

## **TOWN PLANNING BOARD**

### **Minutes of 598<sup>th</sup> Meeting of the Rural and New Town Planning Committee held at 2:30 p.m. on 2.3.2018**

#### **Present**

Director of Planning  
Mr Raymond K.W. Lee

Chairman

Mr H.W. Cheung

Vice-chairman

Professor K.C. Chau

Mr Ivan C.S. Fu

Ms Janice W.M. Lai

Ms Christina M. Lee

Mr H.F. Leung

Dr F.C. Chan

Mr David Y.T. Lui

Mr Peter K.T. Yuen

Mr Philip S.L. Kan

Dr C.H. Hau

Dr Lawrence K.C. Li

Mr Stephen L.H. Liu

Miss Winnie W.M. Ng

Chief Traffic Engineer/New Territories East,  
Transport Department  
Mr Ricky W.K. Ho

Assistant Director (Environmental Assessment),  
Environmental Protection Department  
Mr C.F. Wong

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

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

Secretary

**Absent with Apologies**

Mr Alex T.H. Lai

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

**In Attendance**

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

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

Town Planner/Town Planning Board  
Ms Winnie W.Y. Leung

**Agenda Item 1**

Confirmation of the Draft Minutes of the 597<sup>th</sup> RNTPC Meeting held on 9.2.2018

[Open Meeting]

1. The draft minutes of the 597<sup>th</sup> RNTPC meeting held on 9.2.2018 were confirmed without amendments.

**Agenda Item 2**

Matters Arising

[Open Meeting]

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

**Sai Kung and Islands District**

**Agenda Item 3**

Section 12A Application

[Open Meeting (Presentation and Question Sessions only)]

Y/SK-CWBN/8      Application for Amendment to the Approved Clear Water Bay Peninsula North Outline Zoning Plan No. S/SK-CWBN/6 and Draft Tseung Kwan O Outline Zoning Plan No. S/TKO/25, To Rezone the Application site from “Green Belt” to “Residential (Group C)4”, Lots 71, 72, 75 and 76 in D.D. 243 and Adjoining Government Land, Clear Water Bay, Sai Kung  
(RNTPC Paper No. Y/SK-CWBN/8A)

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3.            The Secretary reported that Masterplan Limited (Masterplan) and Ramboll Environ Hong Kong Limited (Environ) were two of the consultants of the applicant. The following Members had declared interests on the item:

- Mr Ivan C.S. Fu            -    having current business dealings with Masterplan and Environ
  
- Ms Janice W.M. Lai        -    having current business dealings with Environ
  
- Mr David Y.T. Lui         -    co-owning with his spouse two houses in Clearwater Bay Area

4.            As Mr Ivan C.S. Fu and Ms Janice W.M. Lai had no involvement in the application, the Committee agreed that they could stay in the meeting. As the two houses co-owned by Mr David Y.T. Lui and his spouse have a direct view of the application site, the Committee agreed that Mr David Y.T. Lui should be invited to leave the meeting temporarily for the item.

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

Presentation and Question Sessions

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

- |                      |   |  |
|----------------------|---|--|
| Ms Donna Y.P. Tam    | - | District Planning Officer/Sai Kung and Islands (DPO/SKIs), PlanD |
| Mr William W.T. Wong | - | Senior Town Planner/Sai Kung and Islands (STP/SKIs), PlanD       |
| Mr David Chuang      | ] |  |
|                      | ] |  |
| Ms Kan Shun Hing     | ] |  |
|                      | ] |  |
| Mr Ian Brownlee      | ] | Applicant's representatives                                      |
|                      | ] |  |
| Ms Cynthia Chan      | ] |  |
|                      | ] |  |
| Mr Chris Foot        | ] |  |

6. The Chairman extended a welcome and explained the procedure of the meeting. He then invited PlanD's representative to brief Members on the background of the application.

7. 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 rezoning of the site (about 2,142m<sup>2</sup>) from "Green Belt" ("GB") to "Residential (Group C)4" ("R(C)4") for a proposed development consisting of five 3-storey houses with a total gross floor area of 783m<sup>2</sup>. The development restrictions of "R(C)4" zone included a maximum plot

ratio of 0.5, site coverage of 25% and building height (BH) of 3 storeys (9m) including carport;

- (c) departmental comments – departmental comments were set out in paragraph 8 of the Paper. The Chief Town Planner/Urban Design and Landscape (CTP/UD&L), PlanD had strong reservation on the application as the proposed development would impose significant adverse landscape impact on the site and its surrounding and deviate from the planning intention of the “GB” zone. The Director of Agriculture, Fisheries and Conservation (DAFC) had reservation on the application as the applicant failed to provide strong justification for rezoning an area much larger than the proposed development footprint from “GB” to “R(C)4”. Other concerned departments have no objection to or no adverse comment on the application;
- (d) during the statutory publication periods, a total of 106 comments were received from Kadoorie Farm & Botanic Garden Corporation, World Wide Fund for Nature Hong Kong, the Conservancy Association, the Hong Kong Bird Watching Society, Green Sense, the Incorporated Owners of Twin Bay Villa and the Sai Kung Planning Concern Front and individuals objecting to the application. Major objection grounds were set out in paragraph 9 of the Paper; and
- (e) PlanD’s view - PlanD did not support the application based on the assessments set out in paragraph 10 of the Paper. The site was situated at a densely vegetated slope with native woodland which formed an integral part of the “GB” zone. The applicant failed to provide strong justification to rezone the site for residential development. The applicant also failed to demonstrate that the proposal would not have adverse landscape impact on the site and the surrounding areas. Approval of the application would set an undesirable precedent for other similar applications within the “GB” zone. The cumulative effect would result in a general degradation to the natural environment and affect the integrity of the “GB” zone. Regarding the public comments received, the comments of government departments

and the planning assessments above were relevant.

8. The Chairman then invited the applicant's representatives to elaborate on the application. With the aid of a PowerPoint presentation, Mr Ian Brownlee, the applicant's representative, made the following main points:

- (a) making reference to the Policy Addresses in recent years, the Government had been rezoning "GB" sites for residential use; and
- (b) the current application was in line with the Town Planning Board Guidelines No. 10 in that it was a change of the planning intention from presumption against development of "GB" zone to an appropriate use, i.e. residential development.

9. With the aid of a PowerPoint presentation, Ms Cynthia Chan, the applicant's representative, made the following main points:

- (a) the site was suitable for residential development;
- (b) the proposed development was similar to the surrounding residential developments, following the established development pattern, with development density and character same as the adjoining "R(C)4" site;
- (c) the rezoning proposal was technically feasible and concerned government departments had no adverse comment on the application;
- (d) the land currently owned by the applicant was irregular in shape. The inclusion of government land in the rezoning application was to facilitate land exchange for a more regular site configuration; and
- (e) the current proposal was comparable to the Government's rezoning of five sites on the Tseung Kwan O (TKO) Outline Zoning Plan (OZP) from "GB" to residential zoning. In fact, the Government's rezoning proposals were on a much larger scale and their impacts on existing trees were much larger

than that of the current proposal.

10. With the aid of a PowerPoint presentation, Mr Chris Foot, the applicant's representative, made the following main points:

- (a) the proposal was considered not incompatible with the surroundings. The proposed development would not be visible from most of the viewing points as it would be screened off by the existing vegetation;
- (b) as only 45 existing trees on the site would be felled, the number was insignificant for such kind of development. All the rare and protected species found on the site would be preserved or transplanted; and
- (c) slope-cutting would be minimized as far as possible and no major site formation would be carried out to preserve the existing landscape, the "GB" function would be preserved/unaffected. The "Conservation Area" across the Clearway Bay Road would not be affected.

11. Mr Ian Brownlee made the following concluding remarks:

- (a) as the site was flanked by two residential zones, it was not an integral part of the "GB";
- (b) the rezoning application would not set an undesirable precedent as it was comparable to the Government's rezoning of five sites on the TKO OZP from "GB" to residential zoning;
- (c) given the small scale of the proposed development, its impact on the surroundings would be minimal;
- (d) in response to the comments of DAFC, the reason for rezoning an area much larger than the proposed development footprint to "R(C)4" was to facilitate the land exchange. The applicant did not ask for a larger site area. Should the Board decide to rezone an area smaller than that



proposed in the application, the applicant was willing to consider provided that the regrant site area was equivalent to 1,342m<sup>2</sup>; and

- (e) the current proposal was just an extension of the adjoining “R(C)4” zone. It was a modest proposal at such a particular location.

12. As the presentations of the representatives from PlanD and the applicant were completed, the Chairman invited questions from Members.

13. A Member raised the following concerns/questions:

- (a) noting that the girth size of trees No. T204 and T224 had reached 0.71m and 1.07m respectively which were considered unusual and valuable, the reasons why they were proposed to be felled;
- (b) noting that 45 existing trees would be felled but only 25 trees would be planted, the applicant was unable to compensate the loss of trees in terms of number and tree size, the justifications, if any, for the proposal; and
- (c) as shown in the tree compensation proposal submitted, the impact of the proposed development could not be mitigated completely by tree planting, whether the applicant would consider other mitigation measures to further reduce the impact of the proposed development on the surrounding environment.

14. Mr Chris Foot, the applicant’s representative, made the following responses:

- (a) trees No. T204 and T224 were native trees. Although native trees would be preserved as far as possible, there were still some exceptional cases; and
- (b) in general, for project with a larger development area, more trees could be planted. However, in many cases, it was functionally impossible to achieve a tree compensation ratio of 1 to 1. For this project, the applicant had proposed to plant at every available space within the proposed

development. The private garden was forgone to preserve the trees and a buffer was preserved on the eastern side. It was not possible to plant any more trees. There were precedent cases, including the Government's proposed rezoning of the "GB" sites, in which the tree proposals could not meet the compensation ratio of 1 to 1.

15. Mr Ian Brownlee, the applicant's representative, supplemented that in many cases, the landscape architects emphasized too much on the tree-to-tree proposal and they struggled to plant as many trees as possible within the site. The fact was that when too many trees were planted within the site, they could not survive. From visual point of view, the current tree proposal could still maintain the visual character of the area.

16. In response to a Member's question on whether it would be a viable development project if government land was excluded, Mr Ian Brownlee said that the land owned by the applicant was very irregular in shape since it was an agricultural lot. It was a normal practice for an owner of land with irregular site configuration to apply for land exchange with the Government. The applicant just wanted to improve the site configuration and rationalize the site boundary, he did not intend to ask for more land from the Government.

17. Some Members raised the following questions:

- (a) whether the large piece of land within the "GB" zoning to the south of the application site was government land or privately owned and whether approval of the application would set an undesirable precedent for similar application within the remaining area of the "GB";
- (b) whether the "R(C)4" and "R(C)7" sites in the midst of the "GB" zone had already been developed;
- (c) the accessibility of the site given that it was not abutting the road; and
- (d) whether the applicant's proposal was comparable to the Government's rezoning of five sites on the TKO OZP from "GB" to residential zoning.

18. Ms Donna Y.P. Tam, DPO/SKIs, made the following responses:

- (a) the area located to the immediate south of the application site was mainly privately owned agricultural land while the slope area located to the west and northwest of the application site was government land;
- (b) there were residential sites zoned “R(C)4”, “R(C)7” and “R(C)10” in the area. The “R(C)4” and “R(C)7” sites were so zoned to reflect the existing developments while the development at “R(C)10” site, a land sale site, adjacent to the refuse collection point was currently under construction;
- (c) there were some private land and government land situated in-between the application site and Clearwater Bay Road, the applicant proposed to include the government land so that an access road could be built to serve the proposed development; and
- (d) the Government’s rezoning proposals in TKO would involve a total of about 11 ha of land, providing over 10,000 public housing units for an estimated population of over 30,000 to meet the housing demand. Since the current application was for a private development involving only five houses, the development scale and intention were not comparable to the Government’s proposals. Moreover, the five sites proposed by the Government were mostly located at the fringe of the TKO new town adjacent to existing infrastructure and roads. As for the current application, it was located in the Clearwater Bay area, i.e. outside the TKO new town. The planning intention of the Clearwater Bay area was to maintain the existing character and development level, further development of the area was not encouraged as it might generate pressure on the local infrastructure.

19. Mr Ian Brownlee considered that the principles applied to the Government’s proposals in the TKO new town could be equally applied to the current proposal. The development scale of the current application was considered appropriate for the local context. Concerned government departments considered that the utilities required for the proposed

development were available or could be provided. The proposed development was considered compatible with the surroundings.

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

### Deliberation Session

21. A Member considered that the applicant's tree compensation proposal, which could not meet the standard compensation ratio of 1 to 1 and no other mitigation measures were proposed, was not acceptable. Members noted that CTP/UD&L, PlanD was not satisfied with the tree compensation proposal.

22. The Vice-chairman and some Members considered that the current rezoning application was not comparable to the Government's rezoning proposals for the TKO OZP which fell within the new town area and were proposed for public housing developments. A Member also said that the application was a piecemeal development and different from the Government's rezoning proposals which were the result of a land use review.

23. Members generally considered that the planning intention of the Clearwater Bay area was to maintain the existing character and low development density; the applicant had not demonstrated that the proposal would have no adverse landscape impact; about 40% of the application site was government land; and approval of the application would set an undesirable precedent for other similar applications within the "GB" zone.

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

- “(a) the site is situated at a densely vegetated slope with native woodland. It forms an integral part of the “Green Belt” (“GB”) zone. The “GB” zone

serves as a green and visual buffer amidst the existing developed areas. The applicant fails to provide strong justification to rezone the site for residential development;

- (b) the applicant fails to demonstrate that the proposal will have no adverse landscape impact on the site and the surrounding areas; and
- (c) approval of the application would set an undesirable precedent for other similar applications within the “GB” zone. The cumulative effect would result in a general degradation to the natural environment and affect the integrity of the “GB” zone.”

**Agenda Item 4**

**Section 12A Application**

Y/SK-PK/7                      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 “Green Belt” to “Residential (Group C) 4”, Lots 242A S.A and 242A RP (Part) in D.D. 213 and Adjoining Government Land, Lung Mei Tsuen Road, Sai Kung  
(RNTPC Paper No. Y/SK-PK/7B)

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25.                      The application was withdrawn by the applicant.

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

**Agenda Item 5**

Section 12A Application

[Open Meeting]

Y/NE-SSH/3                      Application for Amendment to the Approved Shap Sz Heung Outline Zoning Plan No. S/NE-SSH/11, To Rezone the Application site from “Conservation Area” to “Village Type Development”, government land in D.D. 209, Kei Ling Ha Lo Wai, Shap Sz Heung, Sai Kung North  
(RNTPC Paper No. Y/NE-SSH/3)

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26.            The Secretary reported that Landes Limited (Landes) was one of the consultants of the applicants. The following Members had declared interests on the item:

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

27.            As the applicant had requested a deferral of consideration of the application and Mr Ivan C.S. Fu and Ms Janice W.M. Lai had no involvement in the application, the Committee agreed that they could stay in the meeting.

28.            The Committee noted that the applicants’ representative requested on 2.2.2018 deferment of the consideration of the application for two months so as to allow time for preparation of further information to address departmental comments. It was the first time that the applicants requested deferment of the application.

29.            After deliberation, the Committee decided to defer a decision on the application as requested by the applicants pending the submission of further information from the applicants. 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 applicants. If the further information submitted by the applicants 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 applicants that two months were allowed for preparation and submission of further information and no further deferment would be granted unless under very special circumstances.

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

[Mr William W.T. Wong and Ms Kitty S.T. Lam, Senior Town Planners/Sai Kung and Islands (STPs/SKIs), were invited to the meeting at this point.]

#### **Agenda Item 6**

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

[Open Meeting]

A/SK-HC/278                      Temporary Film Studio for a Period of 3 Years in "Recreation" and "Green Belt" Zones, Lots 287 (Part), 288 (Part), 289 S.A, 289 RP, 295, 299, 309 (Part) and 815 (Part) in D.D. 247 and Adjoining Government Land, Ho Chung, Sai Kung  
(RNTPC Paper No. A/SK-HC/278A)

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30.            The Committee noted that the applicant's representative requested on 8.2.2018 deferment of the consideration of the application for two months so as to allow time for preparation of further information to address departmental comments. It was the second time that the applicant requested deferment of the application. Since the last deferment, the applicant had appointed consultants to conduct technical assessments in support of the application.

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





Presentation and Question Sessions

34. 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) proposed flat and shop and services and minor relaxation of plot ratio restriction (from 2 to 2.036);
- (c) departmental comments – departmental comments were set out in paragraph 8 of the Paper. Concerned government departments had no objection to or no adverse comment on the application;
- (d) during the first three weeks of the statutory publication periods, a total of 274 public comments were received. Eight comments supported or had no objection to the application. 266 comments submitted by the Chairman and members of Sai Kung District Council, Sai Kung Rural Committee, Sai Kung Planning Concern Front and individuals objected to or raised concern on the application. Major views and concerns were set out in paragraph 9 of the Paper; and
- (e) the Planning Department (PlanD)’s views – PlanD had no objection to the application based on the assessments set out in paragraph 10 of the Paper. The proposed development generally complied with the planning intention of the “Residential (Group E)1” (“R(E)1”) zone and it would facilitate the phasing out of existing industrial uses for improvement of the overall environment in the area. The proposed 8-storey development was considered not incompatible with the surroundings in terms of building height and scale. By excluding the ‘Road’ portion from the site, the plot ratio (PR) of the proposed development within the “R(E)1” portion became 2.036 which exceeded the restrictions as stipulated under the Outline Zoning Plan. Nevertheless, the proposed minor relaxation in PR was considered minor and technical in nature. Concerned government

departments had no objection to or no adverse comment on the application. Regarding the public comments received, the comments of government departments and the planning assessments above were relevant.

35. The Chairman and some Members raised the following questions:

- (a) whether the exclusion of the 'Road' portion (about 2% of the site area) would affect the design of the proposed development or the original planning intention;
- (b) noting that the proposed development would provide 178 flats but with only 14 car parking spaces, whether the proposed car parking space provision was sufficient; and
- (c) whether there were existing industrial buildings nearby.

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

- (a) the land in question was owned by the applicant and was originally proposed for provision of a lay-by area. Subsequently, the Transport Department (TD) advised that the lay-by was no longer required;
- (b) the applicant had submitted a Traffic Impact Assessment to TD. Having considered the development proposal, TD had no objection to the proposed car parking provision; and
- (c) there were three industrial buildings nearby, currently used for office and warehouses.

### Deliberation Session

37. Regarding some Members' concern on the proposed car parking provision, Mr Ricky W.K. Ho, Chief Traffic Engineer/New Territories East, TD, said that reference had been made to the parking standards (i.e. 1 car parking space per 6-9 units) as stipulated in the

Hong Kong Planning Standards and Guidelines. Besides, a number of factors including site accessibility, local traffic condition, provision of public transport in the locality, district-based parking standards and development intensity had been taken into consideration. TD considered that the car parking provision proposed by the applicant was acceptable.

38. A Member raised concern on the illegal on-street parking which might be intensified upon completion of more developments in the area, and requested concerned departments to monitor the situation.

39. 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 2.3.2022, 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 of traffic review before population intake for the proposed development to the satisfaction of the Commissioner for Transport or of the TPB;
- (b) the provision of fire service installations and water supplies for firefighting to the satisfaction of the Director of Fire Services or of the TPB;
- (c) the submission and implementation of landscape proposal to the satisfaction of the Director of Planning or of the TPB; and
- (d) the submission of a land contamination assessment and the implementation of the mitigation measures proposed therein prior to the commencement of the foundation works for the proposed development to the satisfaction of the Director of Environmental Protection or of the TPB.”

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

**Agenda Item 8**

**Section 16 Application**

[Open Meeting (Presentation and Question Sessions Only)]

A/SK-TMT/62 Proposed House (New Territories Exempted House (NTEH) - Small House) in “Green Belt” and “Village Type Development” Zones, government land in D.D. 216, Wo Liu, Sai Kung  
(RNTPC Paper No. A/SK-TMT/62)

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**Presentation and Question Sessions**

41. Ms Kitty S.T. Lam, STP/SKIs, presented the application and covered the following aspects as detailed in the Paper :

- (a) background to the application;
- (b) proposed house (New Territories Exempted House – Small House);
- (c) departmental comments – departmental comments were set out in paragraph 10 and Appendix V of the Paper. Both the Director of Environmental Protection (DEP) and the Chief Engineer/Construction (2), Water Supplies Department (CE/C(2), WSD) objected to the application as the site was located within Water Gathering Ground (WGG) where no public sewer was available and the wastewater generated from the proposed house would potentially cause pollution to the WGG. The Chief Town Planner/Urban Design and Landscape, Planning Department (CTP/UD&L, PlanD) had strong reservation on the application as the valuable landscape resources of the existing vegetation within and in close vicinity of the site would be lost and the applicant failed to demonstrate that there were no potential adverse impacts on the existing natural landscape resources and the existing topography of the site. The Director of Agriculture, Fisheries and Conservation (DAFC) had reservation on the application as the site was covered by woodland vegetation;

- (d) during the first three weeks of the statutory publication period, five public comments from the Kadoorie Farm and Botanic Garden Corporation, the World Wide Fund For Nature Hong Kong, the Sai Kung Rural Committee (SKRC) and two individuals were received. SKRC supported the application while the other four objected to the application. Major supportive views and objection grounds were set out in paragraph 11 of the Paper; and
  
- (e) PlanD's views – PlanD did not support the application based on the assessments set out in paragraph 12 of the Paper. The proposed Small House development was not in line with the planning intention of the “Green Belt” (“GB”) zone and there was a general presumption against development within the zone. The proposed development was not in line with the Town Planning Board Guidelines No. 10 in that it would involve vegetation clearance and adverse landscape impact was anticipated. It was not in line with the Interim Criteria in that the site fell within upper indirect WGG and the applicant failed to indicate that the proposed house could be connected to the public sewerage system in the area. Approval of the application would set an undesirable precedent for other similar applications within the “GB” zone. The cumulative effect of approving such applications would result in a general degradation of the environment and bring about cumulative adverse impact on the water quality and landscape of the area. Regarding the public comments received, the comments of government departments and the planning assessments above were relevant.

42. Members had no question on the application.

#### Deliberation Session

43. 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 Town Planning Board Guidelines No. 10 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;
- (c) the proposed development is not in line with the Interim Criteria in that the site falls within upper indirect Water Gathering Ground (WGG) and there is no information in the application to indicate that the proposed house can be connected to the public sewerage system in the area. The wastewater generated from the proposed house will have potential to cause pollution to the WGG;
- (d) land is still available within the “Village Type Development” zone of Wo Liu 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
- (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 bring about cumulative adverse impact on the water quality and landscape of the area.”

**Agenda Item 9**

**Section 16 Application**

[Open Meeting]

A/TKO/111                      Proposed Temporary Social Welfare Facility (Residential Care Home for the Elderly) for a Period of 3 Years in “Green Belt” Zone and an area shown as ‘Road’, Lot 146 in D.D. 224 and Adjoining Government Land, Tseung Kwan O  
(RNTPC Paper No. A/TKO/111)

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44.                      The Committee noted that the applicant’s representative requested on 6.2.2018 deferment of the consideration of the application for two months so as to allow time for preparation of further information to address departmental comments. It was the first time that the applicant requested deferment of the application.

45.                      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 and submission of further information and no further deferment would be granted unless under very special circumstances.

[The Chairman thanked William W.T. Wong and Ms Kitty S.T. Lam, STPs/SKIs, for their attendance to answer Members’ enquiries. Mr Wong and Ms Lam left the meeting at this point.]

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

[Ms Kathy C.L. Chan and Mr Tim T.Y. Fung, Senior Town Planners/Shan Tin, Tai Po and North (STPs/STN), were invited to the meeting at this point.]

**Agenda Item 10**

**Section 16 Application**

[Open Meeting (Presentation and Question Sessions Only)]

A/NE-LT/628            Further Consideration of Proposed Temporary Private Car Park (Private Cars and Light Goods Vehicles) for a Period of 3 Years in “Agriculture” and “Village Type Development” Zones, Lots 408 S.B ss.2, 408 S.B ss.3, 408 S.B ss.4, 408 S.B ss.5 and 408 S.B RP (Part) in D.D. 10, Chai Kek Village, Lam Tsuen, Tai Po  
(RNTPC Paper No. A/NE-LT/628A)

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**Presentation and Question Sessions**

46.            Ms Kathy C.L. Chan, STP/STN, presented the application and covered the following aspects as detailed in the Paper :

- (a) background to the application – on 12.1.2018, a few Members had reservation on the application and considered that applications involving deliberate action to destroy the rural environment in the hope that the Town Planning Board would give sympathetic consideration to subsequent development on the site should not be tolerated. The Committee decided to defer making a decision on the application pending provision of further information on the history and physical condition of the site by the Planning Department (PlanD);
- (b) proposed temporary private car park (private cars and light goods vehicles) for a period of three years;



- (c) history and physical conditions of the site – majority of the site was zoned “Agriculture” (“AGR”) with a minor portion (about 15.5%) encroaching onto the “Village Type Development” (“V”) zone on the draft Lam Tsuen OZP No. S/NE-LT/1 gazetted on 8.7.1994. The land use zonings of the site remained unchanged since then. The site was cultivated land in 1990 and was subsequently paved in 1996 before the incorporation of development control on filling of land in the Notes of the “AGR” zone in 2005. The site was the subject of an enforcement case. An Enforcement Notice (EN) was issued on 19.10.2017 to the owner of concerned lots requiring the discontinuance of unauthorized parking of vehicles by 19.1.2018. The parking of vehicles had been discontinued before the expiry of the compliance period;
- (d) PlanD’s views – PlanD maintained its view of having no objection to the application for the same considerations as detailed in paragraph 11 of the RNTPC paper No. A/NE-LT/628. Given its temporary nature and small scale, it was considered that the approval of the application on a temporary basis for a period of three years would not frustrate the long-term planning intention of the “AGR” zone. The applied use was considered not incompatible with the surrounding areas which are predominantly rural in character with village houses, temporary structures, fallow/active agricultural land and tree groups. Although the applied use was not in line with the planning intention of “V” zone, the application was for a temporary car park to serve the local residents. As the site was located within the Water Gathering Ground, the applicant had confirmed that there would be no toilet facility or wastewater generation from the applied use. Except that the Director of Agriculture, Fisheries and Conservation had reservation on the application as the site possessed potential for agricultural rehabilitation, other concerned government departments had no objection to or no adverse comment on the application.

47. Members had no question on the application.

Deliberation Session

48. After deliberation, the Committee decided to approve the application on a temporary basis for a period of 3 years until 2.3.2021, on the terms of the application as submitted to the Town Planning Board (TPB) and subject to the following conditions :

- “(a) 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;
- (b) no reversing of vehicles into or out from the site is allowed at any time during the planning approval period;
- (c) the preventive measures against water pollution to the upper indirect water gathering ground should be properly maintained at all times during planning approval period;
- (d) the development should not cause any water pollution to the upper indirect water gathering ground at any time during the planning approval period;
- (e) the provision of boundary fencing on the site within 6 months from the date of planning approval to the satisfaction of the Director of Planning or of the TPB by 2.9.2018;
- (f) 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 2.9.2018;
- (g) in relation to (f) 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 2.12.2018;
- (h) if any of the above planning conditions (a), (b), (c) or (d) is not complied

with during the planning approval period, the approval hereby given shall cease to have effect and shall be revoked immediately without further notice;

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

49. The Committee also agreed to advise the applicant to note the advisory clauses as set out at Appendix IV in Appendix FA-I of the Paper.

### **Agenda Item 11**

#### **Section 16 Application**

[Open Meeting]

A/NE-LT/632                      Temporary Private Vehicle Park (Private Cars Only) for a Period of 3 Years in “Village Type Development” Zone, Lot 915 RP in D.D. 25, Tai Om Tsuen, Lam Tsuen, Tai Po  
(RNTPC Paper No. A/NE-LT/632)

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50. The Committee noted that the applicant requested on 20.2.2018 deferment of the consideration of the application for two months so as to allow time for preparation of further information in support of the application. It was the first time that the applicant requested deferment of the application.

51. 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 and submission of further information and no further deferment would be granted unless under very special circumstances.

## **Agenda Item 12**

### **Section 16 Application**

[Open Meeting (Presentation and Question Sessions Only)]

A/NE-TK/633            Proposed House (New Territories Exempted House - Small House) in  
                                 "Agriculture" and "Village Type Development" Zones, Lot 664 in  
                                 D.D. 23, Po Sam Pai, Ting Kok, Tai Po  
  
                                 (RNTPC Paper No. A/NE-TK/633)

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### **Presentation and Question Sessions**

52.            Ms Kathy C.L. Chan, STP/STN, presented the application and covered the following aspects as detailed in the Paper :

- (a)    background to the application;
  
- (b)    proposed house (New Territories Exempted House – Small House);
  
- (c)    departmental comments – departmental comments were set out in paragraph 9 and Appendix V 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 site was situated at the edge of existing mature woodland. Approval of the application would set an undesirable precedent to similar developments within the "Agriculture" ("AGR") zone, leading to further encroachment to the woodland. The cumulative effect of approving such applications would result in degradation of the environment. The Director of Agriculture,

Fisheries and Conservation (DAFC) did not support the application as the site possessed potential for agricultural rehabilitation. Other concerned government departments had no objection to or no adverse comment on the application;

- (d) during the first three weeks of the statutory publication period, five public comments were received from four local villagers and an individual objecting to the application. Major objection grounds were set out in paragraph 10 of the Paper; and
- (e) PlanD's views – PlanD had no objection to the application based on the assessments set out in paragraph 11 of the Paper. The application complied with the Interim Criteria in that more than 50% of the proposed Small House footprint fell within the village 'environ' of Po Sam Pai. Although CTP/UD&L, PlanD, had reservation on the application, adverse impact on significant landscape resources from the proposed development was not anticipated. Except DAFC, other concerned government departments had no objection to or no adverse comment on the application. The site was the subject of a previously approved application submitted by the same applicant and there was no significant change in planning circumstances since the previous application was approved in 2012. Sympathetic consideration might be given to the application. Regarding the public comments received, the comments of government departments and the planning assessments above were relevant.

53. Members had no question on the application.

#### Deliberation Session

54. 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 2.3.2022, 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) 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 tree preservation and 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.”

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

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

### **Agenda Item 13**

#### **Section 16 Application**

[Open Meeting (Presentation and Question Sessions Only)]

A/NE-TK/634            Proposed Public Utility Installation (Electricity Package Substation (ESS)) in “Village Type Development” Zone, government land in D.D. 28, Tai Mei Tuk, Tai Po  
(RNTPC Paper No. A/NE-TK/634)

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56. The Secretary reported that CLP Power Hong Kong Limited (CLP) was the applicant. The following Members had declared interests on the item:

- Ms Christina M. Lee        - being the Secretary-General of the Hong Kong Metropolitan Sports Events Association which had solicited sponsorship from CLP before
- Mr Alex T.H. Lai            - his firm having past business dealings with CLP
- Mr Stephen L.H. Liu        - having past business dealings with CLP

57. The Committee noted that Mr Alex T.H. Lai had tendered apologies for being unable to attend the meeting and Mr Stephen L.H. Liu had already left the meeting. As the interest of Ms Christina M. Lee was indirect, the Committee agreed that she could stay in the meeting.

#### Presentation and Question Sessions

58. Ms Kathy C.L. Chan, STP/STN, presented the application and covered the following aspects as detailed in the Paper :

- (a) background to the application;
- (b) proposed public utility installation (electricity package substation (ESS));
- (c) departmental comments – departmental comments were set out in paragraph 8 of the Paper. Concerned government departments had no objection to or no adverse comment on the application;
- (d) during the first three weeks of the statutory publication period, no public comment was received; and
- (e) the Planning Department (PlanD)'s views – PlanD had no objection to the application based on the assessments set out in paragraph 10 of the Paper. The proposed ESS was small in scale and was not incompatible with the surrounding rural environment mainly consisted of village houses. The proposed ESS was an essential public utility facility to enhance the security and reliability of electricity supply to the existing villages and future development in the area. Concerned government departments had no objection to or no adverse comment on the application.

59. Members had no question on the application.

Deliberation Session

60. 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 2.3.2022, and after the said date, the permission should cease to have effect unless before the said date, the development permitted was commenced or the permission was renewed. The permission was subject to the following condition :

“the provision of fire service installations and water supplies for firefighting to the satisfaction of the Director of Fire Services or of the TPB.”

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

**Agenda Item 13A**

Section 16 Application

A/TP/636                      Proposed House (New Territories Exempted House - Small House) in  
“Green Belt” and “Village Type Development” Zones, Lot 179 S.B in  
D.D. 32, Sheung Wong Yi Au Village, Tai Po  
(RNTPC Paper No. A/TP/636)

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62. The application was withdrawn by the applicant.



**Agenda Item 14**

**Section 16 Application**

[Open Meeting]

A/TP/641                      Proposed House (New Territories Exempted House - Small House) in  
“Green Belt” Zone, Lots 83 S.C ss.1, 83 S.D and 470 S.E in D.D. 21,  
San Uk Ka Village, Tai Po  
(RNTPC Paper No. A/TP/641A)

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63.            The Committee noted that the applicant’s representative requested on 22.2.2018 deferment of the consideration of the application for two months so as to allow time for preparation of Geotechnical Planning Review Report to address the comments of Geotechnical Engineering Office of the Civil Engineering and Development Department. It was the second time that the applicant requested deferment of the application. Since the last deferment, the applicants had appointed consultants to conduct technical assessments in support of the applications.

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

**Agenda Items 15 and 16**

**Section 16 Applications**

[Open Meeting]

A/TP/642                      Proposed House in “Green Belt” Zone, Lot 20 in D.D. 12, Ha Hang Village, Tai Po

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A/TP/643                      Proposed House in “Green Belt” Zone, Lot 24 S.C in D.D. 12, Ha Hang Village, Tai Po  
(RNTPC Paper No. A/TP/642A and 643A)

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65.            As the two applications were similar in nature (New Territories Exempted Houses – Small Houses) and the application sites were located close to each other within the same “Green Belt” zone, the Committee agreed that the two applications could be considered together.

66.            The Committee noted that the applicants’ representative requested on 21.2.2018 deferment of the consideration of the applications for two months so as to allow time for preparation of Geotechnical Planning Review Report to address the comments of the Civil Engineering and Development Department. It was the second time that the applicants requested deferment of the applications. Since the last deferment, the applicants had not submitted any further information.

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

**Agenda Item 17**

**Section 16 Application**

[Open Meeting]

A/NE-LYT/645      Temporary Public Vehicle Park for Private Cars and Light Goods Vehicles for a Period of 3 Years in “Agriculture” Zone, Lot 1495 S.B RP in D.D. 76, Ng Uk Tsuen, Sha Tau Kok Road, Fanling  
(RNTPC Paper No. A/NE-LYT/645)

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68.            The Committee noted that the applicant requested on 5.2.2018 deferment of the consideration of the application for two months so as 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.

69.            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 and submission of further information and no further deferment would be granted unless under very special circumstances.

**Agenda Item 18**

**Section 16 Application**

[Open Meeting]

A/NE-STK/13                      Proposed Temporary Public Vehicle Park (Coaches and Private Cars Only) for a Period of 3 Years in “Agriculture” Zone, Lots 443 S.B RP (Part), 444 S.B RP (Part), 445 S.B RP (Part), 446 S.B RP (Part) and 447 S.B (Part) in D.D. 41 and Adjoining Government Land, Sha Tau Kok  
  
(RNTPC Paper No. A/NE-STK/13)

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70.                      The Committee noted that the applicant’s representative requested on 8.2.2018 deferment of the consideration of the application for two months so as 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.

71.                      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 and submission of further information and no further deferment would be granted unless under very special circumstances.

**Agenda Item 19**

**Section 16 Application**

[Open Meeting]

A/NE-TKL/564      Temporary Open Storage of Waste Paper, Waste Plastics and Waste Metal Cans for Recycling and Workshop for Recycling for a Period of 3 Years in “Agriculture” Zone, Lots 965 RP (Part) and 966 RP in D.D. 82, Ping Che Road, Ping Che, North District  
(RNTPC Paper No. A/NE-TKL/564C)

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72.            The Secretary reported that Mr Alex T.H. Lai had declared an interest on the item as his father co-owned with another person two lots of land in Ping Che area and the Committee noted that Mr Alex T.H. Lai had tendered apologies for being unable to attend the meeting.

73.            The Committee noted that the applicant’s representative requested on 21.2.2018 deferment of the consideration of the application for two months so as to allow time for preparation of further information to address further comments of the Transport Department (TD). It was the fourth time that the applicant requested deferment of the application. Since the last deferment, the applicant had submitted a response to comment table and revised Traffic Impact Assessment to address the comments of TD.

74.            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 applicants that two months were allowed for preparation of submission of 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 20**

**Section 16 Application**

[Open Meeting]

A/NE-TKL/580            Proposed Temporary Dangerous Goods Godown and Industrial Use for a Period of 5 Years in “Open Storage” Zone, Lot 436 RP (Part) in D.D. 77, Ping Che  
(RNTPC Paper No. A/NE-TKL/580A)

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75.            The Secretary reported that Mr Alex T.H. Lai had declared an interest on the item as his father co-owned with another person two lots of land in Ping Che area and the Committee noted that Mr Alex T.H. Lai had tendered apologies for being unable to attend the meeting.

76.            The Committee noted that the applicant’s representative requested on 22.2.2018 deferment of the consideration of the application for two months so as to allow time for preparation of further information to address further comments of the Transport Department (TD). It was the second time that the applicant requested deferment of the application. Since the last deferment, the applicant had submitted a response to comment table and revised calculation sheets and swept path analyses of the Traffic Impact Assessment to address the comments of the Drainage Services Department and TD.

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

**Agenda Items 21 and 22**

**Section 16 Applications**

[Open Meeting (Presentation and Question Sessions Only)]

A/NE-TKL/582 Proposed House (New Territories Exempted House - Small House) in “Agriculture” and “Village Type Development” Zones, Lot 796 S.A in D.D. 84, Ha Shan Kai Wat, Ta Kwu Ling  
(RNTPC Paper No. A/NE-TKL/582)

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A/NE-TKL/583 Proposed House (New Territories Exempted House - Small House) in “Agriculture” and “Village Type Development” Zones, Lot 796 S.D in D.D. 84, Ha Shan Kai Wat, Ta Kwu Ling  
(RNTPC Paper No. A/NE-TKL/583)

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78. As the two applications were similar in nature (New Territories Exempted Houses – Small Houses) and the application sites were located close to each other within the same “Agriculture” and “Village Type Development” zones, the Committee agreed that the two applications could be considered together.

**Presentation and Question Sessions**

79. Mr Tim T.Y. Fung, STP/STN, presented the applications and covered the following aspects as detailed in the Papers :

- (a) background to the applications;
- (b) proposed house (New Territories Exempted House – Small House) at each of the application sites;
- (c) departmental comments – departmental comments were set out in paragraph 9 and Appendix IV of the Paper for application No. A/NE-TKL/582 and paragraph 9 and Appendix V of the Paper for application No. A/NE-TKL/583. For application No. A/NE-TKL/582, the Director of Environmental Protection (DEP) did not support the application

as the location of the proposed septic tank and soakaway system was very close to an existing nullah and a natural watercourse (less than 10 m) which could not meet the minimum clearance distance. For both applications, the Chief Town Planner/ Urban Design and Landscape, Planning Department (CTP/UD&L, PlanD) had reservation on the application as approval of the proposed Small House application might encourage more similar applications, resulting in extension of village development beyond the existing “Village Type Development” (“V”) zone boundary and irreversibly altering the landscape character of the “Agriculture” (“AGR”) zone. Besides, there was no information regarding the construction access to the sites, thus potential adverse impact arising from additional vegetation clearance for the access could not be ascertained. The Director of Agriculture, Fisheries and Conservation (DAFC) did not support the applications as the sites were arable and possessed potential for agricultural rehabilitation;

- (d) during the first three weeks of the statutory publication period, six public comments were received on each of the applications. A North District Council member supported the applications whereas the Chairman of Sheung Shui District Rural Committee indicated no comment on the applications. The other four public comments submitted by Kadoorie Farm and Botanic Garden Corporation, World Wide Fund for Nature Hong Kong, Designing Hong Kong Limited and an individual objected to the applications. Major views were set out in paragraph 10 of the respective Papers; and
- (e) PlanD’s views – PlanD did not support the applications based on the assessments set out in paragraph 11 of the respective Papers. The proposed developments were not in line with the planning intention of the “AGR” zone and there was no strong planning justification in the submissions for a departure from the planning intention. For application No. A/NE-TKL/582, the proposed development did not comply with the Interim Criteria in that it was close to a stream course and there was insufficient information in the submission to demonstrate that the proposed



development would not cause adverse sewerage impact on the surrounding areas. Since land was still available within the “V” zone of Ha Shan Kai Wat Village, it was considered more appropriate to concentrate the proposed Small House developments close to the existing village cluster for orderly development pattern, efficient use of land and provision of infrastructures and services. Eight similar applications were rejected by the Committee between 2015 and 2017, the circumstances of the current applications were similar to those rejected applications. Regarding the public comments received, the comments of government departments and the planning assessments above were relevant.

80. Members had no question on the applications.

#### Deliberation Session

81. After deliberation, the Committee decided to reject the applications. The reasons were :

#### ***For Application No. A/NE-TKL/582***

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

- (c) land is still available within the “Village Type Development” zone of Ha Shan Kai Wat Village 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.”

***For Application No. A/NE-TKL/583***

- “(a) the proposed development is not in line with the planning intention of the “Agriculture” zone in the Ping Che and Ta Kwu Ling area which is primarily to retain and safeguard good quality agricultural land/farm/fish ponds for agricultural purposes and to retain fallow arable land with good potential for rehabilitation for cultivation and other agricultural purposes. There is no strong planning justification in the submission for a departure from the planning intention; and
- (b) land is still available within the “Village Type Development” zone of Ha Shan Kai Wat Village 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.”

**Agenda Item 23**

**Section 16 Application**

[Open Meeting]

A/NE-TKLN/11      Temporary Car Park for Private Cars and Light Goods Vehicles for a Period of 3 Years in “Agriculture” and “Recreation” and “Village Type Development” Zones, Lots 385 S.B RP (Part) and 387 S.B RP (Part) in D.D. 78 and Adjoining Government Land, Tsung Yuen Ha Village, Ta Kwu Ling  
(RNTPC Paper No. A/NE-TKLN/11)

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82.            The Committee noted that the applicant’s representative requested on 12.2.2018 deferment of the consideration of the application for two months so as 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.

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

[The Chairman thanked Ms Kathy C.L. Chan and Mr Tim T.Y. Fung, STPs/STN, for their attendance to answer Members’ enquiries. Ms Chan and Mr Fung left the meeting at this point.]

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

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

**Agenda Items 24 and 25**

**Section 16 Applications**

[Open Meeting (Presentation and Question Sessions Only)]

A/FSS/263                      Proposed House (New Territories Exempted House - Small House) in  
“Green Belt” Zone, government land in D.D. 91, Ng Uk Tsuen, Sheung  
Shui

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A/FSS/264                      Proposed House (New Territories Exempted House - Small House) in  
“Green Belt” Zone, government land in D.D. 91, Ng Uk Tsuen, Sheung  
Shui  
(RNTPC Paper No. A/FSS/263 and 264)

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84.                      As the two applications were similar in nature (New Territories Exempted Houses – Small Houses) and the application sites were located close to each other within the same “Green Belt” zone, the Committee agreed that the two applications could be considered together.

**Presentation and Question Sessions**

85.                      Mr Otto K.C. Chan, STP/FSYLE, presented the applications and covered the following aspects as detailed in the Paper :

- (a) background to the applications;
- (b) proposed house (New Territories Exempted House – Small House) at each of the application sites;

- (c) departmental comments – departmental comments were set out in paragraph 10 and Appendix VII of the Paper. The Director of Agriculture, Fisheries and Conservation (DAFC) had reservation on the applications as massive unauthorised tree felling activities had taken place in the sites and their vicinity between 2009 and 2010. Other concerned government departments had no objection to or no adverse comment on the applications;
  
- (d) during the first three weeks of the statutory publication period, five public comments were received on each of the applications. Two members of the North District Council (NDC) supported the applications whereas one NDC member indicated no comment on the applications. Green Sense and an individual objected to the applications. Major views were set out in paragraph 11 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 12 of the Paper. The proposed Small Houses complied with the Town Planning Board Guidelines No. 10 in that the sites were in close proximity to existing villages and in keeping with the surrounding uses, and the proposed developments were to meet the demand from indigenous villagers. They also generally complied with the Interim Criteria in that the sites and the footprints of both proposed Small Houses fell entirely within the village 'environ' ('VE') of Ng Uk Tsuen and there was a general shortage of land in meeting the demand for Small House development in the "Village Type Development" ("V") zone of Ng Uk Tsuen. The sites were the subject of two previous approved applications No. A/FSS/185 and 186. Both applications lapsed on 13.2.2018. The applicants had been applying for the Small House grant for the proposed Small House developments since 2006 and their Small House grants were still being processed by the Lands Department (LandsD). Sympathetic consideration could be given to the current applications. Regarding the public comments received, the comments of government departments and the planning assessments above were relevant.

86. Some Members raised the following questions:
- (a) how to avoid the Small House developments in the area from spreading out and encroaching onto the woodland behind the village; and
  - (b) what the considerations would be if more applications for Small Houses in the area were received.
87. Mr Otto K.C. Chan, STP/FSYLE, made the following responses:
- (a) there were five previously approved applications for Small Houses, including the two sites under the current applications. All of them were situated along the footpath, no application for Small House development near the woodland was received; and
  - (b) if more applications for Small Houses in the area were received, they would be considered on individual basis.

#### Deliberation Session

88. The Chairman pointed out that the applicants were two indigenous villagers and the application sites were situated on government land. Making reference to Plan A-2c of the Paper, Members noted that there were seven Small House Grant applications, including the two sites under the current applications, being processed by LandsD. Nevertheless, three of them had not applied for planning permission from the Town Planning Board.

89. Given that the land available within the “V” zone had been used up, a Member considered that it was reasonable for those Small House developments to spread out to the area outside the ‘V’ zone, provided that they would be developed in an orderly pattern. Nevertheless, to avoid encroachment onto the woodland, the Committee had to consider how to cope with similar applications in the future.

90. In response to a Member's concern on the status of the applicants, the Chairman said that in considering the Small House Grant application, LandsD would verify the eligibility of the applicants in accordance with the Small House Policy. In fact, the application sites were the subject of two previously approved planning applications and their Small House Grant applications were still being processed by LandsD.

91. After deliberation, the TPB 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 2.3.2022, 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; and
- (b) the submission and implementation of drainage proposal to the satisfaction of the Director of Drainage Services or of the TPB.”

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

**Agenda Item 26**

**Section 16 Application**

[Open Meeting]

A/KTN/36                      Temporary Public Vehicle Park for Private Cars, Light and Medium Goods Vehicles with Ancillary Resting Room and Office for a Period of 1 Year in “Other Specified Uses” annotated “Amenity Area” Zone and an area shown as ‘Road’, Lots 664 RP (Part), 665 RP, 667 and 672 (Part) in D.D. 96, Kwu Tung, Sheung Shui  
(RNTPC Paper No. A/KTN/36B)

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93.                      The Secretary reported that Dr C.H. Hau had declared an interest on the item as he owned a property in Ho Sheung Heung, Kwu Tung North, Sheung Shui. As the property of Dr C.H. Hau did not have a direct view of the application site, the Committee agreed that he could stay in the meeting.

94.                      The Committee noted that the applicant requested on 12.2.2018 deferment of the consideration of the application for two months so as to allow time for preparation of further information to address further comments of the Transport Department. It was the third time that the applicant requested deferment of the application. Since the last deferment, the applicant had submitted a Traffic Impact Assessment and a revised layout.

95.                      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 submission of further information. Since it was the third deferment and a total of six months had been allowed for preparation and submission of further information, no further deferment would be granted unless under very special circumstances.



**Agenda Item 27**

**Section 16 Application**

[Open Meeting (Presentation and Question Sessions Only)]

A/YL-KTN/586      Temporary Open Storage of Construction Materials for a Period of 3 Years in “Other Specified Uses” annotated “Railway Reserve” Zone, Lots 49 S.B RP (Part), 379 S.B (Part), 383 (Part), 385 RP (Part), 394 S.A RP (Part), 395, 396 (Part), 397 RP, 398, 399 RP and 401 RP in D.D. 107 and Adjoining Government Land, Kam Tin, Yuen Long  
(RNTPC Paper No. A/YL-KTN/586)

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**Presentation and Question Sessions**

96.      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)    temporary open storage of construction materials for a period of three years;
- (c)    departmental comments – departmental comments were set out in paragraph 10 of the Paper. The Director of Environmental Protection (DEP) did not support the application as there were residential dwellings immediately next to the site, environmental nuisance due to loading and unloading activities, as well as heavy vehicles travelling to and from the site were expected. Other concerned government departments had no objection to or no adverse comment on the application;
- (d)    during the first three weeks of the statutory publication period, one comment was received from an individual objecting to the application. Major objection grounds were set out in paragraph 11 of the Paper; and

- (e) the Planning Department (PlanD)'s views – PlanD considered that the temporary use could be tolerated for a period of three years based on the assessments set out in paragraph 12 of the Paper. The development was considered not incompatible with the surrounding land uses predominated by open storage yards, warehouses, storages, residential structures/dwellings and vacant/unused land. Although the applied use was not in line with the planning intention of the “Other Specified Uses” annotated “Railway Reserve” (“OU (Railway Reserve)”) zone, approval of the application on a temporary basis would not frustrate the long-term planning intention of the zone. The application was considered generally in line with the Town Planning Board Guidelines No. 13E as relevant departments consulted except DEP had no adverse comment on the application. Although DEP did not support the application, no substantiated environmental complaint concerning the site was received in the past three years. A previous application for the same applied use at the same site and 12 similar applications for various temporary open storage uses were approved with conditions by the Committee within the same “OU (Railway Reserve)” zone since 2008. Approval of the application was in line with the Committee's previous decisions. Regarding the public comment received, the comments of government departments and the planning assessments above were relevant.

97. In response to a Member's question, Ms Ivy C.W. Wong, STP/FSYLE, said that unauthorized development (UD) was found on the site and enforcement notice was issued requiring the discontinuance of the UD. Subsequent site inspection revealed that the UD was discontinued.

#### Deliberation Session

98. After deliberation, the Committee decided to approve the application on a temporary basis for a period of 3 years until 2.3.2021, on the terms of the application as submitted to the Town Planning Board (TPB) and subject to the following conditions :

- “(a) no operation between 6:00 p.m. and 8:00 a.m., as proposed by the applicant, is allowed on the site during the planning approval period;
- (b) no operation on Sundays and public holidays, as proposed by the applicant, is allowed on the site during the planning approval period;
- (c) no dismantling, maintenance, repairing, cleansing, paint spraying or other workshop activities, as proposed by the applicant, shall be carried out on the site at any time during the planning approval period;
- (d) the maintenance of the existing boundary fencing on the site at all times during the planning approval period;
- (e) no stacking of materials above the height of peripheral fencing (3m) shall be allowed on the site at any time during the planning approval period;
- (f) no vehicle is allowed to queue back to or reverse onto/from public road at any time during the planning approval period;
- (g) the existing trees and landscape planting on the site shall be maintained at all times during the planning approval period;
- (h) the existing drainage facilities on the site shall be maintained at all times during the planning approval period;
- (i) the submission of the 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 2.6.2018;
- (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 13.4.2018;

- (k) 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 2.9.2018;
- (l) in relation to (k) above, the implementation of 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 2.12.2018;
- (m) if any of the above planning conditions (a), (b), (c), (d), (e), (f), (g) or (h) is not complied with during the planning approval period, the approval hereby given shall cease to have effect and shall be revoked immediately without further notice;
- (n) if any of the above planning conditions (i), (j), (k) or (l) is not complied with by the specified date, the approval hereby given shall cease to have effect and shall on the same date be revoked without further notice; and
- (o) upon 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.”

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

**Agenda Item 28**

**Section 16 Application**

[Open Meeting (Presentation and Question Sessions Only)]

A/YL-KTS/751 Temporary Open Storage of Freezer Vehicles, Air-conditioned Compartments and Spare Parts of Cooling Machinery Components for Vehicles for Sale, and Installation and Maintenance Workshop for Freezer Vehicles for a Period of 3 Years in “Other Specified Uses” annotated “Rural Use” Zone, Lots 401 (Part), 404 (Part), 405 RP (Part), 406 RP, 408 RP (Part), 409 and 410 (Part) in D.D. 106, Pat Heung, Yuen Long  
(RNTPC Paper No. A/YL-KTS/751B)

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

**Presentation and Question Sessions**

101. 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) temporary open storage of freezer vehicles, air-conditioned compartments and spare parts of cooling machinery components for vehicles for sale, and installation and maintenance workshop for freezer vehicles for a period of three years;
- (c) departmental comments – departmental comments were set out in paragraph 10 of the Paper. The Director of Environmental Protection (DEP) did not support the application as there were sensitive receivers located to the southwest of the site and in its vicinity, environmental

nuisance was expected. Other concerned government departments had no objection to or no adverse comment on the application;

- (d) during the first three weeks of the statutory publication period, one public comment was received from an individual objecting to the application. Major objection grounds were set out in paragraph 11 of the Paper; and
- (e) the Planning Department (PlanD)'s views – PlanD considered that the temporary use could be tolerated for a period of three years based on the assessments set out in paragraph 12 of the Paper. The applied use was not incompatible with the surrounding area predominated by open storage/ storage yards, workshops, warehouse, parking of vehicles, residential structures/ dwellings and vacant/ unused land. Although the applied use was not in line with the planning intention of the “Other Specified Uses” annotated “Rural Use” zone, approval of the application on temporary period of three years would not jeopardize the long-term planning intention of the zone. The application was generally in line with the Town Planning Board Guidelines No. 13E in that the site was the subject of two previous planning approvals for the applied uses and relevant departments consulted had no adverse comment on the current application except DEP. Although DEP did not support the application, no environmental complaint concerning the site was received in the past three years. Since the last two applications were revoked due to non-compliance with the approval conditions in relation to the submission and implementation of landscape, drainage and fire service installations proposals, shorter compliance periods were recommended in order to closely monitor the progress of compliance with such approval conditions. Regarding the public comment received, the comments of government departments and the planning assessments above were relevant.

102. Members had no question on the application.

Deliberation Session

103. After deliberation, the Committee decided to approve the application on a temporary basis for a period of 3 years until 2.3.2021, 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 paint spraying activities, as proposed by the applicant, shall be carried out on the site at any time during the planning approval period;
- (d) no heavy goods vehicles exceeding 24 tonnes, including container tractors/trailers, as defined in the Road Traffic Ordinance, are allowed to be parked/stored on or enter/exit the site 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) existing trees and landscape planting on the site shall be maintained at all times during the approval period;
- (g) the submission of 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 2.6.2018;
- (h) in relation to (g) above, the implementation of the drainage proposal within 6 months from the date of the planning approval to the satisfaction of the Director of Drainage Services or of the TPB by 2.9.2018;

- (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 provision of fire extinguisher(s) within 6 weeks from the date of planning approval to the satisfaction of the Director of Fire Services or of the TPB by 13.4.2018;
- (k) the submission of fire service installations proposal within 3 months from the date of planning approval to the satisfaction of the Director of Fire Services or of the TPB by 2.6.2018;
- (l) in relation to (k) above, the provision of fire service installations within 6 months from the date of planning approval to the satisfaction of the Director of Fire Services or of the TPB by 2.9.2018;
- (m) if any of the above planning conditions (a), (b), (c), (d), (e), (f) 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 (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.”

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



**Agenda Item 29**

**Section 16 Application**

[Open Meeting (Presentation and Question Sessions Only)]

A/YL-PH/766            Proposed Temporary Shop and Services (Sales of Vehicle Parts) for a Period of 3 Years in “Agriculture” Zone, Lot 303 (Part) in D.D. 110, Tsat Sing Kong, Yuen Long  
(RNTPC Paper No. A/YL-PH/766)

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**Presentation and Question Sessions**

105.        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) proposed temporary shop and services (sales of vehicle parts) for a period of three years;
- (c) departmental comments – departmental comments were set out in paragraph 9 of the Paper. The Chief Town Planner/Urban Design and Landscape, Planning Department (CTP/UD&L, PlanD) had some reservations on the application as approval of the application would set an undesirable precedent to similar developments within the zone and the cumulative effect of approving such applications would result in degradation of the environment. Other concerned government departments had no objection to or no adverse comment on the application;
- (d) during the first three weeks of the statutory publication period, three public comments were received from Kadoorie Farm & Botanic Garden Corporation, a Yuen Long District Council member and an individual objecting to the application. Major objection grounds were set out in paragraph 10 of the Paper; and

- (e) PlanD's views – PlanD considered that the temporary use could be tolerated for a period of three years based on the assessments set out in paragraph 11 of the Paper. The proposed use was considered not incompatible with the surrounding land uses predominated by open storage yards, residential structures/dwellings, fallow/cultivated agricultural land and vacant/unused land. Although the proposed development was not in line with the planning intention of the “Agriculture” zone, approval of the application on a temporary basis would not frustrate the long-term planning intention of the zone. Concerned government departments except CTP/UD&L, PlanD, had no objection to or no adverse comment on the application. The concern of CTP/UD&L, PlanD could be addressed through imposition of approval conditions on submission and implementation of tree preservation and landscape proposal. A similar application for proposed temporary shop and services (motor-vehicle showroom) adjacent to the site was approved by the Committee in 2017. Regarding the public comments received, the comments of government departments and the planning assessments above were relevant.

106. Members had no question on the application.

#### Deliberation Session

107. After deliberation, the Committee decided to approve the application on a temporary basis for a period of 3 years until 2.3.2021, on the terms of the application as submitted to the Town Planning Board (TPB) and subject to the following conditions :

- “(a) no operation between 6:00 p.m. and 9:00 a.m., as proposed by the applicant, is allowed on the site during the planning approval period;
- (b) no operation on Sundays and public holidays, as proposed by the applicant, is allowed on the site during the planning approval period;
- (c) no medium 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 existing boundary fencing on the site shall be maintained at all times during the planning approval period;
- (e) no dismantling, maintenance, repairing, cleansing, paint spraying or other workshop activities are allowed on the site at any time during the planning approval period;
- (f) no vehicle is allowed to queue back to or reverse onto/from public road at any time during the planning approval period;
- (g) the submission of tree preservation and landscape proposal within 6 months from the date of planning approval to the satisfaction of the Director of Planning or of the TPB by 2.9.2018;
- (h) in relation to (g) above, the implementation of tree preservation and landscape proposal within 9 months from the date of planning approval to the satisfaction of the Director of Planning or of the TPB by 2.12.2018;
- (i) 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 2.9.2018;
- (j) in relation to (i) above, the implementation of drainage proposal for the development within 9 months from the date of planning approval to the satisfaction of the Director of Drainage Services or of the TPB by 2.12.2018;
- (k) 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 2.9.2018;

- (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 to an amenity area to the satisfaction of the Director of Planning or of the TPB.”

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

### **Agenda Item 30**

#### **Section 16 Application**

[Open Meeting (Presentation and Question Sessions Only)]

A/YL-PH/767 Private Club in “Village Type Development” Zone, Lots 316 S.B ss.2 S.A (Part) and 316 S.B ss.3 S.A (Part) in D.D. 111, Sheung Che, Pat Heung, Yuen Long

(RNTPC Paper No. A/YL-PH/767)

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109. The Secretary reported that two emails dated 25.2.2018 from a member of the public objecting to the application were received. As the submissions were made out of time (the deadline for submitting comments was 2.2.2018), the Committee agreed that they should be treated as not having been made under s.16(2H)(a) of the Town Planning Ordinance. A copy each of the emails and attachments were deposited at the Secretariat of the Town Planning Board for Members’ reference, if required.

Presentation and Question Sessions

110. 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) private club;
- (c) departmental comments – departmental comments were set out in paragraph 9 of the Paper. Concerned government departments had no objection to or no adverse comment on the application;
- (d) during the first three weeks of the statutory publication period, one public comment from the indigenous village representative of Pat Heung She Che Tsuen was received objecting to the application. Major objection grounds were set out in paragraph 10 of the Paper; and
- (e) the Planning Department (PlanD)'s views – PlanD had no objection to the private club use on a temporary basis for a period of three years based on the assessments set out in paragraph 11 of the Paper. The private club use was not in conflict with the planning intention of the “Village Type Development” (“V”) zone. It was considered not incompatible with the surrounding land uses predominated by residential dwellings/structures, parking of vehicles, open storage/storage yards and vacant/unused land. As the site could be accessed via an existing footpath, no parking and loading/unloading facility would be provided in the site. Besides, the applicant had committed that no sewage would be discharged from the site to ensure that the watercourse immediately adjacent to the site would not be affected. Concerned government departments had no objection to or no adverse comment on the application. To address the concern of Highways Department that the site might be acquired for the purpose of the “Improvement of Fan Kam Road” Project and to allow flexibility to meet the planning intention of the “V” zone, a temporary planning approval

period of three years (instead of the permanent permission sought by the applicant) was recommended. The site involved a previous planning application No. A/YL-PH/713 for private club use submitted by the same applicant which was approved by the Committee in 2015 on a temporary basis for two years. As compared to the previous application, there is no major change except for slight increase of site coverage due to an additional shelter. Regarding the public comments received, the comments of government departments and the planning assessments above were relevant.

111. Members had no question on the application.

#### Deliberation Session

112. After deliberation, the Committee decided to approve the application on a temporary basis for a period of 3 years, instead of the permanent permission sought, until 2.3.2021, on the terms of the application as submitted to the Town Planning Board (TPB) and subject to the following conditions :

- “(a) no operation between 8:00 p.m. and 8:00 a.m., as proposed by the applicant, is allowed on the site during the planning approval period;
- (b) the existing trees and landscape planting on the site shall be maintained at all times during the planning approval period;
- (c) the existing drainage facilities on the site shall be maintained at all times during the planning approval period;
- (d) the submission of the 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 2.6.2018;
- (e) the submission of fire service installation proposal within 6 months from the date of planning approval to the satisfaction of the Director of Fire

Services or of the TPB by 2.9.2018;

- (f) in relation to (e) 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 2.12.2018;
- (g) if any of the above planning condition (a), (b) or (c) is not complied with during the planning approval period, the approval hereby given shall cease to have effect and shall be revoked immediately without further notice;
- (h) if any of the above planning conditions (d), (e) or (f) is not complied with by the specified date, the approval hereby given shall cease to have effect and shall on the same date be revoked without further notice; and
- (i) upon expiry of the planning permission, the reinstatement of the site to an amenity area to the satisfaction of the Director of Planning or of the TPB.

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

### **Agenda Item 31**

#### **Section 16 Application**

[Open Meeting (Presentation and Question Sessions Only)]

A/YL-NSW/264 Proposed Temporary Social Welfare Facility (Integrated Community Service Centre) for a Period of 5 Years in “Undetermined” Zone, Former Small Traders New Village Public School, Small Traders New Village, Nam Sang Wai, Yuen Long  
(RNTPC Paper No. A/YL-NSW/264)

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

114. Ms Emily P.W. Tong, STP/FSYLE, presented the application and covered the

following aspects as detailed in the Paper :

- (a) background to the application;
- (b) proposed temporary social welfare facility (integrated community service centre) for a period of five years;
- (c) departmental comments – departmental comments were set out in paragraph 9 of the Paper. Concerned government departments had no objection to or no adverse comment on the application;
- (d) during the first three weeks of the statutory publication period, three public comments were received from a District Council member, the representative of the adjacent residential development (Yuen Long Small Traders New Village Better Living Co-operative Society) and an individual objecting to the application. Major objection grounds were set out in paragraph 10 of the Paper; and
- (e) the Planning Department (PlanD)'s views – PlanD considered that the temporary use could be tolerated for a period of five years based on the assessments set out in paragraph 11 of the Paper. Although the Tung Shing Lei “Undetermined” zone had been identified in the 2017 Policy Address with potential for housing development in the short to medium term, the detailed land use proposal and appropriate development parameters were subject to further study. Approval of the proposed temporary use for a period of five years would not contravene nor jeopardise the long term land use planning for the area. As the utilisation of the vacant school did not involve any building, site formation, land filling, excavation works nor felling of trees, it would unlikely cause adverse environmental, drainage and traffic impacts on the surrounding area. Concerned government departments had no objection to or no adverse comment on the application. Regarding the public comments received, the comments of government departments and the planning assessments above were relevant.



115. Members had no question on the application.

Deliberation Session

116. After deliberation, the Committee decided to approve the application on a temporary basis for a period of 5 years until 2.3.2023, on the terms of the application as submitted to the Town Planning Board (TPB) and subject to the following conditions :

- “(a) no operation between 5:30 p.m. and 9:30 a.m., as proposed by the applicant, is allowed on the site during the planning approval period;
- (b) no operation between 1:30 p.m. and 5:30 p.m. on Saturdays, as proposed by the applicant, is allowed on the site during the planning approval period;
- (c) no operation on Sundays and public holidays, as proposed by the applicant, is allowed on the site during the planning approval period;
- (d) the maintenance of drainage facilities on site in good condition at all 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 submission of records of the existing drainage facilities on site within 3 months to the satisfaction of the Director of Drainage Services or of the TPB by 2.6.2018;
- (g) the submission of fire service installations proposal within 6 months to the satisfaction of the Director of Fire Services or of the TPB by 2.9.2018;
- (h) in relation to (g) above, the implementation of the fire service installations proposal within 9 months to the satisfaction of the Director of Fire Services or of the TPB by 2.12.2018;

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

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

### **Agenda Item 32**

#### **Section 16 Application**

[Open Meeting (Presentation and Question Sessions Only)]

A/YL-NTM/349 Proposed Filling of Ponds for Permitted Open Storage Use (Tiles and Metal Construction Equipment) in “Open Storage” Zone, Lot 2385 (Part) in D.D. 102 and Adjoining Government Land, Ngau Tam Mei, Yuen Long  
(RNTPC Paper No. A/YL-NTM/349A)

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

118. Ms Emily P.W. Tong, STP/FSYLE, presented the application and covered the following aspects as detailed in the Paper :

- (a) background to the application;
- (b) proposed filling of ponds for permitted open storage use (tiles and metal construction equipment);

- (c) departmental comments – departmental comments were set out in paragraph 9 of the Paper. Concerned government departments had no objection to or no adverse comment on the application;
- (d) during the first three weeks of the statutory publication period, no public comment was received; and
- (e) the Planning Department (PlanD)’s views – PlanD had no objection to the application based on the assessments set out in paragraph 11 of the Paper. Although the proposed open storage use was always permitted in the “Open Storage” zone, pond filling at the site required planning permission to ensure that it would not result in adverse drainage impacts on the surrounding areas. Concerned government departments had no objection to or no adverse comment on the application. The site was the subject of a previous application No. A/YL-NTM/94 for proposed pond filling for open storage use approved by the Committee in 2000. Nevertheless, the pond filling works had not been implemented and the planning permission lapsed in 2003. Five similar applications for pond filling for permitted open storage/agricultural uses in the vicinity of the site were approved by the Committee from 2000 to 2015 on similar considerations. Approval of the application was in line with the Committee’s previous decisions.

119. Members had no question on the application.

#### Deliberation Session

120. 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 2.3.2022, and after the said date, the permission should cease to have effect unless before the said date, the development permitted was commenced or the permission was renewed. The permission was subject to the following conditions :

- “(a) no part of the site is allowed to be filled to a depth exceeding 1.5m as proposed by the applicant;

- (b) the submission and implementation of a drainage proposal to the satisfaction of the Director of Drainage Services or of the TPB;
- (c) in relation to (b) above, no pond filling works on site should commence until the implementation of accepted drainage proposal recommended therein to the satisfaction of the Director of Drainage Services or of the TPB;
- (d) the submission and implementation of a landscape proposal to the satisfaction of the Director of Planning or of the TPB; and
- (e) if the above planning conditions (a), (b), (c) and (d) is not complied with, the approval hereby given should cease to have effect and should be revoked immediately without further notice.”

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

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

[Mr Philip S.L. Kan left the meeting temporarily at this point.]

**Tuen Mun and Yuen Long West District**

**Agenda Item 33**

Section 16 Application

[Open Meeting]

A/TM/512                      Proposed Wholesale Trade in “Industrial” Zone, Part of Workshops E, F & G at Lower Ground Floor, Co-Tack Industrial Building, 17 Kin Fat Street, Tuen Mun  
(RNTPC Paper No. A/TM/512A)

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122.            The Committee noted that the applicant’s representative requested on 13.2.2018 deferment of the consideration of the application for one month so as to allow time for preparation of further information to address the comments of the Transport Department (TD). It was the second time that the applicant requested deferment of the application. Since the last deferment, the applicant had spent time to engage a traffic consultant and to review the application and TD’s comments with the consultant.

123.            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 submission of further information. Since it was the second deferment and a total of two months had been allowed for preparation and submission of further information, no further deferment would be granted unless under very special circumstances.

[Ms Jessica Y.C. Ho, Ms Stella Y. Ng, Mr Kris W.K. Leung and Mr Alan Y.L. Au, Senior Town Planners/Tuen Mun and Yuen Long West (STPs/TMYLW), were invited to the meeting at this point.]

**Agenda Item 34**

**Section 16 Application**

[Open Meeting (Presentation and Question Sessions Only)]

A/TM/514                      Proposed Office cum Shop and Services (Ground Floor only) in  
   “Industrial” Zone, Tuen Mun Town Lot 75, 5 San Yick Lane, Tuen  
   Mun  
  
   (RNTPC Paper No. A/TM/514)

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124.            The Secretary reported that C K Lau & Associated Limited (CK Lau) and Ramboll Environ Hong Kong Limited (Environ) were two of the consultants of the applicant. The following Members had declared interests on the item:

|                     |   |   |
|---------------------|---|---|
| Mr Ivan C.S. Fu     | ] |   |
|                     | ] | having current business dealings with Environ |
| Ms Janice W.M. Lai  | ] |   |
| Mr Stephen L.H. Liu | - | having past business dealings with CK Lau     |

125.            The Committee noted that Mr Stephen L.H. Liu had already left the meeting. As Mr Ivan C.S. Fu and Ms Janice W.M. Lai had no involvement in the application, the Committee agreed that they could stay in the meeting.

**Presentation and Question Sessions**

126.            Ms Jessica Y.C. Ho, STP/TMYLW, drew Members’ attention that further information (F.I.) dated 1.3.2018 was submitted by the applicant’s representative to reiterate the key justifications in support of the planning application. The justifications provided in the F.I. were largely the same as those submitted previously and had been incorporated into the Paper for Members’ consideration. The F.I. was tabled at the meeting for Member’s information. She then presented the application and covered the following aspects as detailed in the Paper :

- (a) background to the application;
- (b) proposed office cum shop and services (ground floor only);
- (c) departmental comments – departmental comments were set out in paragraph 10 of the Paper. The Director-General of Trade and Industry (DG of TI) had reservation on the application as there was a general shortfall of industrial land and the “2014 Area Assessments of Industrial Land in the Territory” (“2014 Area Assessments”) had recommended to retain the “Industrial” (“I”) zoning of the subject area where the site was located. Approval of the subject application would lead to further depletion of industrial floor space in the area. Other concerned government departments had no objection to or no adverse comment on the application;
- (d) during the first three weeks of the statutory publication periods, a total of eight public comments were received supporting the application. Major supportive views 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 development was not in line with the planning intention of the “I” zone. There were active industrial activities within the area where the site was located, and the “2014 Area Assessments” had recommended to retain the “I” zoning of the subject area. There was no strong planning justification in the submission for a departure from the planning intention. The proposed development was also not in line with the Town Planning Board Guidelines No. 25D in that the applicant failed to provide information to demonstrate that there was a shortfall in the provision of office and other commercial floor space to serve the industrial activities in the area and that suitable alternative sites were not available to accommodate the proposed office development in the vicinity. Regarding the public comments received, the comments of government departments and the planning assessments above were relevant.

127. In response to a Member's question, Ms Jessica Y.C. Ho, STP/TMYLW, said that the original building at the site had already been demolished and a set of buildings plans for erecting a new industrial building was approved. The applicant wished to seek planning permission for office development at the site instead.

#### Deliberation Session

128. 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 “Industrial” (“I”) zone, which is primarily for general industrial uses to ensure an adequate supply of industrial floor space to meet demand from production-oriented industries. There are active industrial activities within the area where the site is located, and the 2014 Area Assessments of Industrial Land in the Territory has recommended retaining the “I” zoning of the subject area. There is no strong planning justification in the submission for a departure from the planning intention; and
- (b) the proposed development is not in line with the Town Planning Board Guidelines No. 25D in that the applicant fails to provide information to demonstrate that there is a shortfall in the provision of office and other commercial floor space to serve the industrial activities in the area; and there is no proof that suitable alternative sites are not available to accommodate the proposed office development in the vicinity.”

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



**Agenda Item 35**

**Section 16 Application**

[Open Meeting (Presentation and Question Sessions Only)]

A/TM/518                      Shop and Services (Real Estate Agency) in “Other Specified Uses” annotated “Business” Zone, Portion of Workshop No. 4, G/F, Good Harvest Industrial Building, 9 Tsun Wen Road, Tuen Mun  
(RNTPC Paper No. A/TM/518)

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**Presentation and Question Sessions**

129.            Ms Jessica Y.C. Ho, STP/TMYLW, presented the application and covered the following aspects as detailed in the Paper :

- (a) background to the application;
- (b) shop and services (real estate agency);
- (c) departmental comments – departmental comments were set out in paragraph 9 of the Paper. Concerned government departments had no objection to or no adverse comment on the application;
- (d) during the first three weeks of the statutory publication period, no public comment was received; and
- (e) the Planning Department (PlanD)’s views – PlanD had no objection to the application based on the assessments set out in paragraph 11 of the Paper. The proposed use at the premises was generally in line with the planning intention of the “Other Specified Uses” annotated “Business” zone. It was considered not incompatible with the uses including offices, showroom, workshops within the subject building and the surrounding residential and industrial developments. According to the Town Planning Board Guidelines No. 22D, the premises was protected by a sprinkler system, the aggregate commercial floor area on the G/F of the subject building was

308.36m<sup>2</sup> which was within the maximum permissible limit of 460m<sup>2</sup>. The premises was located on the ground floor of the subject building fronting directly onto Tsun Wen Road and means of escape separated from the industrial portion of the subject industrial building was available from the premises. Concerned government departments had no objection to or no adverse comment on the application.

130. Members had no question on the application.

### Deliberation Session

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

- “(a) the submission and implementation of fire service installations and equipment proposal at the application premises within 6 months from the date of approval to the satisfaction of the Director of Fire Services or of the TPB by 2.9.2018; and
- (b) if the above approval condition (a) 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.”

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

**Agenda Item 36**

**Section 16 Application**

[Open Meeting (Presentation and Question Sessions Only)]

A/YL-PS/553            Temporary Public Vehicle Park for Private Cars for a Period of 3 Years  
in “Village Type Development” Zone, Lots 422 (Part) and 423 (Part) in  
D.D. 122, Sheung Cheung Wai, Yuen Long  
(RNTPC Paper No. A/YL-PS/553)

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**Presentation and Question Sessions**

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

- (a) background to the application;
- (b) temporary public vehicle park for private cars 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, with one jointly submitted by an indigenous village representative and a village representative of Sheung Cheung Wai with signatures and the other one submitted by an individual, objecting to the application. Major objection grounds were set out in paragraph 10 of the Paper; and
- (e) the Planning Department (PlanD)’s views – PlanD considered that the temporary use could be tolerated for a period of three years based on the assessments set out in paragraph 11 of the Paper. Approval of the application on a temporary basis would not frustrate the planning intention of the “Village Type Development” (“V”) zone. The site was mainly

surrounded by vehicle parks and residential dwellings and the proposed use was not incompatible with the surrounding land uses. Concerned government departments had no objection to or no adverse comment on the application. The Committee had approved a previous application for similar use at the site and 22 other similar applications within the same “V” zone. Approval of the current application was in line with the previous decisions of the Committee. Regarding the public comments received, the comments of government departments and the planning assessments above were relevant.

134. Members had no question on the application.

#### Deliberation Session

135. After deliberation, the Committee decided to approve the application on a temporary basis for a period of 3 years until 2.3.2021, on the terms of the application as submitted to the Town Planning Board (TPB) and subject to the following conditions :

- “(a) no operation between 11:00 p.m. and 7:00 a.m. is allowed on the site, as proposed by the applicant, during the planning approval period;
- (b) only private cars as defined in the Road Traffic Ordinance are allowed to enter/be parked on the site, as proposed by the applicant, at all times during the planning approval period;
- (c) a notice shall be posted at a prominent location of the site at all times to indicate that only private cars as defined in the Road Traffic Ordinance are allowed to enter/be parked on the site during the planning approval period;
- (d) a notice shall be posted at a prominent location of the site to remind drivers on pedestrian safety on the access road to the site at all times during the planning approval period;

- (e) no vehicle without valid licence issued under the Road Traffic Ordinance is allowed to be parked/stored on the site, as proposed by the applicant, at any time during the planning approval period;
- (f) no vehicle washing, vehicle repairing, dismantling, car beauty or other workshop use is allowed on the site, as proposed by the applicant, at any time during the planning approval period;
- (g) no vehicle is allowed to queue back to or reverse onto/from public road at any time during the planning approval period;
- (h) the existing trees and landscape planting on the site shall be maintained at all times during the planning approval period;
- (i) the existing drainage facilities on the site shall be maintained at all times during the planning approval period;
- (j) the existing fencing of the site shall be maintained at all times during the approval period;
- (k) the submission of a condition record of the existing drainage facilities within 3 months from the date of planning approval to the satisfaction of the Director of Drainage Services or of the TPB by 2.6.2018;
- (l) the submission of a fire service installations proposal within 6 months from the date of planning approval to the satisfaction of the Director of Fire Services or of the TPB by 2.9.2018;
- (m) in relation to (l) above, the implementation of the fire service installations proposal within 9 months from the date of planning approval to the satisfaction of the Director of Fire Services or of the TPB by 2.12.2018;
- (n) if any of the above planning conditions (a), (b), (c), (d), (e), (f), (g), (h), (i) or (j) is not complied with during the approval period, the approval hereby

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

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

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

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

### **Agenda Item 37**

#### **Section 16 Application**

[Open Meeting (Presentation and Question Sessions Only)]

A/YL-PS/554            Proposed Temporary Public Vehicle Park for Private Cars for a Period of 3 Years in “Village Type Development” Zone, Lots 387 S.C ss.3 RP (Part) and 387 S.C RP (Part) in D.D. 122, Sheung Cheung Wai, Ping Shan, Yuen Long  
(RNTPC Paper No. A/YL-PS/554)

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

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

- (a) background to the application;

- (b) proposed temporary public vehicle park for private cars for a period of three years;
- (c) departmental comments – departmental comments were set out in paragraph 9 of the Paper. Concerned government departments had no objection to or no adverse comment on the application;
- (d) during the first three weeks of the statutory publication period, one public comment was received objecting to the application. Major objection grounds were set out in paragraph 10 of the Paper; and
- (e) the Planning Department (PlanD)'s views – PlanD considered that the temporary use could be tolerated for a period of three years based on the assessments set out in paragraph 11 of the Paper. Approval of the application on a temporary basis would not frustrate the planning intention of the “Village Type Development” (“V”) zone. The site was mainly surrounded by vehicle parks and residential dwellings and the proposed use was not incompatible with the surrounding land uses. Concerned government departments had no objection to or no adverse comment on the application. The Committee had approved two previous applications for similar use at the site and 21 other similar applications within the same “V” zone. Approval of the current application was in line with the previous decisions of the Committee. Regarding the public comments received, the comments of government departments and the planning assessments above were relevant.

138. Members had no question on the application.

#### Deliberation Session

139. After deliberation, the Committee decided to approve the application on a temporary basis for a period of 3 years until 2.3.2021, on the terms of the application as submitted to the Town Planning Board (TPB) and subject to the following conditions :

- “(a) no operation between 11:00 p.m. and 7:00 a.m., as proposed by the applicant, is allowed on the site during the planning approval period;
- (b) only private cars as defined in the Road Traffic Ordinance are allowed to enter/be parked on the site, as proposed by the applicant, at all times during the planning approval period;
- (c) a notice shall be posted at a prominent location of the site at all times to indicate that only private cars as defined in the Road Traffic Ordinance are allowed to enter/be parked on the site during the planning approval period;
- (d) no vehicle without valid licence issued under the Road Traffic Ordinance is allowed to be parked/stored on the site, as proposed by the applicant, at any time during the planning approval period;
- (e) no vehicle washing, vehicle repair, dismantling, paint spraying or other workshop activity is allowed on the site, as proposed by the applicant, at any time during the planning approval period;
- (f) no vehicle is allowed to queue back to or reverse onto/from public road at any time during the planning approval period;
- (g) the existing drainage facilities on the site shall be maintained at all times during the planning approval period;
- (h) the existing trees and landscape planting on the site shall be maintained at all times during the planning approval period;
- (i) the submission of a condition record of the existing drainage facilities within 3 months from the date of planning approval to the satisfaction of the Director of Drainage Services or of the TPB by 2.6.2018;
- (j) the submission of a fire service installations proposal within 6 months from the date of the planning approval to the satisfaction of the Director of Fire



Services or of the TPB by 2.9.2018;

- (k) in relation to (j) above, the implementation of the fire service installations proposal within 9 months from the date of the planning approval to the satisfaction of the Director of Fire Services or of the TPB by 2.12.2018;
- (l) if any of the above planning conditions (a), (b), (c), (d), (e), (f), (g) or (h) is not complied with during the planning approval period, the approval hereby given shall cease to have effect and shall be revoked immediately without further notice;
- (m) if any of the above planning conditions (i), (j) or (k) is not complied with by the specified date, the approval hereby given shall cease to have effect and shall on the same date be revoked without further notice; and
- (n) upon 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.”

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

### **Agenda Item 38**

#### **Section 16 Application**

[Open Meeting (Presentation and Question Sessions Only)]

A/HSK/48                      Proposed Temporary Public Vehicle Park for Private Car and Goods Vehicle not Exceeding 24 Tonnes and Open Storage of Export Vehicle and Vehicle Parts for a Period of 3 Years in “Residential (Group A) 3” Zone, Lot 3323 S.B ss.1 in D.D. 129, Ha Tsuen, Yuen Long  
(RNTPC Paper No. A/HSK/48)

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**Presentation and Question Sessions**

141. Mr Kris W.K. Leung, TP/TMYLW, presented the application and covered the following aspects as detailed in the Paper :

- (a) background to the application;
- (b) proposed temporary public vehicle park for private car and goods vehicle not exceeding 24 tonnes and open storage of export vehicle and vehicle parts for a period of three years;
- (c) departmental comments – departmental comments were set out in paragraph 10 of the Paper. The Director of Environmental Protection (DEP) did not support the application as there were sensitive receivers of residential use in the vicinity (with the nearest one 9m to its west) and environmental nuisance was expected. Other concerned government departments had no objection to or no adverse comment on the application;
- (d) during the first three weeks of the statutory publication period, no public comment was received; and
- (e) the Planning Department (PlanD)'s views – PlanD considered that the temporary use could be tolerated for a period of three years based on the assessments set out in paragraph 12 of the Paper. The application was generally in line with the Town Planning Board Guidelines No. 13E in that the site fell within Category 1 areas which were considered suitable for open storage and port back-up uses; relevant proposals had been submitted to demonstrate that the proposed use would not generate adverse impacts; and the technical concerns of relevant government departments could be addressed through the implementation of approval conditions. Although DEP did not support the application, no substantiated environmental complaint concerning the site was received in the past three years. The Committee had approved five previous applications for vehicle park and warehouse uses at the site and five similar applications for vehicle park and open storage uses in the same “Residential (Group A)3” zone. Approval

of the current application was in line with the previous decisions of the Committee.

142. Members had no question on the application.

#### Deliberation Session

143. After deliberation, the Committee decided to approve the application on a temporary basis for a period of 3 years until 2.3.2021, on the terms of the application as submitted to the Town Planning Board (TPB) and subject to the following conditions :

- “(a) no operation from 8:00 p.m. to 8:00 a.m., as proposed by the applicant, is allowed on the site during the planning approval period;
- (b) no operation on Sundays and public holidays, as proposed by the applicant, is allowed on the site during the planning approval period;
- (c) no vehicle is allowed to queue back to or reverse onto/from the public road at any time during the planning approval period;
- (d) the existing boundary fencing on the site shall be maintained at all times during the planning approval period;
- (e) the existing drainage facilities on the site shall be maintained at all times during the planning approval period;
- (f) the existing trees and landscape planting on the site shall be maintained at all time during the planning approval period;
- (g) the submission of a condition record of the existing drainage facilities within 3 months from the date of planning approval to the satisfaction of the Director of Drainage Services or of the TPB by 2.6.2018;

- (h) the provision of the fire extinguisher(s) and the submission of a valid fire certificate (FS 251) within 6 weeks from the date of planning approval to the satisfaction of the Director of Fire Services or of the TPB by 13.4.2018;
- (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 2.9.2018;
- (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 2.12.2018;
- (k) if any of the above planning conditions (a), (b), (c), (d), (e) or (f) is not complied with during the approval period, the approval hereby given shall cease to have effect and shall be revoked immediately without further notice;
- (l) if any of the above planning conditions (g), (h), (i) & (j) is not complied with by the above specified date, the approval hereby given shall cease to have effect and shall on the same date be revoked without further notice;  
and
- (m) upon expiry of the planning permission, the reinstatement of the site to an amenity area to the satisfaction of the Director of Planning or of the TPB.”

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

[Mr C.F. Wong left the meeting at this point.]

**Agenda Item 39**

**Section 16 Application**

[Open Meeting (Presentation and Question Sessions Only)]

A/HSK/49                      Temporary Warehouse for Storage of Food Provision for a Period of 3 Years in “Open Space” Zone, Lots 673 (Part), 674 (Part), 675 S.A, 675 S.B and 676 (Part) in D.D. 125 and Adjoining Government Land, Ha Tsuen, Yuen Long  
(RNTPC Paper No. A/HSK/49)

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**Presentation and Question Sessions**

145.            Mr Kris W.K. Leung, TP/TMYLW, presented the application and covered the following aspects as detailed in the Paper :

- (a) background to the application;
- (b) temporary warehouse for storage of food provision 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, no public comment was received; 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 site was located in an area predominantly occupied by open storage, warehouse, car workshop and vehicle park uses. The applied use was not incompatible with the surrounding land uses. Although the development was not in line with the planning intention of the “Open Space” zone, approval of the application

on a temporary basis of three years would not jeopardize the long-term development of the site. Concerned government departments had no objection to or no adverse comment on the application. Since the last application No. A/YL-HT/976 was revoked due to non-compliance with the approval condition on the implementation of fire service installations proposal, shorter compliance periods were recommended in order to closely monitor the progress of compliance with such approval conditions.

146. Members had no question on the application.

#### Deliberation Session

147. After deliberation, the Committee decided to approve the application on a temporary basis for a period of 3 years until 2.3.2021, 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 workshop activity, as proposed by the applicant, is allowed on site at any time during the planning approval period ;
- (d) no goods vehicles exceeding 5.5 tonnes as defined in the Road Traffic Ordinance, as proposed by the applicant, are allowed to enter on the site at any time during the planning approval period;
- (e) no vehicle queuing back to or reverse onto/from the public road is allowed at any time during the planning approval period;
- (f) the existing fencing on the site shall be maintained at all times during the planning approval period;

- (g) the existing drainage facilities on the site shall be maintained at all times during the planning approval period;
- (h) the existing landscape planting on the site shall be maintained at all time during the planning approval period;
- (i) the submission of a condition record of existing drainage facilities within 3 months from the date of planning approval to the satisfaction of the Director of Drainage Services or of the TPB by 2.6.2018;
- (j) the submission of fire service installations proposals within 3 months from the date of planning approval to the satisfaction of the Director of Fire Services or of the TPB by 2.6.2018;
- (k) in relation to (j) above, the provision of fire service installations within 6 months from the date of planning approval to the satisfaction of the Director of Fire Services or of the TPB by 2.9.2018;
- (l) if any of the above planning conditions (a), (b), (c), (d), (e), (f), (g) or (h) is not complied with during the approval period, the approval hereby given shall cease to have effect and shall be revoked immediately without further notice;
- (m) if any of the above planning conditions (i), (j) or (k) is not complied with by the above specified date, the approval hereby given shall cease to have effect and shall on the same date be revoked without further notice; and
- (n) upon expiry of the planning permission, the reinstatement of the site to an amenity area to the satisfaction of the Director of Planning or of the TPB.”

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

[Mr H.F. Leung left the meeting at this point.]

**Agenda Item 40**

**Section 16 Application**

[Open Meeting (Presentation and Question Sessions Only)]

A/HSK/50                      Temporary Logistics Centre for a Period of 3 Years in “Residential (Group B) 2” and “Open Space” Zones, Lots 2427 (Part), 2430 (Part), 2431 (Part), 2432 (Part), 2433 (Part), 2434, 2435, 2436 (Part), 2437 (Part), 2438 S.B (Part), 2439 (Part), 2962 (Part), 2976 (Part), 2977 S.A (Part), 2977 S.B (Part), 2978, 2979 (Part) and 2980 (Part) in D.D. 129, Ha Tsuen, Yuen Long  
(RNTPC Paper No. A/HSK/50)

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**Presentation and Question Sessions**

149.            Mr Kris W.K. Leung, TP/TMYLW, presented the application and covered the following aspects as detailed in the Paper :

- (a) background to the application;
- (b) temporary logistics centre for a period of three years;
- (c) departmental comments – departmental comments were set out in paragraph 10 of the Paper. The Director of Environmental Protection (DEP) did not support the application as there were sensitive uses in the vicinity of the site (the nearest being about 34m away) and environmental nuisance was expected. Other concerned government departments had no objection to or no adverse comment on the application;
- (d) during the first three weeks of the statutory publication period, no public comment was received; and



- (e) the Planning Department (PlanD)'s views – PlanD considered that the temporary use could be tolerated for a period of three years based on the assessments set out in paragraph 12 of the Paper. The site was located in an area predominantly occupied by logistics centre and open storage uses. The applied use was not incompatible with the surrounding land uses. The proposed development was generally in line with the Town Planning Board Guidelines No. 13E in that the site fell within Category 1 areas which were considered suitable for open storage and port back-up uses; relevant proposals had been submitted to demonstrate that the proposed use would not generate adverse impacts; and technical concerns of relevant government departments could be addressed through the implementation of approval conditions. Although DEP did not support the application, there was no environmental complaint pertaining to the site in the past three years. Since the last application No. A/YL-HT/953 was revoked due to non-compliance with time-limited approval conditions on the implementation of fire service installations, tree preservation and provision of fencing, shorter compliance periods were recommended in order to closely monitor the progress of compliance with such approval conditions.

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 2.3.2021, on the terms of the application as submitted to the Town Planning Board (TPB) and subject to the following conditions :

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

- (c) no workshop activity, as proposed by the applicant, is allowed on the site during the planning approval period;
- (d) no vehicle is allowed queue back to or reverse onto/from the public road at any time during the planning approval period;
- (e) the existing drainage facilities on the site shall be maintained at all times during the planning approval period;
- (f) the submission of a condition record of existing drainage facilities within 3 months from the date of planning approval to the satisfaction of the Director of Drainage Services or of the TPB by 2.6.2018;
- (g) the submission of a tree preservation and landscape proposal within 3 months from the date of planning approval to the satisfaction of the Director of Planning or of the TPB by 2.6.2018;
- (h) in relation to (g) above, the implementation of the tree preservation and landscape proposal within 6 months from the date of planning approval to the satisfaction of the Director of Planning or of the TPB by 2.9.2018;
- (i) the submission of a fire service installations proposal within 3 months from the date of planning approval to the satisfaction of the Director of Fire Services or of the TPB by 2.6.2018;
- (j) in relation to (i) above, the implementation of the 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 2.9.2018;
- (k) the provision of fencing of the site within 3 months from the date of planning approval to the satisfaction of the Director of Planning or of the TPB by 2.6.2018;

- (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 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.

#### **Agenda Item 41**

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

[Open Meeting]

A/HSK/51                      Temporary Shop and Services (Fresh Provision Shop) for a Period of 3 Years in “Open Space” Zone, Lot 1315 RP (Part) in D.D. 124 and Adjoining Government Land, San Sang San Tsuen, Yuen Long  
(RNTPC Paper No. A/HSK/51)

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153. The Committee noted that the applicant requested on 20.2.2018 deferment of the consideration of the application for two months so as to allow time for preparation of further information to address the comments of the Chief Town Planner/Urban Design and Landscape, Planning Department. It was the first time that the applicant requested deferment of the application.

154. 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 and submission of further information and no further deferment would be granted unless under very special circumstances.

## **Agenda Item 42**

### **Section 16 Application**

[Open Meeting (Presentation and Question Sessions Only)]

A/YL-TT/423            Temporary Private Vehicle Park (Private Cars Only) for a Period of 3  
Years in "Village Type Development" Zone, Lot 3169 in D.D. 120,  
Sham Chung Road, Yuen Long  
(RNTPC Paper No. A/YL-TT/423)

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### **Presentation and Question Sessions**

155.        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) temporary private vehicle park (private cars only) for a period of three years;
- (c) departmental comments – departmental comments were set out in paragraph 9 of the Paper. Concerned government departments had no objection to or no adverse comment on the application;

- (d) during the first three weeks of the statutory publication period, a public comment was received from an individual raising concerns on the application. Major concerns 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 development was considered not incompatible with the surrounding land uses comprising predominantly of residential dwellings/structures and unused/vacant land nearby. Although the applied use was not entirely in line with the planning intention of the “Village Type Development” zone, approval of the application on a temporary basis would not frustrate the long-term planning intention of the zone. Concerned government departments had no objection to or no adverse comment on the application. Regarding the public comment received, the comments of government departments and the planning assessments above were relevant.

156. Members had no question on the application.

#### Deliberation Session

157. After deliberation, the Committee decided to approve the application on a temporary basis for a period of 3 years until 2.3.2021, on the terms of the application as submitted to the Town Planning Board (TPB) and subject to the following conditions :

- “(a) only private cars, 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;
- (b) no vehicle without valid licences issued under the Road Traffic (Registration and Licensing of Vehicles) Regulations is allowed to be parked/stored on the site at any time during the planning approval period;

- (c) a notice shall be posted at a prominent location of the site to indicate that only private cars, as defined in the Road Traffic Ordinance, are allowed to be parked/stored on or enter/exit the site, as proposed by the applicant, at any time during the planning approval period;
- (d) 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, as proposed by the applicant, at any time during the planning approval period;
- (f) the submission of a run-in/run-out proposal within 6 months from the date of planning approval to the satisfaction of the Director of Highways or of the TPB by 2.9.2018;
- (g) in relation to (f) above, the provision of run-in/run-out within 9 months from the date of planning approval to the satisfaction of the Director of Highways or of the TPB by 2.12.2018;
- (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 2.9.2018;
- (i) in relation to (h) 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 2.12.2018;
- (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) if any of the above planning conditions (a), (b), (c), (d), (e) 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;

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

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

### **Agenda Item 43**

#### **Section 16 Application**

[Open Meeting (Presentation and Question Sessions Only)]

A/YL-TT/424            Proposed Temporary Animal Rehabilitation Centre for a Period of 3 Years in “Agriculture” Zone, Lots 1397 (Part), 1398 S.A&B (Part), 1404 (Part), 1405 (Part) and 1410 in D.D. 118, Tai Tong, Yuen Long  
(RNTPC Paper No. A/YL-TT/424)

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159. The application was withdrawn by the applicant.

**Agenda Item 44**

**Section 16 Application**

[Open Meeting (Presentation and Question Sessions Only)]

A/YL-TYST/876      Renewal of Planning Approval for Temporary Warehouse for Storage of Construction Material and Used Electrical Appliance for a Period of 3 Years in “Undetermined” Zone, Lots 774 (Part), 784 S.A, S.B & S.C (Part) and 785 (Part) in D.D. 119 and Adjoining Government Land, Pak Sha Tsuen, Yuen Long  
(RNTPC Paper No. A/YL-TYST/876)

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**Presentation and Question Sessions**

160.      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)      renewal of planning approval for temporary warehouse for storage of construction material and used electrical appliance for a period of three years;
  
- (c)      departmental comments – departmental comments were set out in paragraph 10 of the Paper. The Director of Environmental Protection (DEP) did not support the application as there were sensitive receivers of residential use in the vicinity (with the nearest one located to the immediate north of the site) and environmental nuisance was expected. Other concerned government departments had no objection to or no adverse comment on the application;
  
- (d)      during the first three weeks of the statutory publication period, no public comment was received; and
  
- (e)      the Planning Department (PlanD)’s views – PlanD considered that the



temporary use could be tolerated for a further period of three years based on the assessments set out in paragraph 12 of the Paper. The applied development was not incompatible with the surrounding land uses mainly mixed with open storage/storage yards, vehicle repair workshop, vehicle park and scattered residential structures. The application was generally in line with the Town Planning Board Guidelines No. 34B in that there had been no material change in planning circumstances since the granting of the previous approval under application No. A/YL-TYST/718; the approval conditions had been complied with; and the 3-year approval period sought was of the same timeframe as the previous approval. Although DEP did not support the application, there was no environmental complaint concerning the site in the past three years. The Committee had approved one application for the same use covering the same site and 85 other similar applications in the same part of the “Undetermined” zone. Approval of the renewal application was in line with the Committee’s previous decisions.

161. Members had no question on the application.

#### Deliberation Session

162. After deliberation, the Committee decided to approve the application on a temporary basis for a period of 3 years from 28.3.2018 to 27.3.2021, on the terms of the application as submitted to the Town Planning Board (TPB) and subject to the following conditions :

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

- (d) no medium or heavy goods vehicle exceeding 5.5 tonnes, including container tractor/trailer, as defined in the Road Traffic Ordinance, is 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 storage of used electrical appliances, as proposed by the applicant, is allowed outside the concrete-paved covered structure on the site at any time during the planning approval period;
- (f) no storage of electronic and computer 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;
- (g) no vehicle is allowed to queue back to or reverse onto/from public road at any time during the planning approval period;
- (h) all existing trees and landscape plantings within the site shall be maintained at all times during the planning approval period;
- (i) the existing drainage facilities on the site shall be maintained at all times during the planning approval period;
- (j) the submission of a condition record of the existing drainage facilities on the site within 3 months from the date of commencement of the renewed planning approval to the satisfaction of the Director of Drainage Services or of the TPB by 28.6.2018;
- (k) the submission of a fire service installations proposal within 6 months from the date of commencement of the renewed planning approval to the satisfaction of the Director of Fire Services or of the TPB by 28.9.2018;

- (l) in relation to (k) above, the implementation of the fire service installations proposal within 9 months from the date of commencement of the renewed planning approval to the satisfaction of the Director of Fire Services or of the TPB by 28.12.2018;
- (m) 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;
- (n) if any of the above planning conditions (j), (k) or (l) is not complied with by the specified date, the approval hereby given shall cease to have effect and shall on the same date be revoked without further notice; and
- (o) upon the expiry of the planning permission, the reinstatement of the site to an amenity area to the satisfaction of the Director of Planning or of the TPB.”

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

#### **Agenda Item 45**

##### Section 16 Application

[Open Meeting (Presentation and Question Sessions Only)]

A/YL-TYST/877 Temporary Open Storage of Construction Materials and Metal Ware for a Period of 3 Years in “Undetermined” Zone, Lots 2813 (Part), 2814 (Part), 2815 RP (Part) and 2816 RP (Part) in D.D. 120, Tong Yan San Tsuen, Yuen Long  
(RNTPC Paper No. A/YL-TYST/877)

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Presentation and Question Sessions

164. 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) temporary open storage of construction materials and metal ware for a period of three years;
- (c) departmental comments – departmental comments were set out in paragraph 10 of the Paper. The Director of Environmental Protection (DEP) did not support the application as there were sensitive receivers of residential use in the vicinity (with the nearest one situated about 20m to its west) and environmental nuisance was expected. Other concerned government departments had no objection to or no adverse comment on the application;
- (d) during the first three weeks of the statutory publication period, no public comment was received; and
- (e) the Planning Department (PlanD)'s views – PlanD considered that the temporary use could be tolerated for a period of three years based on the assessments set out in paragraph 12 of the Paper. The development was not incompatible with the surrounding uses mainly occupied by open storage/storage yards, warehouses and workshops. The application was generally in line with the Town Planning Board Guidelines No. 13E in that the site fell within Category 1 areas which were considered suitable for open storage and port back-up use; relevant proposals had been submitted to demonstrate that the proposed use would not generate adverse impacts; and the technical concerns of relevant government departments could be addressed through the implementation of approval conditions. Although DEP did not support the application, no environmental complaint concerning the site was received in the past three years. A total of 120 similar applications for temporary open storage uses with or without warehouse and/or ancillary workshop uses in the area were approved by the

Committee. Approval of the application was in line with the Committee's previous decisions. Other concerned government departments had no objection to or no adverse comment on the application.

165. Members had no question on the application.

#### Deliberation Session

166. After deliberation, the Committee decided to approve the application on a temporary basis for a period of 3 years until 2.3.2021, on the terms of the application as submitted to the Town Planning Board (TPB) and subject to the following conditions :

- “(a) no operation between 7:00 p.m. and 7:00 a.m., as proposed by the applicant, is allowed on the site during the planning approval period;
- (b) no operation on Sundays and public holidays, as proposed by the applicant, is allowed on the site during the planning approval period;
- (c) no repairing, cleaning, dismantling or other workshop activities, as proposed by the applicant, shall be carried out on the site at any time during the planning approval period;
- (d) no medium or heavy goods vehicle exceeding 5.5 tonnes, including container tractor/trailer, as defined in the Road Traffic Ordinance, is 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 is allowed to queue back to or reverse onto/from public road at any time during the planning approval period;
- (f) the existing boundary fence on the site shall be maintained at all times during the planning approval period;
- (g) the stacking height of the materials stored within 5m of the periphery of the

site shall not exceed the height of the boundary fence, as proposed by the applicant, at any time during the planning approval period;

- (h) all existing trees and plantings within the site shall be maintained at all times during the planning approval period;
- (i) the existing drainage facilities on the site shall be maintained at all times during the planning approval period;
- (j) the submission of a condition record of the existing drainage facilities within 3 months from the date of planning approval to the satisfaction of the Director of Drainage Services or of the TPB by 2.6.2018;
- (k) the provision of fire extinguisher(s) with valid fire certificate (FS 251) within 6 weeks from the date of planning approval to the satisfaction of the Director of Fire Services or of the TPB by 13.4.2018;
- (l) the submission of a fire service installations proposal within 6 months from the date of planning approval to the satisfaction of the Director of Fire Services or of the TPB by 2.9.2018;
- (m) in relation to (l) above, the implementation of the fire service installations proposal within 9 months from the date of planning approval to the satisfaction of the Director of Fire Services or of the TPB by 2.12.2018;
- (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 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.”

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

### **Agenda Item 46**

#### **Section 16 Application**

[Open Meeting (Presentation and Question Sessions Only)]

A/YL-TYST/878 Temporary Eating Place with Ancillary Parking Spaces for a Period of 3 Years in “Residential (Group B) 1” Zone, Lots 1355 RP and 1356 RP (Part) in D.D. 121, Tong Yan San Tsuen, Yuen Long  
(RNTPC Paper No. A/YL-TYST/878)

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

168. 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) temporary eating place with ancillary parking spaces 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 from a member of Yuen Long District Council and an individual were received objecting to the application. Major objection grounds were

set out in paragraph 10 of the Paper; and

- (e) the Planning Department (PlanD)'s views – PlanD considered that the temporary use could be tolerated for a period of three years based on the assessments set out in paragraph 11 of the Paper. The proposed eating place was considered not incompatible with the surrounding areas comprising a mix of residential developments/dwellings, community uses, petrol filling stations, electricity substation, car park, warehouse and open storage uses. Although the proposed development was not entirely in line with the planning intention of the “Residential (Group B)1” zone, it could provide eating facility to serve such demand in the area and approval of the application on a temporary basis would not jeopardize the long-term development of the site. Since the last application No. A/YL-TYST/789 was revoked due to non-compliance with the approval condition concerning the implementation of the tree preservation and landscape proposal, shorter compliance period was recommended in order to closely monitor the progress on compliance with the approval conditions. Regarding the public comments received, the comments of government departments and the planning assessments above were relevant.

169. Members had no question on the application.

#### Deliberation Session

170. After deliberation, the Committee decided to approve the application on a temporary basis for a period of 3 years until 2.3.2021, on the terms of the application as submitted to the Town Planning Board (TPB) and subject to the following conditions :

- “(a) no operation between 11:00 p.m. and 12:00 p.m., as proposed by the applicant, is allowed on the site during the planning approval period;
- (b) no outdoor seating accommodation, as proposed by the applicant, is allowed at the site at any time during the planning approval period;



- (c) no sound or audio equipments are allowed to be used in the open areas of the site, as proposed by the applicant, at any time during the planning approval period;
- (d) no vehicle is allowed to queue back to or reverse onto/from public road at any time during the planning approval period;
- (e) the existing trees and landscape planting on the site shall be maintained at all times during the planning approval period;
- (f) 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 2.9.2018;
- (g) if any of the above planning condition (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;
- (h) if the above planning condition (f) is not complied with by the specified date, the approval hereby given shall cease to have effect and shall on the same date be revoked without further notice; and
- (i) upon expiry of the planning permission, the reinstatement of the site to an amenity area to the satisfaction of the Director of Planning or of the TPB.”

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

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

**Agenda Item 47**

Any Other Business

Section 16A Application

[Open Meeting]

A/SK-PK/238-1      Application for Extension of Time (EOT) for Compliance with  
Planning Conditions, G/F, 9A Po Tung Road, Lot 1773 (Part) in D.D.  
221, Sai Kung, New Territories

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172.      The Secretary reported that the application was approved with conditions by the Committee on 12.5.2017. The deadline for compliance with approval condition (c) was 12.2.2018.

173.      The Committee noted that an application for extension of time for compliance with approval condition (c) up till 12.11.2018 was received by the Town Planning Board on 9.2.2018, which was only two working days before the expiry of the specified time limit for the approval condition (c). It was recommended not to consider the application as the deadline for compliance with condition (c) had already expired on 13.2.2018, and the planning approval for the subject application had ceased to have effect and had on the same date been revoked.

174.      Members agreed that the Committee could not consider the section 16A application as the planning permission was no longer valid at the time of consideration.

175.      There being no other business, the meeting closed at 5:15 p.m..