposed filling works would have any adverse impact on the existing berm. The Chairman said that there was no detailed information on the structural safety aspect of the existing berm. He drew Members' attention that while the current proposal involved filling of the existing berm within the site, H(GEO), CEDD had no geotechnical objection to the application and advised that necessary approval would need to be obtained to demonstrate that the works were geotechnically sound. Based on available information, H(GEO), CEDD also had not raised any geotechnical objection to the previous approval under application No. A/SK-PK/205 which did not involve any filling works.

27. Given the past history of the site with two revocations due to failure to comply with approval conditions, the same Member raised a concern that it was important for the applicants to demonstrate that the proposed filling of the existing berm within the site would not have adverse impact on public safety.

28. Another Member considered that the applicants, as the owners of the site, had the responsibility to maintain the existing berm within the site irrespective of whether planning permission would be granted for the current application.



*Others*

29. A Member asked whether the implementation programme of the Hiram's Highway's road improvement should be a consideration in recommending rejection of the application. It was noted that the Hiram's Highway Improvement Stage 2 Project was unlikely to be implemented before the end of 2020 and the Chief Highway Engineer/New Territories East of Highways Department (HyD) had no objection to the application. The same Member further asked whether the adjacent kindergarten would also be affected by the road widening works. The Committee noted that the details of the road widening project was still subject to further study and HyD was currently liaising with the affected parties on the potential interface problem.

30. Another Member asked whether planning applications for temporary use which involved slope works would normally be rejected by the Committee. In response, the Chairman said that each application would be considered based on its individual merits and planning circumstances.

31. Based on the above, the Chairman summed up that majority of the Members were not supportive of the application and invited Members to go through the suggested reasons for rejection as highlighted in paragraph 11.1 of the Paper. While Members generally had no further views on the rejection reasons as proposed in the Paper, a Member asked whether a rejection reason related to slope safety could be imposed. The Committee, noting that H(GEO), CEDD had no objection to the application from geotechnical perspective as further explained by the Secretary, agreed that an additional rejection reason should be added to point out that there was insufficient information in the submission to demonstrate that the proposed filling of the existing berm within the site would not cause adverse impact on public safety.

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

- “(a) the applicants cannot establish the temporary nature of the proposed development. The proposed development will frustrate the planning intention of the site which is designated as ‘Road’ for the future widening

and junction improvement of Hiram's Highway;

- (b) the applicants fail to demonstrate that the proposed development will not have adverse landscape impact on the surrounding areas; and
- (c) there is insufficient information in the submission to demonstrate that the proposed filling of the existing berm within the site will not have adverse impact on public safety.”

### **Agenda Item 8**

#### **Section 16 Application**

[Open Meeting (Presentation and Question Sessions Only)]

A/SK-PK/238            Temporary Eating Place (Restaurant) for a Period of 3 Years in an area shown as 'Road', G/F, 9A Po Tung Road, Lot 1773 (Part) in D.D. 221, Sai Kung, New Territories  
(RNTPC Paper No. A/SK-PK/238)

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

33.            Mr William W.T. Wong, STP/SKIs, presented the application and covered the following aspects as detailed in the Paper :

- (a) background to the application;
- (b) the temporary eating place (restaurant) for a period of three years;
- (c) departmental comments – departmental comments were set out in paragraph 8 of the Paper. Concerned departments had no objection to or no adverse comment on the application;
- (d) during the first three weeks of the statutory publication period, one public comment was received from an individual raising objection to the

application. The major grounds of objection were set out in paragraph 9 of the Paper; and

- (e) the Planning Department (PlanD)'s views – PlanD considered that the temporary use could be tolerated for a period of three years based on the assessments set out in paragraph 10 of the Paper. The temporary use for three years up to May 2020 would not frustrate the planning intention of the area shown as 'Road' and the implementation of the road improvement works for Hiram's Highway would not be affected. There was no change in planning circumstances since the approval of the previous application for the same use in 2012. Given the temporary use was small in scale and accommodated within an existing building, it would unlikely cause nuisance and adverse traffic, drainage and environmental impacts on the surrounding areas. Relevant government departments had no objection to or no adverse comment on the application. Regarding the adverse public comment, the planning assessments above were relevant.

34. Members had no question on the application.

#### Deliberation Session

35. After deliberation, the Committee decided to approve the application on a temporary basis for a period of 3 years until 12.5.2020, on the terms of the application as submitted to the Town Planning Board (TPB) and subject to the following conditions :

- “(a) no operation between 1:00 midnight to 1:00 p.m., as proposed by the applicant, is allowed on the premises during the planning approval period;
- (b) 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 12.11.2017;
- (c) in relation to (b) 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 12.2.2018;

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

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

### **Agenda Item 9**

#### **Section 16 Application**

[Open Meeting (Presentation and Question Sessions Only)]

A/SK-PK/239            Proposed House (New Territories Exempted House - Small House) in  
“Green Belt” Zone, Lot 470 S.B ss.2 in D.D. 222, Pak Kong, Sai Kung,  
New Territories  
(RNTPC Paper No. A/SK-PK/239)

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37. The Secretary reported that after issuance of the Paper, the applicant requested on 10.5.2017 deferment of the consideration of the application for two months in order to allow time to consult the relevant government departments and to prepare further information. A copy of the applicant’s letter was tabled at the meeting. The Committee noted that it was the first time that the applicant requested deferment of the application.

38. After deliberation, the Committee decided to defer a decision on the application as requested by the applicant pending the submission of further information from the applicant. The Committee agreed that the application should be submitted for its consideration within two months from the date of receipt of further information from the

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

### **Agenda Item 10**

#### **Section 16 Application**

[Open Meeting]

A/SK-SKT/16 Proposed 19 Houses and Minor Relaxation of Plot Ratio Restriction (from 0.75 to 0.756) in “Green Belt” and “Residential (Group E)2” Zones, Lots 8 S.B, 9 S.A and 9 S.B in D.D. 212 and Adjoining Government Land, Hong Kin Road, Sai Kung, New Territories  
(RNTPC Paper No. A/SK-SKT/16C)

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39. The Secretary reported that the site was located in Sai Kung Town and Ho & Partners Architects (HPA) was one of the consultants of the applicant. The following Members had declared interests in the item :

Mr Alex T.H. Lai - his firm having current business dealings with HPA;  
and

Ms Janice W.M. Lai - her spouse owning a shop in Sai Kung Town.

40. The Committee noted that Mr Alex T.H. Lai had tendered apology for being unable to attend the meeting. The Committee also noted that the applicant had requested deferment for consideration of the application and agreed that Ms Janice W.M. Lai could stay in the meeting as the shop owned by her spouse had no direct view of the site.

41. The Committee noted that the applicant had requested on 27.4.2017 deferment of the consideration of the application for two months in order to allow more time for

preparation of further information to resolve the comments of relevant government departments. It was the fourth time that the applicant requested deferment of the application. Since the last deferment, the applicant had submitted further information in response to comments from relevant government departments.

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

### **Agenda Item 11**

#### **Section 16 Application**

[Open Meeting (Presentation and Question Sessions Only)]

A/SK-TMT/57      Proposed House (New Territories Exempted House - Small House) in  
"Green Belt" Zone, Lot 33 RP in D.D. 256, Tai Po Tsai Village, Tai  
Mong Tsai, Sai Kung, New Territories  

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(RNTPC Paper No. A/SK-TMT/57A)

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

43. Mr William W.T. Wong, STP/SKIs, presented the application and covered the following aspects as detailed in the Paper :

- (a) background to the application;

- (b) the proposed house (New Territories Exempted House (NTEH) – Small House);
- (c) departmental comments – departmental comments were set out in paragraph 10 and Appendix V of the Paper. The Director of Environmental Protection (DEP) and the Chief Engineer/Construction, Water Supplies Department (CE/C, WSD) objected to the application on the grounds that adverse impacts related to water quality deterioration within the Lower Indirect Water Gathering Grounds (WGG) and water contamination were anticipated. The Chief Town Planner/Urban Design and Landscape, Planning Department had reservation on the application as the proposed development might require construction of retaining wall/extensive slope work which might cause adverse impact on existing trees and vegetation adjacent to the site. Moreover, there was no information on the treatment of existing trees and the landscape impact arising from the proposed development could not be ascertained. Other concerned departments had no objection to or no adverse comment on the application;
- (d) during the first three weeks of the statutory publication period, three public comments were received from Kadoorie Farm & Botanic Garden Corporation, World Wide Fund for Nature Hong Kong and an individual all raising objection to the application. The major grounds of objection were set out in paragraph 11 of the Paper; and
- (e) the Planning Department (PlanD)’s views – PlanD did not support the application based on the assessments set out in paragraph 12 of the Paper. The proposed Small House development was not in line the planning intention of the “Green Belt” (“GB”) zone and there was a general presumption against development within “GB” zone. The application did not comply with Town Planning Board Guidelines No. 10 for ‘Application for Development within “GB” Zone under Section 16 of the Town Planning Ordinance’ in that the proposed development would involve vegetation clearance and cause adverse landscape impact. It also did not

comply with the Interim Criteria for Consideration of Application for NTEH/Small House in New Territories in that the site fell within the Lower Indirect WGG where no public sewer was available and CE/C, WSD and DEP objected to the application. Moreover, land was still available within the “Village Type Development” (“V”) zone of Tai Po Tsai Village to meet the outstanding Small House applications and it was considered more appropriate to concentrate the proposed Small House development within the “V” zone for orderly development pattern, efficient use of land and provision of infrastructures and services. The previous application for the same use on the site was rejected by the Committee on similar grounds and there was no change in planning circumstances since that rejection. Approval of the application would set an undesirable precedent for other similar applications in the “GB” zone in future. Regarding the adverse public comments, the planning assessments above were relevant.

44. Members had no question on the application.

#### Deliberation Session

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

- “(a) the proposed Small House development is not in line with the planning intention of the “Green Belt” (“GB”) zone which is primarily for defining the limits of urban and sub-urban development areas by natural features and to contain urban sprawl as well as to provide passive recreational outlets. There is a general presumption against development within this zone. There are no exceptional circumstances or strong planning grounds in the submission for a departure from the planning intention;
- (b) the proposed development is not in line with the Interim Criteria for Consideration of Application for New Territories Exempted House/Small House in New Territories in that the site falls within Lower Indirect Water Gathering Ground (WGG) and there is no public sewerage connection



available in the vicinity. The applicant fails to demonstrate that the proposed development located within WGG would not have adverse impact on water quality in the area;

- (c) the proposed development is not in line with the Town Planning Board Guidelines No. 10 for ‘Application for Development within “GB” Zone under Section 16 of the Town Planning Ordinance’ in that it would involve vegetation clearance and adverse landscape impact is anticipated. The applicant fails to demonstrate that the proposed development would have no adverse landscape impact on the site and surrounding areas; and
- (d) approval of the application will set an undesirable precedent for other similar applications within the “GB” zone. The cumulative effect of approving such applications will result in a general degradation of the environment and bring about cumulative adverse impact on the water quality and landscape of the area.”

### **Agenda Items 12 to 14**

#### **Section 16 Applications**

[Open Meeting (Presentation and Question Sessions Only)]

- |             |  |
|-------------|--|
| A/SK-TMT/58 | Proposed House (New Territories Exempted House - Small House) in “Green Belt” Zone, Lot 16 (Part) in D.D. 252 and Adjoining Government Land, Tso Wo Hang Village, Sai Kung, New Territories  |
| A/SK-TMT/59 | Proposed House (New Territories Exempted House - Small House) in “Green Belt” Zone, Lot 13 (Part) in D.D. 252 and Adjoining Government Land, Tso Wo Hang Village, Sai Kung, New Territories  |
| A/SK-TMT/60 | Proposed House (New Territories Exempted House - Small House) in “Green Belt” Zone, Lot 11 (Part) in D.D. 252 and Adjoining Government Land, Tso Wo Hang Village, Sai Kung, New Territories<br>(RNTPC Paper No. A/SK-TMT/58 to 60) |
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46. The Committee noted that the three applications were similar in nature and the sites were located close to one another and within the same “Green Belt” (“GB”) zone. The Committee agreed that the three applications would be considered together.

#### Presentation and Question Sessions

47. Mr William W.T. Wong, STP/SKIs, presented the applications and covered the following aspects as detailed in the Paper :

- (a) background to the applications;
- (b) the proposed house (New Territories Exempted House (NTEH) – Small House) on each of the sites;
- (c) departmental comments – departmental comments were set out in paragraph 10 and Appendix V of the Paper. The Director of Agriculture, Fisheries and Conservation had reservation on the applications as the proposed sites were located within a woodland adjacent to natural streams and isolated from existing village houses and not served by any access. The Chief Town Planner/Urban Design and Landscape, Planning Department objected to the applications as extensive native trees and mature vegetation within and in close proximity to the sites would be significantly affected by the proposed developments. Moreover, no tree preservation and landscape proposal was proposed to mitigate the foreseeable impact of the proposed developments and the cumulative impact of approving such applications would result in encroachment of the “GB” zone and create further adverse landscape impacts in the area. The Director of Environmental Protection did not support application No. A/SK-TMT/59 unless the applicant could demonstrate that the soakaway pit could be constructed at a site with adequate clearance distance (at least 15m) from the stream. The Head of Geotechnical Engineering Office, Civil Engineering and Development Department had in-principle objection to the proposed developments unless the applicants were prepared to undertake a Natural Terrain Hazard Study (NTHS) and to provide suitable

mitigation measures if found necessary;

- (d) during the first three weeks of the statutory publication period, eight public comments were received from four individuals, World Wide Fund For Nature Hong Kong, Designing Hong Kong Limited, Kadoorie Farm & Botanic Garden Corporation and the Hong Kong Bird Watching Society all raising objection to the applications. The major grounds of objection were set out in paragraph 11 of the Paper; and
  
- (e) the Planning Department (PlanD)'s views – PlanD did not support the applications based on the assessments set out in paragraph 12 of the Paper. The proposed Small House developments were not in line the planning intention of the “GB” zone and there was a general presumption against development within “GB” zone. Regarding the Interim Criteria for Consideration of Application for NTEH/Small House in New Territories, although there was insufficient land to fully meet the future small house demand, land was still available within the “Village Type Development” (“V”) zone of Tso Wo Hang to meet the outstanding Small House applications. It was considered more appropriate to concentrate the proposed Small House development within the “V” zone for orderly development pattern, efficient use of land and provision of infrastructures and services. The applications did not comply with Town Planning Board Guidelines No. 10 for ‘Application for Development within “GB” Zone under Section 16 of the Town Planning Ordinance’ in that adverse landscape impact was anticipated on the sites and their surrounding areas. There were no exceptional circumstances to justify the applications and approval of the applications would set an undesirable precedent for other similar applications in the “GB” zone in the future. The sites were overlooked by steep natural hillside and met the Alert Criteria requiring a NTHS. The applicants had not submitted any information to demonstrate that the proposed developments would not affect slope safety. For application No. A/SK-TMT/59, the proposed septic tank was close to a natural stream and the applicant failed to demonstrate that the proposal would not pollute the streamcourse. Regarding the adverse public

comments, the planning assessments above were relevant.

48. Members had no question on the applications.

#### Deliberation Session

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

#### Applications No. A/SK-TMT/58 and No. A/SK-TMT/60

- “(a) the proposed Small House development is not in line with the planning intention of the “Green Belt” (“GB”) zone which is primarily for defining the limits of urban and sub-urban development areas by natural features and to contain urban sprawl as well as to provide passive recreational outlets. There is a general presumption against development within this zone. There are no exceptional circumstances or strong planning grounds in the submission for a departure from the planning intention;
- (b) the proposed development is not in line with the Town Planning Board Guidelines No. 10 for ‘Application for Development within “GB” Zone under Section 16 of the Town Planning Ordinance’ in that adverse impacts on landscape and slope safety are anticipated;
- (c) land is still available within the “Village Type Development” zone of Tso Wo Hang where land is primarily intended for Small House development. It is considered more appropriate to concentrate the proposed Small House development close to the existing village cluster for orderly development pattern, efficient use of land and provision of infrastructures and services; and
- (d) approval of the application will set an undesirable precedent for other similar applications within the “GB” zone. The cumulative effect of approving such applications will result in a general degradation of the

environment and affect slope safety.”

Application No. A/SK-TMT/59

- “(a) the proposed Small House development is not in line with the planning intention of the “Green Belt” (“GB”) zone which is primarily for defining the limits of urban and sub-urban development areas by natural features and to contain urban sprawl as well as to provide passive recreational outlets. There is a general presumption against development within this zone. There are no exceptional circumstances or strong planning grounds in the submission for a departure from the planning intention;
- (b) the proposed development is not in line with the Town Planning Board Guidelines No. 10 for ‘Application for Development within “GB” Zone under Section 16 of the Town Planning Ordinance’ in that adverse impacts on landscape and slope safety are anticipated;
- (c) land is still available within the “Village Type Development” zone of Tso Wo Hang where land is primarily intended for Small House development. It is considered more appropriate to concentrate the proposed Small House development close to the existing village cluster for orderly development pattern, efficient use of land and provision of infrastructures and services;
- (d) the proposed septic tank is close to a natural streamcourse. The applicant fails to demonstrate that the proposal would not pollute the streamcourse; and
- (e) approval of the application will set an undesirable precedent for other similar applications within the “GB” zone. The cumulative effect of approving such applications will result in a general degradation of the environment and affect slope safety.”

**Agenda Item 15**

**Section 16 Application**

[Open Meeting]

A/TKO/107 Proposed Flat in “Residential (Group E)” Zone, Junk Bay Town Lot 2 and Extension (Part) and Tseung Kwan O Town Lot 22 and Adjoining Government Land, Shek Kok Road, Area 85, Tseung Kwan O, New Territories  
(RNTPC Paper No. A/TKO/107B)

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50. The Secretary reported that the site was located in Tseung Kwan O and ADI Limited (ADI), Ramboll Environ Hong Kong Limited (Environ) and Mott MacDonald Hong Kong Limited (Mott MacDonald) were three of the consultants of the applicant. The following Members had declared interests in the item :

Mr Ivan C.S. Fu	}	having current business dealings with ADI and Environ;
Ms Janice W.M. Lai		
Mr Alex T.H. Lai	-	his firm having current business dealings with Mott MacDonald; and
Mr K.C. Siu	-	his spouse owning a unit in Tseung Kwan O.

*Chief Traffic Engineer/New Territories East, Transport Department*

51. The Committee noted that Mr Ivan C.S. Fu and Mr Alex T.H. Lai had tendered apologies for being unable to attend the meeting. The Committee also noted that the applicant had requested deferment of consideration of the application and agreed that Ms Janice W.M. Lai and Mr K.C. Siu could stay in the meeting as 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.

52. The Committee noted that the applicant’s representative requested on 8.5.2017 deferment of the consideration of the application to the next scheduled meeting to allow time

for seeking comment from government departments. It was the third time that the applicant requested deferment of the application. Since the last deferment, the applicant had submitted further information including supplementary information to the Traffic Impact Assessment and a revised Environmental Assessment.

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

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

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

#### **Agenda Item 16**

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

[Open Meeting]

A/NE-HT/7 Proposed Service Reservoir in "Government, Institution or Community" and "Green Belt" Zones, Government Land in D.D. 9 and D.D. 51(adjacent to the existing Tong Hang Fresh Water Service Reservoir), Tong Hang, Fanling, New Territories  
(RNTPC Paper No. A/NE-HT/7)

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54. The Committee noted that the applicant requested on 27.4.2017 deferment of the consideration of the application for one month to allow time for preparation of further information to address the comments of government departments. It was the first time that the applicant requested deferment of the application.

55. 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.

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

### **Agenda Items 17 to 20**

#### **Section 16 Applications**

[Open Meeting (Presentation and Question Sessions Only)]

A/NE-PK/116 Proposed House (New Territories Exempted House - Small House) in "Agriculture" Zone, Lot 1511 S.A in D.D. 91, Kai Leng, Sheung Shui, New Territories

A/NE-PK/117 Proposed House (New Territories Exempted House - Small House) in "Agriculture" Zone, Lot 1594 S.G in D.D. 91, Kai Leng, Sheung Shui, New Territories



A/NE-PK/118	Proposed House (New Territories Exempted House - Small House) in “Agriculture” Zone, Lot 1511 S.I in D.D. 91, Kai Leng, Sheung Shui, New Territories
A/NE-PK/119	Proposed House (New Territories Exempted House - Small House) in “Agriculture” Zone, Lot 1511 S.H in D.D. 91, Kai Leng, Sheung Shui, New Territories (RNTPC Paper No. A/NE-PK/116 to 119)

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56. The Committee noted that the four applications were similar in nature and the sites were located close to one another and within the same “Agriculture” (“AGR”) zone. The Committee agreed that the four applications would be considered together.

#### Presentation and Question Sessions

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

- (a) background to the applications;
- (b) the proposed house (New Territories Exempted House (NTEH) – Small House) on each of the sites;
- (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 applications as the sites possessed potential for agricultural rehabilitation. The Commissioner for Transport had reservation on the applications but considered that construction of four Small Houses could be tolerated. Other concerned departments had no objection to or no adverse comment on the applications;
- (d) during the first three weeks of statutory publication periods, four public comments on applications No. A/NE-PK/116 and 117 and five public comments on applications No. A/NE-PK/118 and 119 were received. A

North District Council member supported all the applications and the Chairman of Sheung Shui District Rural Committee had no comment on all applications. Designing Hong Kong Limited and an individual objected to all applications, while Hong Kong Bird Watching Society objected to applications No. A/NE-PK/118 and 119. The major grounds of objection were set out in paragraph 10 of the Paper;

- (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 Paper. Although the proposed Small Houses were not in line with the planning intention of the “AGR” zone, they were not incompatible with the surrounding rural setting predominated by village houses, temporary structures and vacant/fallow agricultural land. Regarding the Interim Criteria for Consideration of Application for NTEH/Small House in New Territories, more than 50% of the footprints of the proposed Small Houses fell within the village ‘environ’ of Kai Leng Village and land within the “Village Type Development” zone was insufficient to meet the outstanding Small House applications and future Small House demand. Besides, the sites were in close proximity to the existing village proper of Kai Leng and there were approved Small House applications nearby. Concerned departments, except DAFC, had no objection to the applications. Significant adverse impact on the surrounding areas was not anticipated. Also, there were 87 similar applications approved within the same “AGR” zone between June 2001 and April 2017. Regarding the adverse public comments, the comments of concerned departments and the planning assessments above were relevant.

58. Members had no question on the applications.

#### Deliberation Session

59. After deliberation, the Committee decided to approve the applications, on the terms of the applications as submitted to the Town Planning Board (TPB). Each of the permissions should be valid until 12.5.2021, 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. Each of the permissions was subject to the following conditions :

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

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

## **Agenda Item 21**

### **Section 16 Application**

[Open Meeting (Presentation and Question Sessions Only)]

A/NE-KLH/527 Proposed House (New Territories Exempted House - Small House) in “Agriculture” and “Village Type Development” Zones, Lot 263 S.D ss.9 in D.D. 9, Kau Lung Hang, Tai Po, New Territories  
(RNTPC Paper No. A/NE-KLH/527)

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### **Presentation and Question Sessions**

61. Mr C.T. Lau, STP/STN, presented the application and covered the following aspects as detailed in the Paper :

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

- (c) departmental comments – departmental comments were set out in paragraph 9 and Appendix V of the Paper. The Director of Agriculture, Fisheries and Conservation (DAFC) did not support the application as the site had high potential for rehabilitation of agricultural activities. The Commissioner for Transport had reservation on the application but considered that construction of one Small House could be tolerated. Other concerned departments had no objection to or no adverse comment on the application;
  
- (d) during the first three weeks of the statutory publication period, one public comment was received from an individual objecting to the application. The major grounds of objection 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 area which was predominantly rural in character with village houses, active/fallow agricultural land and tree groups. Regarding the Interim Criteria for Consideration of Application for NTEH/Small House in New Territories (Interim Criteria), more than 50% of the footprint of the proposed Small House fell within the village ‘environ’ (‘VE’) of Yuen Leng, Kau Lung Hang San Wai and Kau Lung Hang Lo Wai and the proposed development would be able to be connected to public sewerage system. Land was available within the “Village Type Development” (‘V’) zone to meet outstanding Small House application but not for future Small House demand. Nevertheless, the site was located in close proximity to the existing village cluster and was the subject of a previous planning application No. A/NE-KLH/358 for four Small Houses which was partially approved by the Committee in 2007. Concerned government departments, except DAFC, had no objection to or no adverse comment on the application. Regarding the adverse public comment, the comments of

concerned departments and the planning assessments above were relevant.

62. The Chairman and some Members raised the following questions / points :

- (a) noting that land was still available within the “V” zone to meet majority of the outstanding Small House applications and future Small House demand, what was the rationale for recommending approval of the application;
- (b) the percentage of the proposed Small House footprint falling within the “V” zone;
- (c) why the previous application (No. A/NE-KLH/358) covering the site was partially approved by the Committee;
- (d) whether there was any change to the footprint of the proposed Small House as compared to that under the previous application;
- (e) whether there was scope to shift the footprint of the proposed Small House towards the “V” zone so as to minimise potential impacts on the surroundings;
- (f) whether the planning permission under application No. A/NE-KLH/358 was renewed upon its expiry;
- (g) whether sewerage connection problem was the main reason the applicant had not taken forward the development permitted under the previous application; and
- (h) the implementation programme for the public sewerage system.

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

- (a) while land within the “V” zone of Yuen Leng, Kau Lung Hang San Wai and Kau Lung Hang Lo Wai was available to meet the outstanding 128

Small House applications, the site fell partially within the “V” zone and was previously approved for Small House development. The approved development was not commenced due to the unavailability of the public sewerage system. Sympathetic consideration might be given to the current application in view of the above circumstances;

- (b) about 5% of the proposed Small House footprint fell within the “V” zone;
- (c) application No. A/NE-KLH/358 involved the development of four proposed Small Houses. Two of the houses, as shown highlighted in yellow on Plan A-2a of the Paper, were approved with conditions by the Committee in 2007 mainly on consideration of being in compliance with the Interim Criteria prevailing at that time;
- (d) the footprint of the proposed Small House under the current application was the same as that under the previous application;
- (e) whilst there was scope for a slight shift of the proposed Small House footprint towards the “V” zone, change in potential impact on the surrounding areas would be insignificant;
- (f) the previous planning permission expired in 2011 and the applicant had not submitted any application for extension of time for commencement of development before its expiry;
- (g) the approved Small House development was not commenced during the validity period of the previous planning permission due to the unavailability of the public sewerage system for connection to the site. The timing on provision of the public sewerage system was beyond the control of the applicant; and
- (h) the public sewerage system as shown on Plan A-2a of the Paper had recently been completed.

### Deliberation Session

64. A Member said that the Committee had adopted a more cautious approach in consideration of applications for Small Houses in recent years. In the circumstances where land was still available within the “V” zone to meet a majority of the Small House demand, those Small House applications would normally not be approved. Noting that only a small proportion of the proposed Small House footprint fell within the “V” zone, the Member considered that the approval of the subject application might have a precedent effect of encouraging encroachment onto the adjoining agricultural land. In response, the Chairman said that whilst the Committee had been more prudent in considering applications for Small House, it was also necessary to take into account other relevant factors, including the site history. As explained earlier, the site was previously approved for Small House development and the construction of the Small House could not commence due to the unavailability of the public sewerage system at the time. Given the public sewerage system had now been completed, the Committee should consider the subject application taking into account the current planning circumstances.

65. In response to a Member’s query, the Chairman explained that the previous application was partially approved on sympathetic consideration that the two proposed Small Houses (including the one under the current application), which fell partly within the “V” zone, were able to be connected to the government’s planned sewerage system though there was no definite implementation programme. The remaining two houses under the same application were rejected as they fell entirely outside the “V” zone and could not be connected to the public sewerage system.

66. In response to another Member’s enquiry, the Secretary explained that, in general, the applicant could apply for extension of time for commencement of development. Any extension of time for commencement of development should not result in an aggregate extension period longer than the original duration for commencement of the approved development proposal. The applicant, however, had not applied for an extension of commencement of development upon the expiry of the previous planning permission in 2011.

67. Having considered that planning permission for Small House development on the

site was previously granted by the Committee to the same applicant, the approved Small House development was not commenced due to the unavailability of public sewerage system at that time, and the public sewerage system had now been completed, a few Members considered that sympathetic consideration could be given to the current application. One of the Members further remarked that there were a number of approved Small House applications in Kau Lung Hang area which were also not implemented due to the delay in the construction of public sewerage system. The rejection of the current application might have implications on other similar applications.

68. The Chairman noted that a Member did not support the application on the consideration that approval of the application was not in line with the Committee's recent approach in considering application for Small House development, while other Members were generally sympathetic towards the application having regard to the special circumstances of the site. Taking into account the majority view of Members, the Chairman concluded that the application should be approved. The Committee noted that approval of the subject application, which had taken into consideration the exceptional circumstances of the case, would not hinder the Board's practice to adopt a more cautious approach in considering applications for Small House development.

69. 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 12.5.2021, 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) submission and implementation of landscape proposal to the satisfaction of the Director of Planning or of the TPB;
- (b) submission and implementation of drainage proposal to the satisfaction of the Director of Drainage Services or of the TPB;
- (c) connection of the foul water drainage system to the public sewers to the satisfaction of the Director of Water Supplies or of the TPB; and



- (d) provision of protection measures to ensure no pollution or siltation occurs to the water gathering grounds to the satisfaction of the Director of Water Supplies or of the TPB.”

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

## **Agenda Item 22**

### **Section 16 Application**

[Open Meeting (Presentation and Question Sessions Only)]

A/NE-LT/607            Proposed House (New Territories Exempted House - Small House) in  
“Agriculture” Zone, Lots 258 S.A ss.1 and 258 S.B in D.D. 8, Tai  
Mong Che, Tai Po, New Territories  
(RNTPC Paper No. A/NE-LT/607)

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### **Presentation and Question Sessions**

71. Mr C.T. Lau, STP/STN, presented the application and covered the following aspects as detailed in the Paper :

- (a) background to the application;
- (b) the proposed house (New Territories Exempted House (NTEH) – Small House);
- (c) departmental comments – departmental comments were set out in paragraph 10 and Appendix V of the Paper. The Director of Agriculture, Fisheries and Conservation (DAFC) did not support the application as the site had high potential for rehabilitation of agricultural activities. The Commissioner for Transport had reservation on the application but considered that construction of one Small House could be tolerated. Other concerned departments had no objection to or no adverse comment on the

application;

- (d) during the first three weeks of the statutory publication period, one public comment was received from an individual objecting to the application. The major grounds of objection were set out in paragraph 11 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 12 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 areas which were predominantly rural in character with village houses, fallow agricultural land and tree groups. Regarding the Interim Criteria for Consideration of Application for NTEH/Small House in New Territories, more than 50% of the footprint of the proposed Small House fell within the village ‘environ’ of Tai Mong Che and the proposed development would be able to be connected to the planned sewerage system in the area. Land was available within the “Village Type Development” zone to meet outstanding Small House application but not for future Small House demand. The site was the subject of a previously approved application (No. A/NE-LT/453) for the same use and there had been no significant change in planning circumstances since its last approval in 2012. Moreover, approved Small House cases were found in close proximity. Concerned government departments, except DAFC, had no objection to or no adverse comment on the application. Regarding the adverse public comment, the comments of concerned departments and the planning assessments above were relevant;

72. Members had no question on the application.

#### Deliberation Session

73. 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 12.5.2021, 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 tree preservation and landscape proposal to the satisfaction of the Director of Planning or of the TPB;
- (b) the submission and implementation of drainage proposal to the satisfaction of the Director of Drainage Services or of the TPB;
- (c) the connection of the foul water drainage system to the public sewers to the satisfaction of the Director of Water Supplies or of the TPB;
- (d) the provision of protection measures to ensure no pollution or siltation occurs to the water gathering grounds to the satisfaction of the Director of Water Supplies or of the TPB; and
- (e) the submission of a Natural Terrain Hazard Study and implementation of the mitigation measures recommended therein to the satisfaction of the Director of Civil Engineering and Development or of the TPB.”

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

### **Agenda Item 23**

#### **Section 16 Application**

[Open Meeting (Presentation and Question Sessions Only)]

A/NE-TK/608 Proposed House (New Territories Exempted House - Small House) in “Recreation” Zone, Lots 1336 S.A ss.1 and 1336 S.C in D.D. 17, Lo Tsz Tin, Tai Po, New Territories  
(RNTPC Paper No. A/NE-TK/608)

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Presentation and Question Sessions

75. Mr C.T. Lau, STP/STN, presented the application and covered the following aspects as detailed in the Paper :

- (a) background to the application;
- (b) the proposed house (New Territories Exempted House (NTEH) – Small House);
- (c) departmental comments – departmental comments were set out in paragraph 9 and Appendix IV of the Paper. The District Lands Officer/Tai Po, Lands Department did not support the application as the footprint of the proposed Small House fell entirely outside the village ‘environ’ (‘VE’) of Lo Tsz Tin. The Chief Town Planner/Urban Design and Landscape, Planning Department had some reservation on the application as approval of the application might set an undesirable precedent for further encroachment onto the “Recreation” (“REC”) zone and the cumulative impact would detrimentally affect the function of the “REC” zone. The Commissioner for Transport had reservation on the application but considered that the application only involving construction of one Small House could be tolerated. Other concerned departments had no objection to or no adverse comment on the application;
- (d) during the first three weeks of the statutory publication periods, a total of six public comments were received from local villagers and an individual objecting to the application. The major grounds of objection were set out in paragraph 10 of the Paper; and
- (e) the Planning Department (PlanD)’s views – PlanD did not support the application based on the assessments set out in paragraph 11 of the Paper. The proposed Small House development was not in line with the planning intention of the “REC” zone. The application did not comply with the Interim Criteria for Consideration of Application for NTEH/Small House in

New Territories (Interim Criteria) in that the footprint of the proposed Small House development fell entirely outside the ‘VE’ and “Village Type Development” (“V”) zone of Lo Tsz Tin. Land was still available within the “V” zone for Small House development and capable to meet the outstanding Small House applications. It was considered more appropriate to concentrate the proposed Small House development within the “V” zone for orderly development pattern, efficient use of land and provision of infrastructures and services. The circumstances of other approved similar applications were different from the current application. The approval of the application might set an undesirable precedent for further encroachment onto the “REC” zone. Regarding the adverse public comments, the comments of concerned departments and the planning assessments above were relevant.

76. Some Members raised the following questions :

- (a) whether there were any similar applications for proposed Small House development involving “REC” zone previously approved by the Committee in the vicinity and other rural areas and the main considerations for approval; and
- (b) whether it was a rare situation in that the “V” zone drawn up for a recognised village was larger than its ‘VE’ as in the case for Lo Tsz Tin.

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

- (a) a similar application (No. A/NE-TK/527) in the vicinity of the site involving the “REC” and “V” zones was approved by the Committee mainly on the consideration that the proposed development complied with the Interim Criteria in that more than 50% of the footprint of the proposed Small House development fell within the ‘VE’ or the “V” zone. However, the current application did not comply with the Interim Criteria in that footprint of the proposed development fell entirely outside the ‘VE’ and “V” zone of the concerned village. Hence, it did not warrant the same

consideration. There was no information in hand regarding similar applications approved in the “REC” zone of other areas; and

- (b) there were situations where the “V” zone of a recognised village was larger than its ‘VE’. In drawing up the “V” zone boundary, various considerations including the ‘VE’ boundary, the geographical features, the number of outstanding Small House application and the 10-year Small House demand forecast for the village would be taken into account.

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

### Deliberation Session

78. In response to a Member’s earlier enquiry, the Chairman said that there were similar applications involving “REC” zone in other areas that were approved by the Committee taking into consideration the individual merits and circumstances of each case. A Member remarked that it was important to ensure consistency in the consideration of similar cases.

79. 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 “Recreation” zone which is primarily for recreational developments for the use of the general public. There is no strong planning justification in the submission for a departure from the planning intention;
- (b) the proposed development does not comply with the Interim Criteria for Consideration of Application for New Territories Exempted House/Small House in New Territories in that more than 50% of the footprint of the proposed Small House falls outside the “Village Type Development” (“V”) zone and the village ‘environs’ of Lo Tsz Tin;

- (c) land is still available within the “V” zone of Lo Tsz Tin which is primarily intended for Small House development. It is considered more appropriate to concentrate the proposed Small House development close to the existing village cluster for more orderly development pattern, efficient use of land and provision of infrastructure and services; and
- (d) the approval of the application would set an undesirable precedent for other similar applications in the area. The cumulative impacts of approving such applications would result in a general degradation of the environment of the area.”

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

#### **Agenda Item 24**

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

[Open Meeting (Presentation and Question Sessions Only)]

A/NE-TK/609            Proposed House (New Territories Exempted House - Small House) and Site Formation in “Green Belt” and “Village Type Development” Zones, Government Land in D.D. 27, Sha Lan, Tai Po, New Territories (RNTPC Paper No. A/NE-TK/609)

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80.            The Committee noted that two replacement pages (pages 11 and 12 of the Main Paper), incorporating revisions to paragraph 13.2 of the Paper, had been despatched to Members before the meeting.

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

81.            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) and site formation;

- (c) departmental comments – departmental comments were set out in paragraph 10 and Appendix V of the Paper. The Chief Town Planner/Urban Design and Landscape, Planning Department (CTP/UD&L, PlanD) objected to the application as the existing vegetation formed part of the woodland adding to the landscape quality of the area. Approval of the application might encourage similar developments and further diminish the green wooded area in the locality. Other concerned departments had no objection to or no adverse comment on the application;
- (d) during the first three weeks of the statutory publication period, two public comments were received. The Indigenous Inhabitant Representative of Shuen Wan Sha Lan supported the application, while the other comment submitted by an individual objected to the application. The major grounds of objection were set out in paragraph 11 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 12 of the Paper. The proposed Small House was not in line with the planning intention of the “Green Belt” (“GB”) zone. Despite more than 50% of the footprint of the proposed Small House fell within the village ‘environ’ and there was a general shortage of land to meet the demand for Small House development within the “Village Type Development” zone, the application did not comply with the Interim Criteria for Consideration of Application for NTEH/Small House in New Territories in that the proposed development and its associated site formation works would cause adverse landscape impact on the surrounding areas. Similarly, the proposed development did not comply with Town Planning Board Guidelines No. 10 for ‘Application for Development within “GB” Zone under Section 16 of the Town Planning Ordinance’ in that the proposed development involving vegetation clearance would result in deterioration of landscape quality in the “GB” zone. Notwithstanding the above, the site was located at the western fringe of Shuen Wan Sha Lan Village and adjacent to an approved Small



House. Part of the site was the subject of a previously approved application (No. A/NE-TK/320) for Small House development and the current application was mainly to rectify the site boundary so as to facilitate the associated site formation works (including filling and excavation of land) of the approved Small House development. The circumstances of the current application were similar to that of another similar approved application (No. A/NE-TK/504) and sympathetic consideration could be given. Except CTP/UD&L, PlanD, other concerned departments had no objection to or no adverse comment on the application. Regarding the adverse public comments, the comments of government departments and the planning assessments above were relevant.

82. A Member raised the following questions :

- (a) further elaboration on a number of Small House applications to the north of the site as shown on Plan A-2a; and
- (b) the reason for enlarging the site boundary under the current application.

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

- (a) the stippled pink areas as shown on Plan A-2a of the Paper indicated the locations of Small House grant applications being processed by the Lands Department (LandsD). According to LandsD's record, the concerned Small House grant applications were still under processing albeit the related planning application had already been rejected by the Board; and
- (b) the additional site area included in the current application was mainly for facilitating the associated drainage and site formation works of the approved Small House development.

#### Deliberation Session

84. A Member remarked that the current application involved a larger area of

Government land as compared with the previously approved application. Its approval would lead to a loss of additional Government land. The Committee noted that the Small House grant had been confined to the site boundary of the previously approved application. The current application was mainly to rectify the site boundary so as to facilitate the associated drainage and site formation works of the approved Small House development.

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

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

## **Agenda Item 25**

### **Section 16 Application**

[Open Meeting]

A/TP/611                      Proposed Religious Institution and Columbarium in “Government, Institution or Community” Zone, Lot 1006 R.P. in D.D. 5, 2 Mui Shue Hang Village, Tai Po, New Territories  
(RNTPC Paper No. A/TP/611)

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**[Rescheduled]**

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

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

#### **Agenda Item 26**

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

[Open Meeting]

A/YL-KTN/522 Proposed Residential Development (Flats) in “Comprehensive Development Area (1)” and “Comprehensive Development Area” Zones, Lots No. 1763 RP (Part), 1764, 1765, 1766 RP (Part), 1767 RP (Part), 1768, 1769, 1770, 1771 RP, 1776 RP, 1777 RP (Part), 1779, 1780, 1783 (Part), 1795 (Part), 1796 (Part), 1797 (Part), 1798, 1799, 1800, 1801, 1802, 1803, 1804, 1805, 1806, 1807, 1819, 1821, 1834, 1835, 1836 (Part), 1837 (Part), 1838 (Part) and 1839 (Part) in D.D. 107 and Adjoining Government Land near Cheung Chun San Tsuen, Kam Tin, Yuen Long, New Territories  
(RNTPC Paper No. A/YL-KTN/522C)

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87. The Secretary reported that the application was submitted by Bright Strong Limited which was a subsidiary of Sun Hung Kai Properties Limited (SHK) with Llewelyn-Davies Hong Kong Limited (LD), AECOM Asia Company Limited (AECOM), Black and Veatch Hong Kong Limited (B&V), Ramboll Environ Hong Kong Limited (Environ), Ronald Lu & Partners (Hong Kong) Limited (RLP) and Urbis Limited (Urbis) as six of the consultants of the applicant. The following Members had declared interests in the item :

- |                     |   |   |
|---------------------|---|---|
| Mr Ivan C.S. Fu     | } | having current business dealings with SHK, AECOM, Environ and Urbis;  |
| Ms Janice W.M. Lai  |   |   |
| Mr Stephen L.H. Liu | - | had past business dealings with SHK, LD and RLP;  |
| Ms Christina M. Lee | - | being the Secretary-General of the Hong Kong Metropolitan Sports Events Association which had obtained sponsorship from SHK before; |
| Miss Winnie W.M. Ng | - | being a Director of the Kowloon Motor Bus Company (1933) Limited (KMB) and SHK was one of the shareholders of KMB;                  |
| Mr Alex T.H. Lai    | - | his firm having current business dealings with B&V; and   |
| Dr C.H. Hau         | - | having current business dealings with AECOM.  |

88. The Committee noted that the applicant had requested deferment of consideration of the application and Mr Ivan C.S. Fu, Mr Alex T.H. Lai and Dr C.H. Hau had tendered apologies for being unable to attend the meeting. The Committee agreed that Mr Stephen L.H. Liu and Ms Christina M. Lee could stay in the meeting as their interests were indirect. As the interests of Ms Janice W.M. Lai and Miss Winnie W.M. Ng were direct, the Committee agreed that they could stay in the meeting but should refrain from participating in the discussion.

89. The Committee noted that the applicant's representative requested on 26.4.2017 deferment of the consideration of the application for two months in order to allow time for the applicant to respond and address further comments from government departments. It was the fourth time that the applicant requested deferment of the application. Since the last deferment, the applicant had submitted further information including a revised Master Layout Plan, Landscape Master Plan, Environmental Assessment, Visual Impact Assessment, Ecological Impact Assessment, Traffic Impact Assessment, Air Ventilation Assessment,

Sewage Impact Assessment, Drainage Impact Assessment and responses to departments' and public comments.

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

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

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

[Ms Ivy C.W. Wong, Senior Town Planner/Fanling, Sheung Shui and Yuen Long East (STP/FSYLE), was invited to the meeting at this point.]

### **Agenda Item 27**

#### **Section 16 Application**

[Open Meeting (Presentation and Question Sessions Only)]

A/YL-KTN/541 Proposed Temporary Shop and Services (Plant Showroom) for a Period of 3 Years in "Agriculture" Zone, Lots 1037 S.A (Part), 1037 S.B (Part) and 1037 S.C (Part) in D.D. 109 and Adjoining Government Land, Tai Kong Po, Pat Heung, Yuen Long, New Territories  
(RNTPC Paper No. A/YL-KTN/541B)

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Presentation and Question Sessions

91. Ms Ivy C.W. Wong, STP/FSYLE, drew Members' attention that a replacement page (page 14 of the Main Paper) incorporating revisions to paragraph 12.2(l) had been despatched 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 proposed temporary shop and services (plant showroom) 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 statutory publication period, two public comments were received from individuals objecting to the application. The major grounds of objection were set out in paragraph 10 of the Paper; and
- (e) the Planning Department (PlanD)'s views – PlanD considered that the temporary use could be tolerated for a period of three years based on the assessments set out in paragraph 11 of the Paper. Although the proposed temporary plant showroom, being regarded as 'shop and services' use, was not entirely in line with the planning intention of the "Agriculture" ("AGR") zone, the Director of Agriculture, Fisheries and Conservation had no strong view on the application noting that the proposed use would be used to promote local agriculture sector and might broaden the market channels of local farmers and florists according to the applicant. Approval of the application on a temporary basis would not frustrate the planning intention of the "AGR" zone. The applied use was also not incompatible with the surrounding areas. Five similar applications for temporary shop and services (plant showroom) were previously approved by the Committee.

Approval of the application was in line with the Committee's previous decisions. Regarding the adverse public comments, the comments of government departments and the planning assessments above were relevant.

92. A Member enquired whether there was any information to support the claim that the proposed use would help promote local agricultural activities. In response, Ms Ivy C.W. Wong, STP/FSYLE, said that according to the applicant's proposal, the target customers were mainly horticultural practitioners and landscaping companies and the proposed plant showroom would serve as a venue for displaying horticultural products from local farmers and florists. The applicant also claimed that he had applied for membership of the New Territories Florist Association Limited to strengthen his network with local florists.

#### Deliberation Session

93. After deliberation, the Committee decided to approve the application on a temporary basis for a period of 3 years until 12.5.2020, on the terms of the application as submitted to the Town Planning Board (TPB) and subject to the following conditions :

- “(a) no operation between 5:00 p.m. and 10:00 a.m. as proposed by the applicant, is allowed on the site during the planning approval period;
- (b) no operation on Mondays to Fridays (except public holidays), as proposed by the applicant, is allowed on the site during the planning approval period;
- (c) no medium or heavy goods vehicles exceeding 5.5 tonnes, including container tractors/trailers, as defined in the Road Traffic Ordinance, are allowed to be parked/stored on or enter/exit the site at any time during the planning approval period;
- (d) the boundary fencing on the site shall be maintained at all times during the planning approval period;
- (e) no reversing of vehicle into or out of the site is allowed at any time during

the planning approval period;

- (f) the submission of landscape proposal within 6 months from the date of planning approval to the satisfaction of the Director of Planning or of the TPB by 12.11.2017;
- (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 12.2.2018;
- (h) the submission of drainage proposal within 6 months from the date of planning approval to the satisfaction of the Director of Drainage Services or of the TPB by 12.11.2017;
- (i) in relation to (h) above, the implementation of drainage proposal within 9 months from the date of planning approval to the satisfaction of the Director of Drainage Services or of the TPB by 12.2.2018;
- (j) the submission of fire service installations proposal within 6 months from the date of planning approval to the satisfaction of the Director of Fire Services or of the TPB by 12.11.2017;
- (k) in relation to (j) above, the provision of fire service installations within 9 months from the date of planning approval to the satisfaction of the Director of Fire Services or of the TPB by 12.2.2018;
- (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.”

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

### **Agenda Item 28**

#### **Section 16 Application**

[Open Meeting]

A/YL-KTN/558 Temporary Warehouse (Storage of Pet Supplies and Gardening Goods) with Ancillary Office for a Period of 3 Years in “Comprehensive Development Area” and “Other Specified Uses” annotated “Railway Reserve” Zones, Lots 3513 (Part), 3841 S.B, 3842 S.A, 3843 S.A, 3847 S.A (Part), 3874, 3875, 3876, 3877, 3878 (Part) and 3884 (Part) in D.D. 104 and Adjoining Government Land, Kam Tin, Yuen Long, New Territories  
(RNTPC Paper No. A/YL-KTN/558)

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95. The Committee noted that the applicant requested on 27.4.2017 deferment of the consideration of the application for two months in order to allow time for preparation of further information in response to 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 29**

### **Section 16 Application**

[Open Meeting (Presentation and Question Sessions Only)]

A/YL-KTN/559      Renewal of Planning Approval for Temporary “Open Storage of Construction Materials with Ancillary Office and Storage” for a Period of 3 Years in “Agriculture” Zone, Lots 126 S.B and 126 RP in D.D. 110, Pat Heung, Yuen Long, New Territories  
(RNTPC Paper No. A/YL-KTN/559)

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### **Presentation and Question Sessions**

97.            Ms Ivy C.W. Wong, STP/FSYLE, drew Members’ attention that four replacement pages (pages 12 to 14 of the Main Paper and page 2 of Appendix VIII) rectifying typographical errors and incorporating an additional approval condition (k) and updates on advisory clause (g) were tabled at 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 with ancillary office and storage for a period of three years;
- (c) departmental comments – departmental comments were set out in paragraph 10 of the Paper. The Director of Agriculture, Fisheries and Conservation (DAFC) had concerns on the application as the site had high potential for agricultural rehabilitation. The Director of Environmental Protection (DEP) also did not support the application as there were

sensitive receivers in the vicinity and environmental nuisance was expected. Other government departments had no objection to or no adverse comment on the application;

- (d) during the first three weeks of statutory publication period, two public comments were received from individuals objecting to the application. The major grounds of objection were set out in paragraph 11 of the Paper; and
  
- (e) the Planning Department (PlanD)'s views – PlanD considered that the temporary use could be tolerated for a further 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 “Agriculture” (“AGR”) zone, approval of the application on a temporary basis would not frustrate the long-term planning intention of the “AGR” zone. The applied use was also not incompatible with the surrounding land uses. The application was generally in line with the Town Planning Board Guidelines No. 34B and 13E in that there had been no material change in planning circumstances since the granting of the previous approval; all the approval conditions had been complied with; and there was no adverse comment from concerned government departments, except DAFC and DEP. Although DEP did not support the application, no environmental complaint concerning the site had been received in the past three years and approval conditions had been recommended to address the concerns on the possible environmental nuisances. DAFC's concern on the need to preserve agricultural land could be addressed by imposing an approval condition requiring the reinstatement of the site to a condition which was suitable for agricultural activities. Regarding the adverse public comments, the comments of concerned departments and the planning assessments above were relevant.

98. Members had no question on the application.

Deliberation Session

99. After deliberation, the Committee decided to approve the application on a temporary basis for a period of 3 years from 21.5.2017 to 20.5.2020, 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 8:00 a.m., as proposed by the applicant, is allowed on the site during the planning approval period;
- (b) no operation on Sundays and statutory holidays, as proposed by the applicant, is allowed on the site during the planning approval period;
- (c) no heavy goods vehicles exceeding 24 tonnes, including container trailers/tractors, as defined in the Road Traffic Ordinance are allowed to be parked/stored on or enter/exit the site during the planning approval period;
- (d) no dismantling, maintenance, repairing, cleansing, paint spraying or other workshop activities are allowed on the site at any time during the planning approval period;
- (e) no vehicle is allowed to queue back to or reverse onto/from public road at any time during the planning approval period;
- (f) the existing trees and landscape plantings within the site shall be maintained at all times during the planning approval period;
- (g) the existing boundary fencing at the site shall be maintained at all times during the planning approval period;
- (h) the existing drainage facilities on the site shall be maintained at all times during the planning approval period;

- (i) the site should be kept in a clean and tidy condition and the materials stored at the site should be covered up at all times during the planning approval period;
- (j) the submission of condition records of the existing drainage facilities on-site within 3 months from the date of commencement of the renewed planning approval to the satisfaction of Director of Drainage Services or of the TPB by 21.8.2017;
- (k) the provision of fire extinguisher(s) together 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 2.7.2017;
- (l) 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 21.11.2017;
- (m) in relation to (l) 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 21.2.2018;
- (n) if any of the above planning conditions (a), (b), (c), (d), (e), (f), (g), (h) or (i) is not complied with during the planning approval period, the approval hereby given shall cease to have effect and shall be revoked immediately without further notice;
- (o) if any of the above planning conditions (j), (k), (l) or (m) is not complied with by the specified date, the approval hereby given shall cease to have effect and shall on the same date be revoked without further notice; and
- (p) upon expiry of the planning permission, the reinstatement of the Site, at the applicant's own cost, to a condition which is suitable for agricultural uses

with a view to preserving agricultural land to the satisfaction of the Director of Agriculture, Fisheries and Conservation or of the TPB.”

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

### **Agenda Item 30**

#### **Section 16 Application**

[Open Meeting]

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

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101. The Secretary reported that the site was located in Kam Tin South and Landes Limited (Landes) and Ramboll Environ Hong Kong Limited (Environ) were two of the consultants of the applicant. The following Members had declared interests in the item :

- |                    |   |
|--------------------|---|
| Mr Ivan C.S. Fu    | - having current business dealings with Landes and Environ;     |
| Ms Janice W.M. Lai | - having current business dealings with Landes and Environ; and |
|                    | - her family member owning a property in Kam Tin South area.    |

102. The Committee noted that Mr Ivan C.S. Fu had tendered apology for being unable to attend the meeting and that the applicant had requested deferment of consideration of the application. Since the property of Ms Janice W.M. Lai’s family member did not have a direct view of the site, the Committee agreed that she could stay in the meeting.

103. The Committee noted that the applicant requested on 25.4.2017 deferment of the consideration of the application for two months in order to allow time to respond and address the comments of the Director of Environmental Protection. It was the fourth time that the applicant requested deferment of the application. Since the last deferment, the applicant had submitted further information including revised landscape proposal, sewerage treatment review report, traffic impact assessment, environmental assessment, revised Master Layout Plan, updated car parking provisions and other responses to departmental comments.

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

### **Agenda Item 31**

#### **Section 16 Application**

[Open Meeting]

A/YL-KTS/734      Proposed Temporary Shop and Services (Motor-vehicle Showroom) for a Period of 3 Years in "Other Specified Uses" annotated "Rural Use" Zone, Lots 564, 565 (Part) and 618 S.C (Part) in D.D. 106, Kam Sheung Road, Yuen Long, New Territories  
(RNTPC Paper No. A/YL-KTS/734)

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105. The Secretary reported that the site was located in Kam Tin South. Ms Janice W.M. Lai had declared an interest in the item as her family member owned a property in the

Kam Tin South area. 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.

106. The Committee noted that the applicant requested on 2.5.2017 deferment of the consideration of the application for two months in order to allow time for preparation of further information to address the departmental comments. It was the first time that the applicant requested deferment of the application.

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

### **Agenda Item 32**

#### **Section 16 Application**

[Open Meeting (Presentation and Question Sessions Only)]

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 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, New Territories  
(RNTPC Paper No. A/YL-PH/740A)

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108. The Secretary reported that the site was located in the Pat Heung area. Ms Janice W.M. Lai had declared an interest in the item as her family member owned a property



in the Pat Heung area. 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

109. Ms Ivy C.W. Wong, STP/FSYLE, drew Members' attention that a replacement page (page 14 of the Main Paper) incorporating revisions to paragraphs 13.2(h) and 13.2(i) of the Paper had been despatched 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 temporary open storage of building materials, second-hand vehicles and automotive parts with ancillary staff canteen for a period of three years;
- (c) departmental comments – departmental comments were set out in paragraph 10 of the Paper. The Director of Agriculture, Fisheries and Conservation (DAFC) did not support the application as the potential for agricultural rehabilitation of the site was high. The Director of Environmental Protection (DEP) also did not support the application as there were sensitive receivers in the vicinity and environmental nuisance was expected. Other government departments had no objection to or no adverse comment on the application;
- (d) during the first three weeks of statutory publication period, one public comment was received from an individual objecting to the application. The major grounds of objection were set out in paragraph 11 of the Paper; and
- (e) the Planning Department (PlanD)'s views – PlanD considered that the temporary use could be tolerated for a period of three years based on the assessments set out in paragraph 12 of the Paper. Although the applied use was not in line with the planning intention of the "Agriculture" ("AGR") zone, approval of the application on a temporary basis would not frustrate

the long-term planning intention of the “AGR” zone. The applied use was also not incompatible with the surrounding land uses. The application was in line with the Town Planning Board Guidelines No. 13E in that the site falling within Category 3 areas was the subject of previously approved applications for various open storage uses, all the approval conditions of the previous approval had been complied with and concerned departments, except DAFC and DEP, had no objection to or no adverse comment on the application. Although DEP did not support the application, there was no environmental complaint concerning the site in the past three years. Approval conditions had been recommended to address the concerns on the possible environmental nuisances or technical concerns of other relevant departments. DAFC’s concern on the need to preserve agricultural land could be addressed by imposing an approval condition requiring the reinstatement of the site to a condition which was suitable for agricultural uses. Regarding the adverse public comment, the comments of concerned departments and the planning assessments above were relevant.

110. Members had no question on the application.

#### Deliberation Session

111. After deliberation, the Committee decided to approve the application on a temporary basis for a period of 3 years until 12.5.2020, 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 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 of public road at any time during the planning approval period;
- (f) the existing drainage facilities on the site shall be maintained at all times during the planning approval period;
- (g) the submission of a record of 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 12.8.2017;
- (h) the submission of 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 12.11.2017;
- (i) in relation to (h) above, the implementation of tree preservation proposal within 9 months from the date of planning approval to the satisfaction of the Director of Planning or of the TPB by 12.2.2018;
- (j) the provision of fire extinguisher(s) with 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 23.6.2017;
- (k) the implementation of the accepted fire services 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 12.11.2017;
- (l) 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;

- (m) if any of the above planning conditions (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, at the applicant's own cost, to a condition which is suitable for agricultural uses with a view to preserving agricultural land to the satisfaction of the Director of Agriculture, Fisheries and Conservation or of the TPB.”

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

### **Agenda Item 33**

#### **Section 16 Application**

[Open Meeting]

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

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113. The Secretary reported that the site was located in the Pat Heung area. Ms Janice W.M. Lai had declared an interest in the item as her family member owned a property in the Pat Heung area. 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.

114. The Committee noted that the applicant requested on 26.4.2017 deferment of the consideration of the application for two months in order to allow time for preparation of

further information to address the concerns of relevant departments. It was the second time that the applicant requested deferment of the application.

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

### **Agenda Item 34**

#### **Section 16 Application**

[Open Meeting]

A/YL-PH/744            Proposed Temporary Shop and Services (Provision Store) for a Period of 3 Years in "Village Type Development" Zone, Lot 2743 (Part) in D.D. 111, Pat Heung, Yuen Long, New Territories  
(RNTPC Paper No. A/YL-PH/744)

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116. The Secretary reported that the site was located in the Pat Heung area. Ms Janice W.M. Lai had declared an interest in the item as her family member owned a property in the Pat Heung area. 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.

117. The Committee noted that the applicant requested on 2.5.2017 deferment of the consideration of the application for two months in order to allow time for preparation of further information to address the comments of the Commissioner for Transport. It was the

first time that the applicant requested deferment of the application.

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

### **Agenda Item 35**

#### **Section 16 Application**

[Open Meeting]

A/YL-PH/745                      Proposed Temporary Public Car Park for Private Cars and Light Goods Vehicle for a Period of 3 Years in "Residential (Group D)" Zone, Lot 91 in D.D. 108, Pat Heung, Yuen Long, New Territories  
(RNTPC Paper No. A/YL-PH/745)

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119. The Secretary reported that the site was located in the Pat Heung area. Ms Janice W.M. Lai had declared an interest in the item as her family member owned a property in the Pat Heung area. 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.

120. The Committee noted that the applicant requested on 4.5.2017 deferment of the consideration of the application for two months in order to allow time for preparation of further information in response to departmental comments. It was the first time that the applicant requested deferment of the application.

121. 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 36**

#### **Section 16 Application**

[Open Meeting (Presentation and Question Sessions Only)]

A/YL-PH/746      Proposed Temporary Public Vehicle Park (excluding Container Vehicle) for a Period of 3 Years in "Village Type Development" Zone, Lots 1631(Part) and 1633(Part) in D.D. 111, Pat Heung, Yuen Long, New Territories  
(RNTPC Paper No. A/YL-PH/746)

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122. The Secretary reported that the site was located in the Pat Heung area. Ms Janice W.M. Lai had declared an interest in the item as her family member owned a property in the Pat Heung area. 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**

123. 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 proposed temporary public vehicle park (excluding container vehicle) 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 an individual and a local villager objecting to the application. The major grounds of objection of the application were set out in paragraph 10 of the Paper; and
- (e) the Planning Department (PlanD)'s views – PlanD considered that the temporary use could be tolerated for a period of three years based on the assessments set out in paragraph 11 of the Paper. Although the applied use was not in line with the planning intention of “Village Type Development” (“V”) zone, it could satisfy some of the local parking demand and there was no Small House application at the site. Approval of the application on a temporary basis would not frustrate the long-term planning intention of the “V” zone. The applied use was also not incompatible with the surrounding land uses. Concerned departments had no objection to or no adverse comment on the application. There were four similar applications in the same “V” zone previously approved by the Committee. Regarding the adverse public comments, relevant approval condition on fire safety aspect was recommended and the comments of government departments and the planning assessments above were relevant.

124. Members had no question on the application.

#### Deliberation Session

125. After deliberation, the Committee decided to approve the application on a temporary basis for a period of 3 years until 12.5.2020, on the terms of the application as



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

- “(a) no vehicles without valid licences issued under the Road Traffic (Registration and Licensing of Vehicles) Regulations are allowed to be parked/stored on the site at any time during the planning approval period;
- (b) no medium or heavy goods vehicles exceeding 5.5 tonnes, including container tractors/trailers, as defined in the Road Traffic Ordinance are allowed to be parked/stored on or enter/exit the site at any time during the planning approval period;
- (c) a notice should be posted at a prominent location of the site to indicate that no medium or heavy goods vehicles exceeding 5.5 tonnes, including container tractors/trailers, as defined in the Road Traffic Ordinance, are allowed to be parked/stored on or enter/exit the site at any time during the planning approval period;
- (d) no vehicle is allowed to queue back to or reverse onto/from public road at any time during the planning approval period;
- (e) no dismantling, maintenance, repairing, cleansing, paint spraying or other workshop activities shall be carried out on the site at any time during the planning approval period;
- (f) the provision of fencing on the site within 6 months from the date of planning approval to the satisfaction of Director of Planning or of the TPB by 12.11.2017;
- (g) the submission of a drainage proposal within 6 months from the date of planning approval to the satisfaction of Director of Drainage Services or of the TPB by 12.11.2017;
- (h) in relation to (g) above, the implementation of drainage proposal within 9 months from the date of planning approval to the satisfaction of Director

of Drainage Services or of the TPB by 12.2.2018;

- (i) in relation to (h) above, the implemented drainage facilities on the site shall be maintained at all times during the planning approval period;
- (j) the submission of a landscape proposal within 6 months from the date of the planning approval to the satisfaction of the Director of Planning or of the TPB by 12.11.2017;
- (k) in relation to (j) above, the implementation of a landscape proposal within 9 months from the date of the planning approval to the satisfaction of the Director of Planning or of the TPB by 12.2.2018;
- (l) the implementation of the accepted 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 12.11.2017;
- (m) if any of the above planning conditions (a), (b), (c), (d), (e) or (i) is not complied with during the planning approval period, the approval hereby given shall cease to have effect and shall be revoked immediately without further notice;
- (n) if any of the above planning conditions (f), (g), (h), (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.”

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

**Agenda Item 37**

**Section 16 Application**

[Open Meeting]

A/YL-PH/747                      Temporary Public Vehicle Park for Private Car for a Period of 3 Years  
in “Village Type Development” Zone, Lots 745 S.B (Part) and 750 S.B  
RP (Part) in D.D. 111, Pat Heung, Yuen Long, New Territories  
(RNTPC Paper No. A/YL-PH/747)

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127.            The Secretary reported that the site was located in the Pat Heung area. Ms Janice W.M. Lai had declared an interest in the item as her family member owned a property in the Pat Heung area. 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.

128.            The Committee noted that the applicant requested on 4.5.2017 deferment of the consideration of the application for two months in order to allow time for preparation of further information to address the comments of the Transport Department. It was the first time that the applicant requested deferment of the application.

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

**Agenda Item 38**

**Section 16 Application**

[Open Meeting]

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

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130.            The Committee noted that the applicant’s representative requested on 5.5.2017 deferment of consideration of the application for two months in order to allow time for preparation of further information on access arrangement to address the comments of the Commissioner for Transport. It was the second time that the applicant requested deferment of the application. Since the last deferment, the applicant had prepared responses to address the comments of concerned departments, including revision of the vehicular access to the site to match with a recently completed access road in the vicinity.

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

**Agenda Item 39**

**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 87(Part) and 88(Part) in D.D.99, San  
Tin, Yuen Long, New Territories  
(RNTPC Paper No. A/YL-ST/500A)

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132.            The Committee noted that the applicant’s representative requested on 27.4.2017 deferment of consideration of the application for two months in order to allow time for preparation of technical assessments, such as Ecological Impact Assessment, Traffic Impact Assessment and Landscape Proposal, in response to departmental comments. It was the second time that the applicant requested deferment of the application.

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

[The Chairman thanked Ms Ivy C.W. Wong, STP/FSYLE, for her attendance to answer Members’ enquiries. Ms Wong left the meeting at this point.]

**Tuen Mun and Yuen Long West District**

**Agenda Item 40**

**Section 16 Application**

[Open Meeting]

A/YL-PN/48                      Proposed Temporary Place of Recreation, Sports or Culture (Fishing Ground) with Ancillary Vehicle Park and Office for a Period of 3 Years in “Coastal Protection Area” Zone and an area shown as ‘Road’, Lots 61 RP and 62 in D.D. 135 and Adjoining Government Land, Nim Wan Road, Sheung Pak Nai, Yuen Long, New Territories  
(RNTPC Paper No. A/YL-PN/48)

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134.            The Committee noted that the applicant requested on 24.4.2017 deferment of consideration of the application for two months in order to allow time to address the comments of various government departments. It was the first time the applicant requested deferment of the application.

135.            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.

[Ms Stella Y. Ng 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.]

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

**Agenda Item 41**

Section 16 Application

[Open Meeting (Presentation and Question Sessions Only)]

A/YL-PS/537            Temporary Open Storage of New Vehicles (Private Cars and Light Goods Vehicles) for a Period of 3 Years in “Recreation” Zone, Lot 226 (Part) in D.D. 126 and Adjoining Government Land, Fung Ka Wai, Ping Shan, Yuen Long, New Territories  
(RNTPC Paper No. A/YL-PS/537)

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Presentation and Question Sessions

136.            Ms Stella Y. Ng, STP/TMYLW, drew Members’ attention that two replacement pages (page 6 of the Main Paper and page 1 of Appendix VII) rectifying typographical errors in the comments of the District Lands Officer/Yuen Long, Lands Department were tabled at the meeting for Members’ information. She 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 new vehicles (private cars and light goods vehicles) for a period of three years;
- (c) departmental comments – departmental comments were set out in paragraph 10 of the Paper. Concerned government departments had no objection to or no adverse comment on the application;
- (d) during the first three weeks of the statutory publication period, two public comments were received from a Yuen Long District Council Member and an individual objecting to the application. The major grounds of objection were set out in paragraph 11 of the Paper; and

- (e) the Planning Department (PlanD)'s views – PlanD considered that the temporary use could be tolerated for a period of three years based on the assessments set out in paragraph 12 of the Paper. Although the applied use was not in line with the planning intention of the “Recreation” (“REC”) zone, there was no known recreational development proposed at the site. Approval of the application on a temporary basis would not frustrate the long-term planning intention of the “REC” zone. The applied use was also not incompatible with the adjoining uses. The application was in line with the Town Planning Board Guidelines No. 13E in that the site falling within Category 3 areas was the subject of the previously approved applications, all approval conditions had been complied with and concerns of government departments and local residents could be addressed through the implementation of approval conditions. Concerned departments had no objection to or no adverse comment on the application. Ten previous applications for similar/same use at the site and two similar applications within the “REC” zone were previously approved by the Committee. Approval of the application was in line with the Committee's previous decisions. Regarding the adverse public comments, the comments of government departments and the planning assessments above were relevant.

137. Members had no question on the application.

#### Deliberation Session

138. After deliberation, the Committee decided to approve the application on a temporary basis for a period of 3 years until 12.5.2020, 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 washing, vehicle repair, dismantling, paint spraying or workshop activity, as proposed by the applicant, is allowed on the site at any time during the planning approval period;
- (d) no medium and heavy goods vehicles exceeding 5.5 tonnes, including container tractors/trailers, as defined in the Road Traffic Ordinance are allowed to be parked/stored on or enter/exit the site, as proposed by the applicant, at any time during the planning approval period;
- (e) no vehicle, as proposed by the applicant, is allowed to queue back to or reverse onto/from public road at any time during the planning approval period;
- (f) the existing fencing on the site, as proposed by the applicant, shall be maintained at all times during the planning approval period;
- (g) the existing drainage facilities on the site, as proposed by the applicant, shall be maintained at all times during the planning approval period;
- (h) the submission of the condition record of the existing drainage facilities on the site within 3 months from the date of planning approval to the satisfaction of the Director of Drainage Services or of the TPB by 12.8.2017;
- (i) the submission of landscape and tree preservation proposal within 6 months from the date of planning approval to the satisfaction of the Director of Planning or of the TPB by 12.11.2017;
- (j) in relation to (i) above, the implementation of landscape and tree preservation proposal within 9 months from the date of planning approval to the satisfaction of the Director of Planning or of the TPB by 12.2.2018;

- (k) the provision of fire extinguisher(s) together with a valid fire certificate (FS 251) within 6 weeks from the date of planning approval to the satisfaction of Director of Fire Services or of the TPB by 23.6.2017;
- (l) the submission of fire service installations proposal within 6 months from the date of planning approval to the satisfaction of Director of Fire Services or of the TPB by 12.11.2017;
- (m) in relation to (l) above, the implementation of fire service installations proposal within 9 months from the date of planning approval to the satisfaction of Director of Fire Services or of the TPB by 12.2.2018;
- (n) if any of the above planning conditions (a), (b), (c), (d), (e), (f) or (g) is not complied with during the planning approval period, the approval hereby given shall cease to have effect and shall be revoked immediately without further notice;
- (o) if any of the above planning conditions (h), (i), (j), (k), (l) or (m) is not complied with by the specified date, the approval hereby given shall cease to have effect and shall on the same date be revoked without further notice; and
- (p) upon the expiry of the planning permission, the reinstatement of the site to an amenity area to the satisfaction of the Director of Planning or of the TPB.”

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

[Mr H.F. Leung left the meeting and Mr Martin W.C. Kwan returned to join the meeting at this point.]

**Agenda Item 42**

**Section 16 Application**

[Open Meeting (Presentation and Question Sessions Only)]

A/YL-TT/401            Proposed Temporary Wholesale Trade (Drinks) and Storage and Ancillary Office for a Period of 3 Years in “Open Storage” and “Village Type Development” Zones, Lots 1430, 1431, 1432 and 1433 in D.D. 117, Kiu Hing Road, Yuen Long, New Territories  
(RNTPC Paper No. A/YL-TT/401)

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**Presentation and Question Sessions**

140.            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 proposed temporary wholesale trade (drinks) and storage and ancillary office for a period of three years;
- (c)    departmental comments – departmental comments were set out in paragraph 9 of the Paper. The Director of Environmental Protection (DEP) did not support the application as there were sensitive receivers in the vicinity and environmental nuisance was expected. Other 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 raising objection to or concerns on the application. The major grounds of objection and views were set out in paragraph 10 of the Paper; and
- (e)    the Planning Department (PlanD)’s views – PlanD considered that the temporary use could be tolerated for a period of three years based on the assessments set out in paragraph 11 of the Paper. According to Notes of

the OZP, 'Wholesale Trade' was a Column 2 use in the "Open Storage" ("OS") zone, whereas storage, which was considered as a kind of 'Warehouse (excluding Dangerous Goods)' was always permitted within "OS" zone. The planning intention of the "OS" zone was primarily for the provision of land for appropriate open storage uses and to regularise the already haphazard proliferation of open storage uses. Approval of the application on a temporary basis would not jeopardise the long-term planning intention of the "OS" zone. The proposed use was also not incompatible with the surrounding areas. Although DEP did not support the application, there had been no environmental complaint concerning the site in the past three years and relevant approval conditions were recommended to address the concerns on the possible environmental nuisances. Other concerned government departments had no adverse comment on the application. Regarding the adverse public comments, the planning assessments above were relevant.

141. Members had no question on the application.

#### Deliberation Session

142. After deliberation, the Committee decided to approve the application on a temporary basis for a period of 3 years until 12.5.2020, 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 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 heavy goods vehicles exceeding 24 tonnes, including container tractor/trailer, as defined in the Road Traffic Ordinance, as proposed by the applicant, is allowed to be parked/stored on or enter/exit the site at any time during the planning approval period;

- (d) no vehicle is allowed to queue back to or reverse onto/from public road at any time during the planning approval period;
- (e) the provision of boundary fence on the Site within 6 months from the date of planning approval to the satisfaction of the Director of Planning or of the TPB by 12.11.2017;
- (f) the submission of a revised drainage proposal within 6 months from the date of planning approval to the satisfaction of the Director of Drainage Services or of the TPB by 12.11.2017;
- (g) in relation to (f) above, the implementation of the drainage proposal within 9 months from the date of planning approval to the satisfaction of the Director of Drainage Services or of the TPB by 12.2.2018;
- (h) in relation to (g) above, the implemented drainage facilities on the site shall be maintained at all times during the planning approval period;
- (i) the submission of a fire service installations proposal within 6 months from the date of planning approval to the satisfaction of the Director of Fire Services or of the TPB by 12.11.2017;
- (j) in relation to (i) above, the implementation of the fire service installations proposal within 9 months from the date of planning approval to the satisfaction of the Director of Fire Services or of the TPB by 12.2.2018;
- (k) if any of the above planning conditions (a), (b), (c), (d) 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;
- (l) if any of the above planning conditions (e), (f), (g), (i) or (j) is not complied with by the specified date, the approval hereby given shall cease to have

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

- (m) upon 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.”

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

### **Agenda Item 43**

#### **Section 16 Application**

[Open Meeting (Presentation and Question Sessions Only)]

A/YL-TYST/831 Proposed Temporary Warehouse for Storage of Construction Material and Electronic Goods for a Period of 3 Years in “Undetermined” Zone, Lots 1170 S.A & S.B1 - B5 & BRP (Part) and 1173 in D.D. 119, Pak Sha Tsuen, Yuen Long, New Territories  
(RNTPC Paper No. A/YL-TYST/831)

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

144. 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 proposed temporary warehouse for storage of construction material and electronic goods for a period of three years;
- (c) departmental comments – departmental comments were set out in paragraph 9 of the Paper. The Director of Environmental Protection (DEP) did not support the application as there were sensitive receivers in the vicinity and environmental nuisance was expected. Other government

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

- (d) during the first three weeks of the statutory publication period, three public comments were received from individuals raising objection to or concerns on the application. The major grounds of objection and views were set out in paragraph 10 of the Paper; and
- (e) the Planning Department (PlanD)'s views – PlanD considered that the temporary use could be tolerated for a period of three years based on the assessments set out in paragraph 11 of the Paper. The proposed use was not in conflict with the planning intention of the “Undetermined” zone which was generally intended to cater for the continuing demand for open storage which could not be accommodated in conventional godown premises. Approval of the application on a temporary basis would not frustrate the long-term development of the area. The proposed use was also not incompatible with the surrounding areas. Although DEP did not support the application, there had been no substantiated environmental complaint concerning the site in the past three years and relevant approval conditions were recommended to address the concerns on the possible environmental nuisances. Other concerned government departments had no adverse comment on the application. Two previous applications for similar warehouse use at the site and 73 similar applications in the vicinity were previously approved by the Committee. Approval of the application was in line with the Committee's previous decisions. Regarding the adverse public comments, relevant approval condition prohibiting the storage and handling of electronic waste at the site was recommended and the comments of government departments and the planning assessments above were relevant.

145. Members had no question on the application.

#### Deliberation Session

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

temporary basis for a period of 3 years until 12.5.2020, on the terms of the application as submitted to the Town Planning Board (TPB) and subject to the following conditions :

- “(a) no operation between 9:00 p.m. and 7:00 a.m., as proposed by the applicant, is allowed on the site during the planning approval period;
- (b) no operation on Sundays and public holidays, as proposed by the applicant, is allowed on the site during the planning approval period;
- (c) no open storage, as proposed by the applicant, is allowed on the site at any time during the planning approval period;
- (d) no repairing, dismantling, cleaning or other workshop activities, as proposed by the applicant, is allowed on the site at any time during the planning approval period;
- (e) 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;
- (f) no heavy goods vehicles exceeding 24 tonnes, including container tractor/trailer, as defined in the Road Traffic Ordinance, as proposed by the applicant, is allowed to be parked/stored on or enter/exit the site at any time during the planning approval period;
- (g) no vehicle is allowed to queue back to or reverse onto/from public road at any time during the planning approval period ;
- (h) the provision of boundary fence on the site within 6 months from the date of planning approval to the satisfaction of the Director of Planning or of the TPB by 12.11.2017;



- (i) the implementation of the accepted drainage proposal within 6 months from the date of planning approval to the satisfaction of the Director of Drainage Services or of the TPB by 12.11.2017;
- (j) in relation to (i) above, the implemented drainage facilities on the site shall be maintained at all times during the planning approval period;
- (k) the implementation of the accepted landscape and tree preservation proposal within 6 months from the date of planning approval to the satisfaction of the Director of Planning or of the TPB by 12.11.2017;
- (l) the implementation of the accepted 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 12.11.2017;
- (m) 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;
- (n) if any of the above planning conditions (h), (i), (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.”

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

**Agenda Item 44**

**Section 16 Application**

[Open Meeting (Presentation and Question Sessions Only)]

A/YL-TYST/836 Temporary Warehouse for Storage of Home Appliance and Furniture and Ancillary Site Office for a Period of 3 Years in “Undetermined” Zone, Lots 716 RP, 718 RP, 744 S.A, 744 S.B, 745 (Part), 746, 747 (Part), 749 (Part), 750, 751, 752 (Part), 753 (Part), 754 (Part), 755, 756 and 757 in D.D. 117 and Adjoining Government Land, Kung Um Road, Yuen Long, New Territories  
(RNTPC Paper No. A/YL-TYST/836)

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148. The Committee noted that two replacement pages (page 7 of the Main Paper and page 1 of Appendix V) rectifying typographical errors in the comments of the District Lands Officer/Yuen Long, Lands Department had been despatched to Members before the meeting.

**Presentation and Question Sessions**

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

- (a) background to the application;
- (b) the temporary warehouse for storage of home appliance and furniture and ancillary site office for a period of three years;
- (c) departmental comments – departmental comments were set out in paragraph 9 of the Paper. The Director of Environmental Protection (DEP) did not support the application as there were sensitive receivers in the vicinity and environmental nuisance was expected. Other government departments had no objection to or no adverse comment on the application;
- (d) during the first three weeks of the statutory publication period, three public comments were received from individuals raising objection to or concerns

on the application. The major grounds of objection and views were set out in paragraph 10 of the Paper; and

- (e) the Planning Department (PlanD)'s views – PlanD considered that the temporary use could be tolerated for a period of three years based on the assessments set out in paragraph 11 of the Paper. The applied use was not in conflict with the planning intention of the “Undetermined” zone which was generally intended to cater for the continuing demand for open storage which could not be accommodated in conventional godown premises. Approval of the application on a temporary basis would not frustrate the long-term development of the area. The applied use was also not incompatible with the surrounding areas. Although DEP did not support the application, there had been no substantiated environmental complaint concerning the site in the past three years and relevant approval conditions were recommended to address the concerns on the possible environmental nuisances. Other concerned government departments had no adverse comment on the application. Nine previous applications for various warehouse and open storage uses covering different extent of the site and 73 similar applications in the vicinity were previously approved by the Committee. Approval of the application was in line with the Committee's previous decisions. As the previous application for the same use on part of the site submitted by the same applicant was revoked, shorter compliance periods were recommended in order to closely monitor the progress on compliance with approval conditions. Regarding the adverse public comments, the planning assessments above were relevant.

150. Members had no question on the application.

#### Deliberation Session

151. After deliberation, the Committee decided to approve the application on a temporary basis for a period of 3 years until 12.5.2020, on the terms of the application as submitted to the Town Planning Board (TPB) and subject to the following conditions :

- “(a) no operation between 9:00 p.m. and 7:00 a.m., as proposed by the applicant, is allowed on the site during the planning approval period;
- (b) no 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 cathode-ray tubes (CRT), CRT computer monitors/television sets, as proposed by the applicant, is allowed on the site at any time during the planning approval period;
- (d) no storage and handling (including loading and unloading) of electronic/electrical appliances outside the concrete-paved covered structure, as proposed by the applicant, is allowed on the site at any time during the planning approval period;
- (e) no dismantling, recycling, repairing, cleansing, assembling or other workshop activities, as proposed by the applicant, is allowed on the site at any time during the planning approval period;
- (f) no open storage activities, as proposed by the applicant, is allowed on the site at any time during the planning approval period;
- (g) no vehicle is allowed to queue back to or reverse onto/from public road at any time during the planning approval period ;
- (h) the provision of boundary fence on the site within 3 months from the date of planning approval to the satisfaction of the Director of Planning or of the TPB by 12.8.2017;
- (i) the submission of a revised drainage proposal within 3 months from the date of planning approval to the satisfaction of the Director of Drainage Services or of the TPB by 12.8.2017;

- (j) in relation to (i) above, the implementation of drainage proposal within 6 months from the date of planning approval to the satisfaction of the Director of Drainage Services or of the TPB by 12.11.2017;
- (k) in relation to (j) above, the implemented drainage facilities on the site shall be maintained at all times during the planning approval period;
- (l) the submission of a landscape and tree preservation proposal within 3 months from the date of planning approval to the satisfaction of the Director of Planning or of the TPB by 12.8.2017;
- (m) in relation to (l) above, the implementation of the landscape and tree preservation proposal within 6 months from the date of planning approval to the satisfaction of the Director of Planning or of the TPB by 12.11.2017;
- (n) the implementation of the accepted 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 12.11.2017;
- (o) if any of the above planning conditions (a), (b), (c), (d), (e), (f), (g) or (k) is not complied with during the planning approval period, the approval hereby given shall cease to have effect and shall be revoked immediately without further notice;
- (p) if any of the above planning conditions (h), (i), (j), (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.”

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

[The Chairman thanked Ms Stella Y. Ng and Mr Alan Y.L. Au, STPs/TMYLW, for their attendance to answer Members' enquiries. Ms Ng and Mr Au left the meeting at this point.]

**Agenda Item 45**

**Any Other Business**

153. There being no other business, the meeting closed at 5:05 p.m..