

TOWN PLANNING BOARD

**Minutes of 599th Meeting of the
Rural and New Town Planning Committee held at 2:30 p.m. on 16.3.2018**

Present

Director of Planning
Mr Raymond K.W. Lee

Chairman

Mr H.W. Cheung

Vice-chairman

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

Miss Winnie W.M. Ng

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

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

Principal Environmental Protection Officer (Strategic Assessment),
Environmental Protection Department
Mr Raymond W.M. 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

Professor K.C. Chau

Mr Ivan C.S. Fu

Ms Janice W.M. Lai

Mr Alex T.H. Lai

Dr Lawrence K.C. Li

Mr Stephen L.H. Liu

In Attendance

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

Chief Town Planner/Town Planning Board
Ms April K.Y. Kun

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

Agenda Item 1

Confirmation of the Draft Minutes of the 598th RNTPC Meeting held on 2.3.2018

[Open Meeting]

1. The draft minutes of the 598th RNTPC meeting held on 2.3.2018 were confirmed without amendments.

Agenda Item 2

Matters Arising

[Open Meeting]

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

Sha Tin, Tai Po and North District

Agenda Item 3

Section 12A Application

[Open Meeting]

Y/MOS/4 Application for Amendment to the Approved Ma On Shan Outline Zoning Plan No. S/MOS/22, To Rezone the Application Site from “Other Specified Uses” annotated “Educational and Recreational Development”, “Green Belt”, “Government, Institution or Community” Zones and an area shown as ‘Road’ to “Residential (Group C) 4”, “Government, Institution or Community”, “Green Belt” Zones and an area shown as ‘Road’, Various Lots in D.D. 167 and Adjoining Government Land, Nai Chung, Ma On Shan
(RNTPC Paper No. Y/MOS/4C)

3. The Secretary reported that the application was submitted by Prolong Limited, which was a subsidiary of Sun Hung Kai Properties Limited (SHK). Llewelyn-Davies Hong Kong Limited (LD), AECOM Asia Company Limited (AECOM) and Ramboll Environ Hong Kong Limited (Environ) were three of the consultants of the applicant. The following Members had declared interests on the item:

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| Mr Ivan C.S. Fu |] having current business dealings with SHK, |
| Ms Janice W.M. Lai |] AECOM and Environ; |
| Mr Stephen L.H. Liu | - having past business dealings with SHK and LD; |
| Dr C.H. Hau | - having current business dealings with AECOM; |
| Miss Winnie W.M. Ng | - being a Director of the Kowloon Motor Bus Co. (1933) Limited (KMB) and SHK was one of the shareholders of KMB; and |

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

4. The Committee noted that Mr Ivan C.S. Fu, Ms Janice W.M. Lai and Mr Stephen L.H. Liu had tendered apologies for being unable to attend the meeting, Miss Winnie W.M. Ng had not yet arrived to join the meeting, and the applicant had requested deferment of consideration of the application. Since the interest of Ms Christina M. Lee was indirect and Dr C.H. Hau had no involvement in the application, the Committee agreed that they could stay in the meeting.

5. The Committee noted that the applicant's representative requested on 2.3.2018 deferment of the consideration of the application for two months in order to allow time for preparation of further information to address departmental comments and to update the relevant technical assessments. It was the fourth time the applicant requested deferment of the application. Since the last deferment, the applicant had submitted responses to address departmental comments.

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

Agenda Item 4

Section 12A Application

[Open Meeting]

Y/ST/38 Application for Amendment to the Draft Sha Tin Outline Zoning Plan No. S/ST/33, To Rezone the Application Site from “Green Belt” and “Government, Institution or Community” Zones to “Residential (Group B) 4” Zone, Lots 379 and 380 RP in D.D. 186, Tung Lo Wan Hill Road, Sha Tin

(RNTPC Paper No. Y/ST/38)

7. The Secretary reported that the application site was located in Sha Tin. Llewelyn-Davies Hong Kong Limited (LD), Ramboll Environ Hong Kong Limited (Environ), Ronald Lu and Partners (RLP) and AECOM Asia Company Limited (AECOM) were four of the consultants of the applicant. The following Members had declared interests on the item:

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|---------------------|---|
| Mr Ivan C.S. Fu |] having current business dealings with Environ and |
| Ms Janice W.M. Lai |] AECOM; |
| Mr Stephen L.H. Liu | - having past business dealings with LD and RLP; |
| Dr C.H. Hau | - having current business dealings with AECOM; and |
| Ms Christina M. Lee | - her spouse owning a flat in Tai Wai, Sha Tin. |

8. The Committee noted that Mr Ivan C.S. Fu, Ms Janice W.M. Lai and Mr Stephen L.H. Liu had tendered apologies for being unable to attend the meeting and the applicant had requested deferment of consideration of the application. As the property owned by Ms Christina M. Lee’s spouse did not have a direct view of the site and Dr C.H. Hau had no involvement in the application, the Committee agreed that they could stay in the meeting

9. The Committee noted that the applicant’s representative requested on 28.2.2018 deferment of the consideration of the application for two months in order to allow time for

preparation of further information to address departmental comments. It was the first time the applicant requested deferment of the application.

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

Sai Kung and Islands District

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

Agenda Item 5

Section 16 Application

[Open Meeting (Presentation and Question Sessions Only)]

A/TKO/110 Proposed Flats (Departmental Quarters for Customs and Excise Department) in "Government, Institution or Community" Zone, Government Land in Area 123, Po Lam Road, Tseung Kwan O
(RNTPC Paper No. A/TKO/110)

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

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

Mr Ricky W.K. Ho - - owning a flat in Po Lam, TKO.

12. The Committee noted that Mr Ivan C.S. Fu and Ms Janice W.M. Lai have tendered apologies for being unable to attend the meeting and agreed that Mr Ricky W.K. Ho could stay in the meeting as his property did not have a direct view of the site.

Presentation and Question Sessions

13. With the aid of PowerPoint presentation, 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) the proposed flats (departmental quarters (DQ) for the Customs and Excise Department (C&ED));
- (c) departmental comments – departmental comments were set out in paragraph 10 of the Paper. Concerned departments had no objection to or no adverse comment on the application;
- (d) during the first three weeks of the statutory publication periods, a total of 24 public comments were received from Sai Kung District Council (SKDC) members, Hong Sing Garden residents and individuals. Among which, two supported the application, 13 objected to the application and the remaining provided views/concerns. Major views were set out in paragraph 11 of the Paper. Besides, the District Officer (Sai Kung) conveyed comments of the SKDC member of Hong Sing constituency as set out in paragraph 10.1.15 in the Paper;
- (e) the Planning Department (PlanD)’s views – PlanD had no objection to the application based on the assessments set out in paragraph 12 of the Paper.

The proposed development was in line with the planning intention of the “Government, Institution or Community” zone as well as the government policy to provide DQ for eligible civil servants. The proposed development was not incompatible with the surrounding land uses and developments. Technical assessments were submitted to demonstrate that there would be no adverse air ventilation, visual, landscape, traffic, and environmental, drainage and geotechnical impacts with the implementation of suitable mitigation measures. Concerned departments had no adverse comment on the application. Since the site was not required for the provision of other government, institution and community (GIC) facilities, the proposed development would not affect the provision of existing and planned GIC facilities in TKO and was in line with the Town Planning Board Guidelines No. 16. Regarding the public concerns, there were provisions of public car parking spaces in the vicinity as well as in the proposed government office development in TKO Area 67, and shopping facilities were available in Hong Sing Garden and Tsui Lam Shopping Centre. For other concerns raised in public comments, the comments of concerned departments and the planning assessments above were relevant.

14. A Member asked the following questions:

- (a) noted that there were public concerns on the insufficient provisions of car parking spaces and shopping facilities, whether these facilities could be accommodated within the proposed development; and
- (b) whether any GIC facilities in need could be accommodated in the proposed development and whether the provision of various GIC facilities in TKO area complied with the requirements of Hong Kong Planning Standards and Guidelines (HKPSG).

15. Ms Kitty S.T. Lam, STP/SKIs, made the following responses:

- (a) for car parking spaces provision, there were 232 ancillary car parking spaces in Hong Sing Garden and a public carpark for commercial vehicles

would be provided in TKO Area 67. Also, 35 open air car parking spaces would be provided within the proposed DQ, which complied with the requirements of HKPSG. Car parking provision within the site had already taken into account the site constraints and struck a balance with the need to provide private open space within the development;

- (b) shopping facilities were available in Hong Sing Garden and Tsui Lam Shopping Centre. Provision of retail facilities within the site was considered not appropriate as it would result in increase in building bulk; and
- (c) there was deficit in provision of primary school and hospital bed in TKO, however the site was considered not suitable for these GIC facilities due to the limited site area. Apart from the above, other GIC facilities provision in TKO generally complied with the requirements of HKPSG. Therefore, developing the site into DQ would not adversely affect the GIC provision in TKO area.

Deliberation Session

16. 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 16.3.2022, 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 building heights for the proposed development should not exceed the maximum building height of 185mPD;
- (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 a revised landscape proposal including tree preservation proposal to the satisfaction of the Director of

Planning or of the TPB; and

- (d) the implementation of road improvement measures at Po Lam Road North/Po Lam Road South as proposed by the applicant to the satisfaction of the Commissioner for Transport or of the TPB.”

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

[Mr H.W. Cheung arrived to join the meeting at this point.]

Agenda Item 6

Section 16 Application

[Open Meeting (Presentation and Question Sessions Only)]

A/TKO/112 Proposed School (Tutorial School) in “Residential (Group B)” Zone,
Shop 106-109, 1/F, Commercial and Garage Block, Hong Sing Garden,
1 Po Lam Road North, Tseung Kwan O
(RNTPC Paper No. A/TKO/112)

18. The Secretary reported that the site was located in Po Lam, Tseung Kwan O (TKO). Mr Ricky W.K. Ho had declared an interest on the item as he owned a flat in Po Lam, TKO. The Committee agreed that Mr Ricky W.K. Ho could stay in the meeting as his property did not have a direct view of the site.

Presentation and Question Sessions

19. 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) the proposed school (tutorial school);

- (c) departmental comments – departmental comments were set out in paragraph 9 of the Paper. Concerned departments had no objection to or no adverse comment on the application;
- (d) no public comment was received during the first three weeks of the statutory publication period; and
- (e) the Planning Department (PlanD)’s views – PlanD had no objection to the application based on the assessments set out in paragraph 11 of the Paper. The proposed use, which could serve the public including local residents, was not incompatible with the planning intention of the “Residential (Group B)” zone. The application was also in line with the Town Planning Board Guidelines No. 40 in that the proposed use was not incompatible with the existing commercial uses of the surrounding premises and would not create any significant adverse impacts on the surroundings nor disturbance to the residents of Hong Sing Garden.

20. Members had no question on the application.

Deliberation Session

21. 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 16.3.2022, 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 fire-fighting to the satisfaction of the Director of Fire Services or of the TPB.”

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

Agenda Item 7

Section 16 Application

[Open Meeting (Presentation and Question Sessions Only)]

A/SK-TMT/63 Proposed Public Utility Installation (Underground Cable and Transformer) and Excavation and Filling of Land in “Conservation Area” and “Green Belt” and “Village Type Development” Zones, Government Land in D.D. 163 and D.D. 216, O Tau, Sai Kung (RNTPC Paper No. A/SK-TMT/63)

23. The Secretary reported that the application was submitted by CLP Power Hong Kong Limited (CLP), which was a subsidiary of CLP Holdings Limited. Kum Shing (K.F.) Construction Company Limited (KSCCL) was the consultant of the applicant. The following Members had declared interests on the item:

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

24. The Committee noted that Mr Alex T.H. Lai and Mr Stephen L.H. Liu had tendered apologies for being unable to attend the meeting and agreed that Ms Christina M. Lee could stay in the meeting as her interest was indirect.

Presentation and Question Sessions

25. 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) the proposed public utility installation (underground cable and transformer) and excavation and filling of land;
- (c) departmental comments – departmental comments were set out in paragraph 9 of the Paper. Concerned departments had no objection to or no adverse comment on the application;
- (d) during the first three weeks of the statutory publication period, one public comment was received, raising concern on the application. Major views were set out in paragraph 10 of the Paper; and
- (e) the Planning Department (PlanD)'s views – PlanD had no objection to the application based on the assessments set out in paragraph 11 of the Paper. The proposed development, including underground cable and replacement of existing transformer, was essential for supplying electricity for residents of O Tau. The proposed utility installation and associated works would be carried out along existing local roads and the proposed cable route was the shortest to connect the nearest power supply point, according to the applicant. The surrounding vegetation and slope would not be affected. In view of the small scale of the proposed development, no adverse impact on the surrounding areas was anticipated and concerned departments had no adverse comment on the application. Regarding the concerns of the public comment, the comments of concerned departments and the planning assessments above were relevant.

26. Members had no question on the application.

Deliberation Session

27. 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 16.3.2022, 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.

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

Agenda Item 8

Section 16 Application

[Open Meeting (Presentation and Question Sessions Only)]

A/SK-CWBN/46 Proposed Public Utility Installation (Underground Cables) and Excavation of Land in “Conservation Area” and “Green Belt” and “Village Type Development” Zones, Government Land in D.D. 227, Pik Shui Sun Tsuen, Sai Kung
(RNTPC Paper No. A/SK-CWBN/46)

29. The application was submitted by CLP Power Hong Kong Limited (CLP), which was a subsidiary of CLP Holdings Limited. Kum Shing (K.F.) Construction Company Limited (KSCCL) was the consultant of the applicant. Also, the site was located within Clearwater Bay North. The following Members had declared interests on the item:

- Mr Alex T.H. Lai - his firm having current business dealings with KSCCL and past business dealings with CLP;
- Mr Stephen L.H. Liu - having past business dealings with CLP;
- Ms Christina M. Lee - being the Secretary-General of the Hong Kong Metropolitan Sports Events Association, which had obtained sponsorship from CLP before; and
- Mr David Y.T. Lui - co-owning with spouse two properties in Clearwater Bay area.

30. The Committee noted that Mr Alex T.H. Lai and Mr Stephen L.H. Liu had

tendered apologies for being unable to attend the meeting. Since the interest of Ms Christina M. Lee was indirect, and Mr David Y.T. Lui's properties did not have a direct view of the site, the Committee agreed that they could stay in the meeting.

Presentation and Question Sessions

31. 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 public utility installation (underground cables) and excavation of land;
- (c) departmental comments – departmental comments were set out in paragraph 8 of the Paper. Concerned departments had no objection to or no adverse comment on the application;
- (d) no public comment was received during the first three weeks of the statutory publication period; 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 underground cables were essential to fulfil the electricity demand and ensure power supply security for Pik Shui Sun Tsuen. In view of the small scale of the proposed development and given that the site was located along the existing village access road, adverse impact on the surrounding areas were not anticipated and concerned departments had no adverse comment on the application.

32. Members had no question on the application.

Deliberation Session

33. 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 16.3.2022, 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 submission and implementation of tree preservation proposal to the satisfaction of the Director of Planning or of the TPB.”

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

Agenda Item 9

Section 16 Application

[Open Meeting (Presentation and Question Sessions Only)]

A/SK-CWBS/27 Renewal of Planning Approval for Temporary Private Swimming Pools for a Period of 3 Years in “Village Type Development” Zone, Lots 114, 115, 117, 118 and 119 in D.D. 235, Sheung Sze Wan, Sai Kung
(RNTPC Paper No. A/SK-CWBS/27)

35. The Secretary reported that Centaline Surveyors Limited, which was a subsidiary of Centaline Group (Centaline), was one of the consultants of the applicant. Mr Alex T.H. Lai had declared an interest on the item as his firm had current business dealings with Centaline. The Committee noted that Mr Alex T.H. Lai had tendered an apology for being unable to attend the meeting.

Presentation and Question Sessions

36. The Committee noted that two replacement pages (appendices III and IV of the Paper), renumbering the appendices, had been dispatched to Members before the meeting. Mr William W.T. Wong, STP/SKIs, presented the application and covered the following aspects as detailed in the Paper :

- (a) background to the application;
- (b) the renewal of planning approval for temporary private swimming pools for a period of three years;
- (c) departmental comments – departmental comments were set out in paragraph 10 of the Paper. The District Lands Officer/Sai Kung (DLO/SK) did not support the application unless the issue of the unauthorized occupation of government land could be resolved. Other concerned departments had no objection to or no adverse comment on the application;
- (d) during the first three weeks of the statutory publication period, one public comment was received, raising objection to the application. Major objection grounds were set out in paragraph 11 of the Paper; and
- (e) the Planning Department (PlanD)’s views – PlanD considered that the temporary use could be tolerated for a further period of three years based on the assessments set out in paragraph 12 of the Paper. Although the temporary use was not entirely in line with the planning intention of the “Village Type Development” zone, given the temporary nature and that there was no Small House application at the site, the long-term planning intention would not be frustrated. Besides, the temporary use was not incompatible with the surrounding land uses. Regarding DLO/SK’s comments, the concerned unauthorized occupation area was outside the site. The application was generally in line with the Town Planning Board Guidelines No. 34B in that there had been no major change in planning circumstances since the last planning approval, the three years approval period sought was the same as the previous approval and other concerned departments had no objection to or no adverse comment on the application. Regarding the adverse public comment, the comments of concerned departments and the planning assessments above were relevant.

37. Members had no question on the application.

Deliberation Session

38. After deliberation, the Committee decided to approve the application on a temporary basis for a period of 3 years, and be renewed from 31.3.2018 until 30.3.2021, on the terms of the application as submitted to the Town Planning Board (TPB).

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

Agenda Item 10

Section 16 Application

[Open Meeting]

A/SK-CWBS/28 Proposed Public Utility Installation (Pole with Transformer and Underground Cable) and Excavation of Land in “Conservation Area” Zone, Government Land in D.D. 230, Siu Hang Hau, Sai Kung
(RNTPC Paper No. A/SK-CWBS/28)

40. The Secretary reported that the application was submitted by CLP Power Hong Kong Limited (CLP), which was a subsidiary of CLP Holdings Limited. Kum Shing (K.F.) Construction Company Limited (KSCCL) was the consultant of the applicant. The following Members had declared interests on the item:

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

Mr Stephen L.H. Liu - having past business dealings with CLP; and

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

41. The Committee noted that Mr Alex T.H. Lai and Mr Stephen L.H. Liu had tendered apologies for being unable to attend the meeting and the applicant had requested deferment of consideration of the application. Since the interest of Ms Christina M. Lee was indirect, the Committee agreed that she could stay in the meeting.

42. The Committee noted that the applicant's representative requested on 2.3.2018 deferment of the consideration of the application for two months in order to allow time for preparation of further information to address departmental comments. It was the first time the applicant requested deferment of the application.

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

Agenda Item 11

Section 16 Application

[Open Meeting (Presentation and Question Sessions Only)]

A/SK-CWBS/29 Proposed Public Utility Installation (Underground Cable) and Excavation of Land in “Conservation Area” and “Village Type Development” Zones, Government Land in D.D. 225, Ha Yeung, Sai Kung
(RNTPC Paper No. A/SK-CWBS/29)

44. The Secretary reported that the application was submitted by CLP Power Hong Kong Limited (CLP), which was a subsidiary of CLP Holdings Limited. Kum Shing (K.F.) Construction Company Limited (KSCCL) was the consultant of the applicant. The following Members had declared interests on the item:

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

45. The Committee noted that Mr Alex T.H. Lai and Mr Stephen L.H. Liu had tendered apologies for being unable to attend the meeting and agreed that Ms Christina M. Lee could stay in the meeting as her interest was indirect.

Presentation and Question Sessions

46. 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 public utility installation (underground cable) and excavation of land;
- (c) departmental comments – departmental comments were set out in paragraph 8 of the Paper. Concerned departments had no objection to or no adverse comment on the application;
- (d) no public comment was received during the first three weeks of the statutory publication period; 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 underground cable was essential installation to fulfil the electricity demand for Ha Yeung. In view of the small scale of the proposed development and given that the site was located along the existing village access road, adverse impact on the surrounding areas was not anticipated and concerned departments had 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 the terms of the application as submitted to the Town Planning Board (TPB). The permission should be valid until 16.3.2022, 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.

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

Agenda Items 12 and 14

Section 16 Applications

[Open Meeting (Presentation and Question Sessions Only)]

A/SK-HC/281 Proposed Public Utility Installation (Underground Cables) and
Excavation of Land in “Conservation Area” and “Village Type
Development” Zones, Government Land in D.D. 247, Tin Liu, Sai
Kung
(RNTPC Paper No. A/SK-HC/281A)

A/SK-HC/283 Proposed Public Utility Installation (Underground Cable) and
Excavation of Land in “Conservation Area” and “Village Type
Development” Zones, Government Land in D.D. 247 and D.D. 249,
Wang Che, Sai Kung
(RNTPC Paper No. A/SK-HC/283)

50. The Committee noted that the two section 16 applications for proposed public utility installation (underground cable(s)) and excavation of land were similar in nature and the sites were located in proximity to each other and falling partly within the same “Conservation Area” (“CA”), and agreed that they could be considered together.

51. The Secretary reported that the applications were submitted by CLP Power Hong Kong Limited (CLP), which was a subsidiary of CLP Holdings Limited. Kum Shing (K.F.) Construction Company Limited (KSCCL) was the consultant of the applicant. The following Members had declared interests on the items:

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

Mr Stephen L.H. Liu - having past business dealings with CLP; and

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

52. The Committee noted that Mr Alex T.H. Lai and Mr Stephen L.H. Liu had tendered apologies for being unable to attend the meeting and agreed that Ms Christina M. Lee could stay in the meeting as her interest was indirect.

Presentation and Question Sessions

53. Mr William W.T. Wong, STP/SKIs, presented the applications and covered the following aspects as detailed in each of the Papers :

- (a) background to the applications;
- (b) proposed public utility installation (underground cable(s)) and excavation of land at each of the sites;
- (c) departmental comments – departmental comments were set out in paragraph 8 of the Papers. Concerned departments had no objection to or no adverse comment on the applications;
- (d) no public comment was received during the first three weeks of the statutory publication period; and
- (e) the Planning Department (PlanD)'s views – PlanD had no objection to the applications based on the assessments set out in paragraph 10 of the Papers. The proposed underground cable(s) and associated works were essential for supplying electricity for the residents in Tin Liu and Wang Che. In view of the small scale of the proposed developments and given that the sites were located along the existing village access road, adverse impact on the surrounding areas was not anticipated and concerned departments had no adverse comment on the applications.

54. Members had no question on the applications.

Deliberation Session

55. After deliberation, the Committee decided to approve the applications, on the terms of the applications as submitted to the Town Planning Board (TPB). Each of the permission should be valid until 16.3.2022, 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.

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

Agenda Item 13

Section 16 Application

[Open Meeting]

A/SK-HC/282 Proposed Public Utility Installation (Pole with Transformer and Underground Cable) and Excavation of Land in “Conservation Area” and “Green Belt” Zones, Government Land in D.D. 249, Kai Ham Road, Sai Kung
(RNTPC Paper No. A/SK-HC/282)

57. The Secretary reported that the application was submitted by CLP Power Hong Kong Limited (CLP), which was a subsidiary of CLP Holdings Limited. Kum Shing (K.F.) Construction Company Limited (KSCCL) was the consultant of the applicant. The following Members had declared interests on the item:

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

Mr Stephen L.H. Liu - having past business dealings with CLP; and

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

58. The Committee noted that Mr Alex T.H. Lai and Mr Stephen L.H. Liu had tendered apologies for being unable to attend the meeting and the applicant had requested deferment of consideration of the application. Since the interest of Ms Christina M. Lee was indirect, the Committee agreed that she could stay in the meeting.

59. The Committee noted that the applicant's representative requested on 2.3.2018 deferment of the consideration of the application for two months in order to allow time for preparation of further information to address departmental comments. It was the first time the applicant requested deferment of the application.

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

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

Sha Tin, Tai Po and North District

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

Agenda Item 15

Section 16 Application

[Open Meeting (Presentation and Question Sessions Only)]

A/ST/940 Proposed Shop and Services (Retail Shop) in “Industrial” Zone,
Workshop 1 (Part), G/F, Wah Wai Centre, 38-40 Au Pui Wan Street,
Sha Tin
(RNTPC Paper No. A/ST/940)

61. The Secretary reported that the site was located in Fo Tan, Sha Tin. Professor K.C. Chau had declared an interest on the item as he co-owned with his spouse a flat in Fo Tan. The Committee noted that Professor K.C. Chau had tendered an apology for being unable to attend the meeting.

Presentation and Question Sessions

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

- (a) background to the application;
- (b) the proposed shop and services (retail shop);
- (c) departmental comments – departmental comments were set out in paragraph 9 of the Paper. Concerned departments had no objection to or no adverse comment on the application;
- (d) no public comment was received during the first three weeks of the statutory publication period; and

- (e) the Planning Department (PlanD)'s views – PlanD had no objection to the application on a temporary basis for a period of three years based on the assessments set out in paragraph 11 of the Paper. The proposed use was not incompatible with the industrial and industrial-related uses in the subject industrial building and the surrounding developments and similar applications had been approved on the ground floor of the adjacent industrial buildings. The application complied with Town Planning Board Guidelines No. 25D in that no adverse impact on fire safety and traffic aspects was anticipated. Currently, there was no valid approved application for commercial use on the ground floor of the subject building. The aggregate commercial floor area would be 76.77m², which was within the maximum permissible limit of 460m², should the current application be approved. Nevertheless, a temporary approval for a period of three years was recommended in order not to jeopardise the long-term planning intention of industrial use and to allow the Committee to monitor the supply and demand of industrial floor space in the area.

63. Members had no question on the application.

Deliberation Session

64. After deliberation, the Committee decided to approve the application on a temporary basis for a period of 3 years until 16.3.2021, on the terms of the application as submitted to the Town Planning Board (TPB) and subject to the following conditions :

- “(a) the submission and implementation of the fire safety measures to the satisfaction of the Director of Fire Services or of the TPB before operation of the use; and
- (b) if the above planning condition is not complied with before the operation of the use, the approval hereby given shall cease to have effect and shall on the same date be revoked without further notice.”

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

Agenda Item 16

Section 16 Application

[Open Meeting (Presentation and Question Sessions Only)]

A/ST/941 Shop and Services (Real Estate Agency) in “Industrial” Zone, Part A of
Workshop E3, LG/F, Wah Lok Industrial Centre Phase 2, 31-35 Shan
Mei Street, Sha Tin
(RNTPC Paper No. A/ST/941)

66. The Secretary reported that the site was located in Fo Tan, Sha Tin. Professor K.C. Chau had declared an interest on the item as he co-owned with his spouse a flat in Fo Tan. The Committee noted that Professor K.C. Chau had tendered an apology for being unable to attend the meeting.

Presentation and Question Sessions

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

- (a) background to the application;
- (b) the shop and services (real estate agency);
- (c) departmental comments – departmental comments were set out in paragraph 9 of the Paper. Concerned departments had no objection to or no adverse comment on the application;
- (d) no public comment was received during the first three weeks of the statutory publication period; and

- (e) the Planning Department (PlanD)'s views – PlanD had no objection to the application on a temporary basis for a period of three years based on the assessments set out in paragraph 11 of the Paper. The applied use was small in scale and not incompatible with the industrial and industrial-related uses in the subject industrial building and the surrounding developments. Similar applications for various 'Shop and Services' uses had been approved on the lower ground floor of the subject building. The application complied with the Town Planning Board Guidelines No. 25D in that no adverse impact on fire safety and traffic aspects was anticipated. The aggregate commercial floor area would be 75.29m², which was within the maximum permissible limit of 460m², should the current application be approved. Nevertheless, a temporary approval for a period of three years was recommended in order not to jeopardise the long-term planning intention of industrial use and to allow the Committee to monitor the supply and demand of industrial floor space in the area.

68. Members had no question on the application.

Deliberation Session

69. After deliberation, the Committee decided to approve the application on a temporary basis for a period of 3 years until 16.3.2021, on the terms of the application as submitted to the Town Planning Board (TPB) and subject to the following conditions :

- “(a) the submission and implementation of the fire safety measures within 6 months from the date of the approval to the satisfaction of the Director of Fire Services or of the TPB by 16.9.2018; and
- (b) if the above planning condition 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.”

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

Agenda Item 17

Section 16 Application

[Open Meeting]

A/NE-FTA/181 Temporary Cargo Handling and Forwarding Facility (Logistics Centre) for a Period of 3 Years in “Agriculture” Zone, Lots 40 RP (Part), 404 S.A (Part), 408 S.A RP (Part), 408 S.B RP (Part), 409, 410 (Part), 413 (Part), 414 (Part), 416 (Part), 417 RP (Part), 435, 436, 437 RP in D.D. 89 and Adjoining Government Land, Fu Tei Au, Sheung Shui
(RNTPC Paper No. A/NE-FTA/181A)

71. The Committee noted that the applicant’s representative requested on 27.2.2018 deferment of the consideration of the application for two months in order to allow time for preparation of further information to address departmental comments. It was the second time the applicant requested deferment of the application. Since the last deferment, the applicant had submitted further information in response to the comments of the Transport Department.

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

Agenda Item 18

Section 16 Application

[Open Meeting (Presentation and Question Sessions Only)]

A/NE-LK/111 Proposed House (New Territories Exempted House - Small House) in
 “Agriculture” and “Village Type Development” Zones, Lot 1523 S.B
 in D.D. 39, Ma Tseuk Leng, Sha Tau Kok
 (RNTPC Paper No. A/NE-LK/111)

Presentation and Question Sessions

73. Mr Tim T.Y. Fung, STP/STN, presented the application and covered the following aspects as detailed in the Paper :

- (a) background to the application;

- (b) the proposed house (New Territories Exempted House (NTEH) - Small House);

- (c) departmental comments – departmental comments were set out in paragraph 9 and Appednix II of the Paper. The Director of Agriculture, Fisheries and Conservation (DFAC) did not support the application as the site was an abandoned land overgrown with vegetation and agricultural activities in the vicinity were active. The Commissioner for Transport (C for T) had reservation on the application, but considered that the application only involved construction of one Small House could be tolerated. Other concerned departments had no objection to or no adverse comment on the application;

- (d) during the first three weeks of the statutory publication period, two public comments were received from a North District Council (NDC) member and the Chairman of Sheung Shui District Rural Committee (SSDRC). The NDC member supported the application, while the Chairman of SSDRC had no comment on the application. The District Officer (North) also

conveyed that the Indigenous Inhabitant Representative of Ma Tseuk Leung Sheung Village supported the application, while the Chairman of Sha Tau Kok District Rural Committee, the NDC member of subject constituency and the Resident Representative of Ma Tseuk Leung Sheung Village had no comment on the application; 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 site fell within an area partly zoned “Agriculture” and partly zoned “Village Type Development”. Although DAFC did not support the application, the proposed development was not incompatible with the surrounding environment predominated by abandoned farmlands, tree clusters and villages. Regarding the Interim Criteria for Consideration of Application for NTEH/Small House in New Territories, more than 50% of the footprint of the proposed Small House fell within the village ‘environs’ of Ma Tseuk Leung, Ma Tseuk Leng San Uk Ha and Wo Tong Kong. The site was the subject of a previous planning application No. A/NE-LK/77 for the same use approved by the Committee in March 2013. Sympathetic consideration could be given to the current application in that the Small House grant application of the site was approved in July 2016 while the building licence had not yet been issued.

74. Members had no question on the application.

Deliberation Session

75. After deliberation, the Committee decided to approve the application, on the terms of the application as submitted to the Town Planning Board (TPB). The permission should be valid until 16.3.2022, 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 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.”

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

Agenda Item 19

Section 16 Application

[Open Meeting]

A/NE-PK/128 Temporary Private Car Park (Private Cars and Light Goods Vehicles)
for a Period of 3 Years in “Agriculture” Zone, Lots 1641 RP (Part) and
1642 S.A to S.E in D.D. 91, Kai Leng, Sheung Shui
(RNTPC Paper No. A/NE-PK/128)

77. The Committee noted that the applicant’s representative requested on 7.3.2018 deferment of the consideration of the application for two months in order to allow time for preparation of further information to address departmental comments. It was the first time the applicant requested deferment of the application.

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

Agenda Item 20

Section 16 Application

[Open Meeting]

A/NE-TKL/584 Temporary Container Vehicle Repair Yard for a Period of 3 Years in
“Open Storage” Zone, Lot 2159 (Part) in D.D. 76 and Adjoining
Government Land, Wang Leng, Ping Che
(RNTPC Paper No. A/NE-TKL/584)

79. The Secretary reported that the site was located in Ping Che. Mr Alex T.H. Lai had declared an interest on the item as his father co-owned two lots of land in Ping Che area. The Committee noted that Mr Alex T.H. Lai had tendered an apology for being unable to attend the meeting.

80. The Committee noted that the applicant’s representative requested on 6.3.2018 deferment of the consideration of the application for two months in order to allow time for preparation of further information to address departmental comments. It was the first time the applicant requested deferment of the application.

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

Agenda Item 21

Section 16 Application

[Open Meeting (Presentation and Question Sessions Only)]

A/NE-KLH/542 Proposed House (New Territories Exempted House - Small House) in
“Agriculture” Zone, Lot 325 S.A ss.1 in D.D. 9, Kau Lung Hang, Tai
Po
(RNTPC Paper No. A/NE-KLH/542)

Presentation and Question Sessions

82. Ms Kathy C.L. Chan, STP/STN, drew Members’ attention that two replacement pages (pages 7 and 9 of the Paper), revising objection grounds of a public comment in paragraphs 10 and 11.7, had been tabled at the meeting for Members’ reference. She then presented the application and covered the following aspects as detailed in the Paper :

- (a) background to the application;
- (b) the proposed house (New Territories Exempted House (NTEH) - Small House)
- (c) departmental comments – departmental comments were set out in paragraph 9 and Appendix II of the Paper. The Director of Agriculture, Fisheries and Conservation (DAFC) did not support the application as the site possessed potential for agricultural rehabilitation. The Commissioner for Transport had reservation on the application, but considered that the application only involved development of one Small House could be tolerated. Other concerned departments had no objection to or no adverse comment on the application;
- (d) during the first three weeks of the statutory publication period, two public comments were received from MTR Corporation Limited and an individual, raising concerns on and objection to the application respectively. Major views were set out in paragraph 10 of the Paper; and

- (e) the Planning Department (PlanD)'s views – PlanD had no objection to the application based on the assessments set out in paragraph 11 of the Paper. Although the proposed Small House was not in line with the planning intention of the “Agriculture” zone and DAFC did not support the application, it was not incompatible with the surrounding areas which were predominately rural in character. Regarding the Interim Criteria for Consideration Application for NTEH/Small House in New Territories, more than 50% of the footprint of the proposed Small House fell within the village ‘environs’ of Yuen Leng and Kau Lung Hang and the proposed Small House located within the upper indirect water gathering grounds would be able to be connected to public sewerage system. The site was the subject of a previous planning application No. A/NE-KLH/400 for the same use approved by the Committee in 2010. Since there had been no major change in planning circumstances in the area, special consideration could be given to the current application. Relevant approval conditions were recommended to address the technical comments of concerned departments. Regarding the concerns of the public comments, the comments of the concerned departments and the planning assessments above were relevant.

83. Members had no question on the application.

Deliberation Session

84. After deliberation, the Committee decided to approve the application, on the terms of the application as submitted to the Town Planning Board (TPB). The permission should be valid until 16.3.2022, 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 and implementation of landscape proposal to the satisfaction of the Director of Planning or of the TPB;

- (b) the provision of drainage facilities to the satisfaction of the Director of Drainage Services or of the TPB;
- (c) the connection of the foul water drainage system to the public sewers to the satisfaction of the Director of Water Supplies or of the TPB; and
- (d) the provision of protective measures to ensure no pollution or siltation occurs to the water gathering grounds to the satisfaction of the Director of Water Supplies or of the TPB.”

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

Agenda Item 22

Section 16 Application

[Open Meeting (Presentation and Question Sessions Only)]

A/NE-KLH/543 Proposed House (New Territories Exempted House - Small House) in
“Agriculture” Zone, Lot 857 RP in D.D. 9, Tai Wo Village, Tai Po
(RNTPC Paper No. A/NE-KLH/543)

Presentation and Question Sessions

86. 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) the proposed house (New Territories Exempted House (NTEH) - Small House);
- (c) departmental comments – departmental comments were set out in paragraph 10 and Appendix II of the Paper. The Commissioner for

Transport (C for T) had reservation on the application but considered that the application only involved development of one Small House could be tolerated. Other concerned departments had no objection to or no adverse comment on the application;

- (d) during the first three weeks of the statutory publication period, two public comments were received from MTR Corporation Limited and an individual, raising concerns on and objection to the application respectively. Major 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 Small House development was not in line with the planning intention of “Agriculture” zone. Regarding the Interim Criteria for Consideration of Application for NTEH/Small House in New Territories, more than 50% of the footprint of the proposed Small House fell within the village ‘environs’ of Yuen Leng, Kau Lung Hang San Wai and Kau Lung Hang Lo Wai and Tai Wo and land was still available within the “Village Type Development” (“V”) zone to meet the outstanding Small House applications. It was considered more appropriate to concentrate the proposed Small House development within the “V” zone for orderly development pattern, efficient use of land and provision of infrastructures and services. Besides, a similar application No. A/NE-KLH/526 located to the north of the site was rejected by the Committee on 18.8.2017 on similar considerations. Regarding the concerns of the public comments, the comments of concerned departments and the planning assessments above were relevant.

87. Members had no question on the application.

Deliberation Session

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

- “(a) the proposed development is not in line with the planning intention of the “Agriculture” zone, which is primarily to retain and safeguard good quality agricultural land/farm/fish ponds for agricultural purposes. It is also intended to retain fallow arable land with good potential for rehabilitation for cultivation and other agricultural purposes. There is no strong planning justification in the submission for a departure from the planning intention; and
- (b) land is still available within the “Village Type Development” (“V”) zone of Yuen Leng, Kau Lung Hang and Tai Wo which is primarily intended for Small House development. It is considered more appropriate to concentrate the proposed Small House development within the “V” zone for more orderly development pattern, efficient use of land and provision of infrastructure and services.”

Agenda Item 23

Section 16 Application

[Open Meeting (Presentation and Question Sessions Only)]

A/NE-KLH/544 Proposed House (New Territories Exempted House - Small House) in
“Agriculture” Zone, Lot 521 S.A in D.D. 9, Yuen Leng Village, Kau
Lung Hang, Tai Po
(RNTPC Paper No. A/NE-KLH/544)

Presentation and Question Sessions

89. 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) the proposed house (New Territories Exempted House (NTEH) - Small

House);

- (c) departmental comments – departmental comments were set out in paragraph 10 and Appendix II of the Paper. The Director of Environmental Protection (DEP) did not support the application as the site fell within the water gathering grounds (WGG) but no public sewerage would be available to serve the proposed Small House in the short term, the proposed use of septic tank and soakaway system was not acceptable and the proposed Small House would be subject to significant railway noise impact. The Chief Engineer/Construction of Water Supplies Department (CE/C, WSD) also objected to the application as there was no programme for the construction of planned public sewers to serve Yuen Leng Village. The Commissioner for Transport had reservation on the application but considered that the application only involved development of one Small House could be tolerated. Other concerned departments had no objection to or no adverse comment on the application;
- (d) during the first three weeks of the statutory publication period, two public comments were received from MTR Corporation Limited and an individual, raising concerns on and objection to the application respectively. Major 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 Small House development was not in line with the planning intention of the “Agriculture” zone. Regarding the Interim Criteria for Consideration of Application for NTEH/Small House in New Territories (Interim Criteria), more than 50% of footprint of the proposed Small House fell within the village ‘environs’ of Yuen Leng, Kau Lung Hang San Wai and Kau Lung Hang Lo Wai and Tai Wo and land was still available within the “Village Type Development” (“V”) zone to meet the outstanding Small House applications. It was considered more appropriate to concentrate the proposed Small House development within the “V” zone for orderly development pattern, efficient use of land and provision of infrastructures

and services. Besides, the application did not comply with the Interim Criteria in that DEP and CE/C, WSD objected to the application. Regarding the concerns of the public comments, the comments of concerned departments and the planning assessments above were relevant.

90. Members had no question on the application.

Deliberation Session

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

- “(a) the proposed development is not in line with the planning intention of the “Agriculture” zone, which is primarily to retain and safeguard good quality agricultural land/farm/fish ponds for agricultural purposes. It is also intended to retain fallow arable land with good potential for rehabilitation for cultivation and other agricultural purposes. There is no strong justification in the current 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 Small House located within the water gathering ground is not able to be connected to the existing/planned sewerage system in the area as there is no fixed programme for implementation of such system at this juncture;
- (c) the applicant fails to demonstrate that the proposed development located within the water gathering ground would not cause adverse impact on the water quality in the area;
- (d) the proposed development would be subject to adverse noise impact generated by the East Rail nearby, and there is no information in the submission to demonstrate that the proposed development will be in

compliance with the Noise Control Ordinance (Cap. 400); and

- (e) land is still available within the “Village Type Development” (“V”) zone of Yuen Leng, Kau Lung Hang San Wai and Kau Lung Hang Lo Wai which is primarily intended for Small House development. It is considered more appropriate to concentrate the proposed Small House development within the “V” zone for more orderly development pattern, efficient use of land and provision of infrastructure and services.”

Agenda Items 24 and 25

Section 16 Applications

[Open Meeting (Presentation and Question Sessions Only)]

A/NE-LT/625 Proposed House (New Territories Exempted House - Small House) in “Agriculture” Zone, Government Land in D.D. 19, Chuen Shui Tseng Village, Lam Tsuen, Tai Po
(RNTPC Paper No. A/NE-LT/625)

A/NE-LT/626 Proposed House (New Territories Exempted House - Small House) in “Agriculture” Zone, Government Land in D.D. 19, Chuen Shui Tseng Village, Lam Tsuen, Tai Po
(RNTPC Paper No. A/NE-LT/626)

92. As the two section 16 applications for proposed house (New Territories Exempted House (NTEH) - Small House) were similar in nature and the sites were located adjoining each other and within the same “Agriculture” (“AGR”) zone, the Committee agreed that the two applications could be considered together.

Presentation and Question Sessions

93. Ms Kathy C.L. Chan, STP/STN, presented the applications and covered the following aspects as detailed in each the Papers :

- (a) background to the applications;

- (b) the proposed house (NTEH - Small House) at each of the sites;
- (c) departmental comments – departmental comments were set out in paragraph 9 and Appendix II of the Papers. The Director of Agriculture, Fisheries and Conservation (DAFC) did not support the applications as the sites possessed potential for agricultural rehabilitation. The Commissioner for Transport (C for T) had reservation on the applications but considered that each applications only involved development of one Small House could be tolerated. Other concerned departments had no objection to or no adverse comment on the applications;
- (d) during the first three weeks of the statutory publication period, two objecting comments in respect of application No. A/NE-LT/625 were received from Designing Hong Kong Limited (DHK) and an individual, and one objecting comments in respect of application No. A/NE-LT/626 was received from DHK. Major objection grounds were set out in paragraph 10 of the Papers; and
- (e) the Planning Department (PlanD)’s views – PlanD did not support the applications based on the assessments set out in paragraph 11 of the Papers. The proposed Small House developments were not in line with the planning intention of the “AGR” zone and DAFC did not support the applications. Regarding the Interim Criteria for Consideration of Application for NTEH/Small House in New Territories (Interim Criteria), while more than 50% of the footprint of the proposed Small Houses fell within the village ‘environs’ of Chuen Shui Tseng and the proposed developments within water gathering grounds would be able to be connected to the public sewerage system. The applications did not comply with the Interim Criteria in that there was no general shortage of land in meeting the Small House demand and it was more appropriate to concentrate the proposed Small House developments within the “Village Type Development” zone for orderly development pattern, efficient use of land and provision of infrastructures and services. Regarding the adverse

public comments, the comments of concerned departments and the planning assessments above were relevant.

94. Members had no question on the applications.

Deliberation Session

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

- “(a) the proposed development is not in line with the planning intention of the “Agriculture” zone, which is primarily to retain and safeguard good quality agricultural land/farm/fish ponds for agricultural purposes. It is also intended to retain fallow arable land with good potential for rehabilitation for cultivation and other agricultural purposes. There is no strong planning justification in the submission for a departure from the planning intention;
- (b) the proposed development does not comply with the Interim Criteria for Consideration of Application for New Territories Exempted House/Small House in New Territories in that there is no general shortage of land in meeting the demand for Small House development in the “Village Type Development” (“V”) zone of Chuen Shui Tseng; and
- (c) land is still available within the “V” zone of Chuen Shui Tseng which is primarily intended for Small House development. It is considered more appropriate to concentrate the proposed Small House development within the “V” zone for more orderly development pattern, efficient use of land and provision of infrastructure and services.”

Agenda Item 26

Section 16 Application

[Open Meeting]

A/NE-LT/627

Proposed House (New Territories Exempted House - Small House) in
“Agriculture” Zone, Lots 258 S.A ss.2 and 258 S.C in D.D. 8, Tai
Mong Che Village, Lam Tsuen, Tai Po
(RNTPC Paper No. A/NE-LT/627B)

96. The Committee noted that the applicant’s representative requested on 28.2.2018 deferment of the consideration of the application for two months in order to allow time for preparation of further information to address departmental comments. It was the second time the applicant requested deferment of the application. Since the last deferment, the applicant had submitted further information in response to departmental comments.

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

Agenda Items 27 and 28

Section 16 Applications

[Open Meeting (Presentation and Question Sessions Only)]

A/NE-LT/633 Proposed House (New Territories Exempted House - Small House) in
“Agriculture” and “Village Type Development” Zones, Lot 1287 S.B
in D.D. 8, Lam Tsuen, Tai Po
(RNTPC Paper No. A/NE-LT/633)

A/NE-LT/634 Proposed House (New Territories Exempted House - Small House) in
“Agriculture” and “Village Type Development” Zones, Lots 1287 S.A
and 1287 S.D in D.D. 8, Lam Tsuen San Tsuen, Tai Po
(RNTPC Paper No. A/NE-LT/634)

98. As the two section 16 application for proposed house (New Territories Exempted House (NTEH) - Small House) were similar in nature and the sites were located adjoining each other and within the same “Agriculture” (“AGR”) and “Village Type Development” (“V”) zones, The Committee agreed that the two applications could be considered together.

Presentation and Question Sessions

99. Ms Kathy C.L. Chan, STP/STN, drew Members’ attention that two replacement pages (page 6 of Paper No. A/NE-LT/634 and page 2 of Appendix IV of Paper No. A/NE-LT/634), rectifying typographic errors, had been dispatched to Members before the meeting and two other replacement pages (page 4 of Paper No. A/NE-LT/633 and page 4 of Paper No. A/NE-LT/634) with revised remarks related to village ‘environs’, had been tabled at the meeting for Members’ reference. She then presented the applications and covered the following aspects as detailed in each of the Papers :

- (a) background to the applications;
- (b) the proposed house (NTEH - Small House) at each of the sites;
- (c) departmental comments – departmental comments were set out in paragraph 9 and Appendix II of the Papers. The Director of Agriculture,

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

- (d) during the first three weeks of the statutory publication period, two public comments in respect of application No. A/NE-LT/633 were received from World Wide Fund For Nature Hong Kong (WWF) and an individual, and three public comments in respect of application No. A/NE-LT/634 were received from WWF and two individuals. All public comments were raising objection to the applications. Major objection grounds were set out in paragraph 10 of the Papers; and
- (e) the Planning Department (PlanD)'s views – PlanD did not support the applications based on the assessments set out in paragraph 11 of the Papers. The proposed Small House developments were not in line with the planning intention of the “AGR” zone and DAFC did not support the applications. Regarding the Interim Criteria for Consideration of Application of NTEH/Small House in New Territories, while more than 50% of the footprint of the proposed Small Houses fell within the village ‘environs’ of Lam Tsuen San Tsuen and the proposed Small Houses within water gathering grounds would be able to be connected to the public sewerage system, land was still available within the “V” zone to meet the outstanding Small House applications. It was more appropriate to concentrate the proposed Small House developments within the “V” zone for orderly development pattern, efficient use of land and provision of infrastructures and services. Regarding the adverse public comments, the comments of concerned departments and the planning assessments above were relevant.

100. Members had no question on the applications.

Deliberation Session

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

- “(a) the proposed development is not in line with the planning intention of the “Agriculture” zone which is primarily to retain and safeguard good quality agricultural land/farm/fish ponds for agricultural purposes and also intended to retain fallow arable land with good potential for rehabilitation for cultivation and other agricultural purposes. There is no strong planning justification in the current submission for a departure from the planning intention; and
- (b) land is still available within the “Village Type Development” (“V”) zone of Lam Tsuen San Tsuen and San Tsuen Lo Wai which is primarily intended for Small House development. It is considered more appropriate to concentrate the proposed Small House development within the “V” zone for more orderly development pattern, efficient use of land and provision of infrastructure and services.”

Agenda Item 29

Section 16 Application

[Open Meeting (Presentation and Question Sessions Only)]

A/NE-TK/625 Temporary Barbecue Site and Car Park for a Period of 3 Years in “Agriculture” Zone and an area shown as ‘Road’, Lots 384 RP (Part), 388 (Part), 393 (Part), 394, 395 and 396 RP (Part) in D.D. 17 and Lots 317, 318, 321, 322, 323 S.A, 323 S.B, 323 S.C (Part), 324, 1016 RP (Part), 1019 RP, 1020 RP, 1022, 1023 S.A, 1023 S.B, 1023 S.C, 1023 S.D, 1023 S.E, 1023 S.F, 1023 S.G, 1023 RP, 1024 S.B, 1024 S.C, 1024 S.D, 1024 S.E, 1024 RP, 1025 S.A, 1025 S.B, 1025 RP, 1026, 1027 (Part), 1028 S.A, 1028 S.B, 1028 S.C, 1028 S.D, 1028 RP, 1029 (Part), 1040 (Part), 1041 to 1044, 1049 and 1050 in D.D. 29, Ting Kok Village, Ting Kok Road, Tai Po
(RNTPC Paper No. A/NE-TK/625A)

Presentation and Question Sessions

102. 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) the temporary barbecue site and car park for a period of three years;
- (c) departmental comments – departmental comments were set out in paragraph 9 of the Paper. The Director of Agriculture, Fisheries and Conservation (DAFC) did not support the application as the site possessed high potential for agricultural rehabilitation. Other concerned departments had no objection to or no adverse comment on the application;
- (d) during the first three weeks of the statutory publication period, one public comment was received from an individual raising objection 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. Although the applied use was not in line with the planning intention of the “Agriculture” zone and DAFC did not support the application, it was not incompatible with the surrounding areas predominated by agricultural land intermixing with barbecue sites and temporary structures. The site was the subject or formed part of seven previous applications for the same use approved between 2006 and 2015. The last two previous applications No. A/NE-TK/494 and 565, which were submitted by the same applicant, were approved with conditions in 2014 and 2015 respectively. However, the planning permissions were subsequently revoked on 25.4.2015 and 20.11.2016 respectively due to non-compliance with approval conditions,

particularly on the requirement for submission and implementation of proposal of fire service installations (FSIs) and water supply for fire fighting. The applicant had provided justifications for non-compliance and submitted FSIs certificate to address departmental concerns. Nevertheless, shorter compliance periods were recommended for closely monitoring of the progress on compliance with approval conditions, should the application be approved. Regarding the adverse public comment, the comments of concerned departments and the planning assessments above were relevant.

103. A Member asked the following questions:

- (a) whether there was any approved planning application for similar use in the vicinity; and
- (b) the applicant's proposal in handling sewage generated by the daily operation of the site and the presence of sewerage system nearby the site.

104. Ms Kathy C.L. Chan, STP/STN, made the following responses:

- (a) a similar application No. A/NE-TK/624 located to the immediate east of the site was approved with conditions by the Committee on 9.2.2018; and
- (b) some drainage facilities had been implemented at the site under the previous application and no environmental complaint related to the site had been received in the past three years. An approval condition was recommended to require the applicant to maintain the existing drainage facilities on the site, should the application be approved. However, concerned department did not require the submission and implementation of a sewerage proposal and thus no such approval condition was recommended.

105. The Committee noted the comments of the Chief Engineer/Mainland North, Drainage Services Department in paragraph 9.1.6(d) of the Paper that an existing public sewerage connection was available in the vicinity of the site. Mr Raymond W.M. Wong, Principal Environmental Protection Officer (Strategic Assessment) of the Environmental Protection Department, said that the site could be connected to the existing sewerage system if needed and appropriate. The Committee agreed that relevant approval conditions should be imposed to ensure that the applicant would properly handle sewage discharge and to advise the applicant to follow the latest 'Code of Practice on Handling the Environmental Aspects of Temporary Uses and Open Storage Sites'.

106. The Chairman reminded that PlanD should take note to Members' concern on potential sewage impact arising from future planning applications located in the vicinity of conservation zonings.

107. After deliberation, the Committee decided to approve the application on a temporary basis for a period of 3 years until 16.3.2021, on the terms of the application as submitted to the Town Planning Board (TPB) and subject to the following conditions :

- “(a) no night-time operation between 11:00 p.m. and 8:00 a.m., as proposed by the applicant, is allowed on the site during the planning approval period;
- (b) the maintenance of the existing drainage facilities on the site at all times during the planning approval period;
- (c) the maintenance of the existing trees and vegetation on the site at all times during the planning approval period;
- (d) the submission of parking and loading/unloading proposals within 3 months from the date of planning approval to the satisfaction of the Commissioner for Transport or of the TPB by 16.6.2018;
- (e) in relation to condition (d) above, the implementation of parking and loading/unloading proposals within 6 months from the date of planning approval to the satisfaction of the Commissioner for Transport or of the

TPB by 16.9.2018;

- (f) the submission of fire service installations and water supplies for firefighting proposal within 3 months from the date of planning approval to the satisfaction of the Director of Fire Services or of the TPB by 16.6.2018;
- (g) in relation to condition (f) above, the implementation of fire service installations and water supplies for firefighting 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 16.9.2018;
- (h) the submission of sewerage impact assessment (SIA) within 3 months from the date of planning approval to the satisfaction of the Director of Environmental Protection or of the TPB by 16.6.2018;
- (i) in relation to condition (h) above, the implementation of sewerage facilities identified in the SIA within 6 months from the date of planning approval to the satisfaction of the Director of Environmental Protection or of the TPB by 16.9.2018;
- (j) if any of the above planning conditions (a), (b) or (c) is not complied with during the planning approval period, the approval hereby given shall cease to have effect and shall be revoked immediately without further notice;
- (k) if any of the above planning conditions (d), (e), (f), (g), (h) or (i) is not complied with within the specified time limit, the approval hereby given shall cease to have effect and shall be revoked immediately without further notice; and
- (l) upon the expiry of the planning permission, the reinstatement of the application site to an amenity area to the satisfaction of the Director of Planning or of the TPB.”

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

set out at Appendix VI of the Paper.

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

Agenda Item 30

Section 16 Application

[Open Meeting (Presentation and Question Sessions Only)]

A/NE-TK/635 Proposed House (New Territories Exempted House - Small House) and
Excavation of Land in “Green Belt” Zone, Lot 591 in D.D. 28, Tai Mei
Tuk, Tai Po
(RNTPC Paper No. A/NE-TK/635)

Presentation and Question Sessions

109. 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) the proposed house (New Territories Exempted House (NTEH) - Small House);
- (c) departmental comments – departmental comments were set out in paragraph 11 and Appendix IV of the Paper. The Chief Town Planner/Urban Design and Landscape, Planning Department (CTP/UD&L, PlanD) had reservation on the application as the topography of the site would be irreversibly altered and the cumulative impact of which would cause adverse landscape impact and result in degradation of landscape character. The Commissioner for Transport also had reservation on the application, but the application only involved the development of one Small House could be tolerated. Other concerned departments had no objection to or no adverse comment on the application;

- (d) during the first three weeks of the statutory publication period, seven public comments were received from World Wide Fund for Nature Hong Kong, Designing Hong Kong Limited and five individuals, raising objection to the application. Major objection grounds were set out in paragraph 12 of the Paper; and

- (e) PlanD's views – PlanD did not support the application based on the assessments set out in paragraph 13 of the Paper. The proposed Small House was not in line with the planning intention of the “Green Belt” zone. Regarding the Interim Criteria for Consideration of Application for NTEH/Small House in New Territories, while more than 50% of the proposed Small House footprint was located within the village ‘environs’ of Lung Mei and Tai Mei Tuk, land was still available within the “Village Type Development” (“V”) zone to meet outstanding Small House applications. It was more appropriate to concentrate the proposed Small House development within the “V” zone for more orderly development pattern, efficient use of land and provision of infrastructure and services. Also, the application did not comply with the Town Planning Board Guidelines No. 10 in that the proposed development would affect the existing natural landscape and the applicant failed to demonstrate that there would be no adverse landscape impact on the surrounding areas and that the stability of the adjacent slope would not be adversely affected. Regarding the adverse public comments, the comments of concerned departments and the planning assessments above were relevant.

110. Members had no question on the application.

Deliberation Session

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

- “(a) the proposed development is not in line with the planning intention of the

“Green Belt” (“GB”) zone for the area 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 is no strong planning justification in the submission for a departure from this planning intention;

- (b) the proposed development does not comply with the Town Planning Board Guidelines No. 10 for ‘Application for Development within “GB” zone under section 16 of the Town Planning Ordinance’ in that the proposed development would involve clearance of existing natural vegetation affecting the existing natural landscape, and the applicant fails to demonstrate that the proposed development would have no adverse landscape impact on the surrounding areas and that the stability of the adjacent slope would not be adversely affected;
- (c) 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 would cause adverse landscape impact on the surrounding areas and be subject to adverse geotechnical impact; and
- (d) land is still available within the “Village Type Development” (“V”) zone of Lung Mei and Tai Mei Tuk which is primarily intended for Small House development. It is considered more appropriate to concentrate the proposed Small House development within “V” zone for more orderly development pattern, efficient use of land and provision of infrastructure and services.”

Agenda Item 31

Further Consideration of Section 16 Application

[Open Meeting (Presentation and Question Sessions Only)]

A/TP/610 Proposed 2 Houses (New Territories Exempted Houses) in “Green Belt” Zone, Lot 966 RP in D.D.22, Pan Chung San Tsuen, Tai Po
(RNTPC Paper No. A/TP/610E)

Presentation and Question Sessions

112. 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 14.7.2017, the Committee considered the subject application for proposed two houses (New Territories Exempted Houses (NTEHs) on the site in Pan Chung San Tsuen, which fell within an area zoned “Green Belt” (“GB”). Noted that substantial site formation works would be required and there was no proper access to the site, a Member considered that the transportation of construction materials might affect a larger area within the “GB” zone. The meeting agreed to defer making a decision on the application pending further information submitted by the applicant on the arrangement of construction access to the site;
- (b) further information – the applicant submitted further information proposing to use tire crane truck to deliver the construction materials and machinery to the unloading area at Lot 939 RP in D.D. 22 and then transport the materials to the site by manpower. The applicant also submitted the details of site formation works, new tree felling and compensatory planting proposals for the temporary access area, temporary traffic arrangement and layout of the parking of the tire crane truck in support of the application;
- (c) departmental comments – departmental comments were set out in paragraph 3 of the Paper. Concerned departments had no objection to or no adverse comment on the further information submitted by the applicant;

- (d) during the first three weeks of the statutory publication periods of the further information, nine public comments were received from Designing Hong Kong Limited, World Wide Fund for Nature Hong Kong, Kadoorie Farm & Botanic Garden Corporation, Law Ting Pong Secondary School (the School) and an individual, raising objection to the application. Major objection grounds were set out in paragraph 4 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 5 of the Paper. According to the applicant, site formation works would be carried out using “Cut and Fill Method” and the scale of works would be minimized. The proposed construction access would be of temporary nature and reinstated after use. Concerned departments had no adverse comment on the proposed temporary construction access, temporary traffic arrangement for crane operation and tree felling and compensatory planting proposals. To address the concerns raised by the School, suitable advisory clauses would be recommended to remind the applicants to liaise with the School when carrying out the works. The proposed development was generally in line with its lease entitlement and might be given sympathetic consideration for having exceptional circumstances. Regarding the public comments, the comments of concerned departments and the assessments above were relevant.

113. Members raised the following questions:

- (a) the practicability of the proposed construction method, temporary traffic arrangement and the reinstatement proposals;
- (b) whether the jib of tire crane truck would swing over the School area or the slope area during hoisting activities and the locations of the trees proposed to be fell;
- (c) the School's comments on the proposed temporary traffic arrangement;

- (d) with reference to site photo No. 5 in Plan FA-4c of the Paper, whether the existing footpath was at the same level as the School and the fencing belonged to the School; and
- (e) with reference to site photo No. 2 in Plan FA-4a of the Paper, whether the squatter located next to the site would be affected by the construction of the proposed NTEHs.

114. Ms Kathy C.L. Chan, STP/STN, made the following responses:

- (a) with reference to Plan FA-2 of the Paper, she explained the proposed parking location of the tire crane truck and the route for transporting construction materials and machinery to the site. Concerned departments, including the Transport Department, Environmental Protection Department and Civil Engineering and Development Department (CEDD), had been consulted and they had no adverse comments on the applicants' proposals;
- (b) the jib would swing over the slope area. With reference to Plan FA-4c of the Paper, two trees proposed to be fell were located within the proposed unloading area;
- (c) the School had raised concerns on various aspects including the danger generated by the crane operation to the School. According to the applicants, the tire crane truck would operate at non-school hours on Saturdays and the applicants undertook to co-operate with the School regarding the suitable operation period. In this regard, an advisory clause was recommended;
- (d) the footpath was at the same level as the School and the fencing was installed by the School at its boundary; and
- (e) the domestic structure shown in the site photo was separated from the site by an existing footpath. It would not be affected by the site formation

works of the proposed NTEHs as the footprint of NTEHs was located to the lower side of the slope.

Deliberation Session

115. The Chairman said that the current application sought planning permission for development of two NTEHs. During consideration of the application at previous meeting, the Committee noted that the site was a building lot but had concern on the potential impact on the surrounding “GB” zone due to the site formation works associated with the development and transportation of construction materials and machinery. Hence, the applicants were requested to submit further information to provide details on the construction access arrangement.

116. A Member considered the applicants’ proposals of using manpower for transporting construction materials and operating tire crane truck only on Saturdays impractical. Another Member had reservation on the application as the School maintained its objection to the application and the concern on the danger generated by the jib operation to the School and its students had yet to be satisfactorily addressed by the applicants.

117. A Member enquired whether the details of construction method should be taken into account in assessing the application. The Chairman said that the Committee should focus on whether the proposed NTEHs would pose adverse impacts on the surrounding “GB” zone and the School in considering the application, while Members’ concerns on the construction method were issues for the applicants to note.

118. The Vice-chairman expressed that the applicants had already addressed the Committee’s request to submit information on construction access arrangement and concerned departments had no adverse comment. The Committee should rely on the concerned departments to examine and monitor the practicability and safety issues during the construction stage. The Secretary supplemented that no general building plan would be required for the construction of the proposed NTEHs, however, as advised by CEDD in paragraph 3.1 of the Paper, works proposal and the prescribed plans for site formation works should be submitted to the Building Authority.

119. Noting that the applicants would be required to submit site formation plan for approval and there was mechanism for concerned departments to examine the construction access arrangement, a Member said that he had no further comment on the application.

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 16.3.2022, 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 provision of septic tank, as proposed by the applicants, at a location to the satisfaction of the Director of Lands or of the TPB;
- (b) the submission and implementation of drainage proposal to the satisfaction of the Director of Drainage Services or of the TPB; and
- (c) the submission and implementation of landscape and tree preservation proposals to the satisfaction of the Director of Planning or of the TPB.”

121. The Committee also agreed to advise the applicant to note the advisory clauses as set out at Appendix FA-6 of the Paper.

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

Fanling, Sheung Shui and Yuen Long East District

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

Agenda Item 32

Section 16 Application

[Open Meeting (Presentation and Question Sessions Only)]

A/FSS/265 Proposed Office (Back Office) in “Industrial” Zone, Unit 4, 3/F, Fuk
Shing Commercial Building, 28 On Lok Mun Street, Fanling
(RNTPC Paper No. A/FSS/265)

Presentation and Question Sessions

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

- (a) background to the application;
- (b) the proposed office (back office);
- (c) departmental comments – departmental comments were set out in paragraph 10 of the Paper. Concerned departments had no objection to or no adverse comment on the application;
- (d) during the first three weeks of the statutory publication period, three public comments were received from two North District Council (NDC) members and the Chairman of Fanling District Rural Committee. While one expressed that the residents in the vicinity should be consulted, others had no comment on the application; and
- (e) the Planning Department (PlanD)’s views – PlanD considered that the

proposed use could be tolerated for a period of three years based on the assessments set out in paragraph 12 of the Paper. The proposed use was not incompatible with other warehouse, workshop and office uses in the subject building. In view of the small scale and its nature of operation, significant adverse traffic and environmental impacts were not anticipated and concerned departments had no adverse comment on the application. The application generally complied with the Town Planning Board Guidelines No. 25D in that there was a genuine need for the proposed use, no suitable alternative accommodation could be found in the vicinity and no adverse impact would be induced. While the applicant applied for the proposed office use on a permanent basis, a temporary approval for a period of three years was recommended so as to allow the Committee to better monitor the provision on industrial floor space in the area. Regarding the concerns of the public comment, the comments of concerned departments were relevant.

123. Members had no question on the application.

Deliberation Session

124. After deliberation, the Committee decided to approve the application on a temporary basis for a period of 3 years until 16.3.2021, on the terms of the application as submitted to the Town Planning Board (TPB) and subject to the following conditions :

- “(a) the submission and implementation of the fire service installations proposal to the satisfaction of the Director of Fire Services or of the TPB before operation of the use; and
- (b) if the above planning condition (a) is not complied with before operation of the use, the approval hereby given shall cease to have effect and shall on the same date be revoked without further notice.”

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

[Ms Christina M. Lee had left the meeting at this point.]

Agenda Item 33

Section 16 Application

[Open Meeting (Presentation and Question Sessions Only)]

A/KTN/42 Renewal of Planning Approval for Temporary Soya Products
Processing Workshop, Retailing and Outside Seating Accommodation
for a Period of 3 Years in “Agriculture (1)” Zone, Lots 1049 and 1050
in D.D. 95 and Adjoining Government Land, Kwu Tung North, Sheung
Shui
(RNTPC Paper No. A/KTN/42)

126. The Secretary reported that the site was located in Kwu Tung North. Dr C.H. Hau had declared an interest on the item as he owned a property in Kwu Tung North area. As the said property had a direct view of the site, the Committee agreed that he should leave the meeting temporarily for the item.

[Dr C.H. Hau left the meeting temporarily at this point.]

Presentation and Question Sessions

127. Ms S.H. Lam, STP/FSYLE, presented the application and covered the following aspects as detailed in the Paper :

- (a) background to the application;
- (b) the renewal of planning approval for temporary soya products processing workshop, retailing and outside seating accommodation 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 and environmental nuisance was expected. Other concerned departments had no objection to or no adverse comment on the application;

- (d) during the first three weeks of the statutory publication period, two public comments from individual were received. Both commenters indicated no comment on the application. The District Officer/North conveyed that the Indigenous Inhabitant Representative and Resident Representative of Ho Sheung Heung supported the application, while the Chairman of Sheung Shui District Rural Committee and the North District Council member of the subject constituency had no comment on the application; and
- (e) the Planning Department (PlanD)'s views – PlanD considered that the temporary use could be tolerated for a further period of three years based on the assessments set out in paragraph 12 of the Paper. Although the applied use was not in line with the planning intention of the “Agriculture (1)” zone, it was not incompatible with the surrounding land uses predominated by vehicle parks, storages and workshops intermixed with some domestic structures. The application would unlikely have significant impact on the surrounding areas and concerned departments had no adverse comment on the application, except DEP. Although DEP did not support the application, there was no environmental complaint against the site in the past three years. Relevant approval conditions were recommended to minimize the potential environment nuisance. Also, the application was generally in line with the Town Planning Board Guidelines No. 34B in that there had been no change in the planning circumstance since the last planning approval and all approval conditions under the previous permission had been complied with.

128. Members had no question on the application.

Deliberation Session

129. After deliberation, the Committee decided to approve the application on a temporary basis for a period of 3 years from 31.3.2018 until 30.3.2021, on the terms of the application as submitted to the Town Planning Board (TPB) and subject to the following conditions :

- “(a) no night time operation between 8:00 p.m. and 8:00 a.m., as proposed by the applicant, is allowed on the site during the planning approval period;
- (b) no medium goods vehicle/heavy goods vehicle exceeding 5.5 tonnes, including container vehicles, and buses exceeding 10 metres long as defined in the Road Traffic Ordinance are allowed to enter/exit the site during the planning approval period;
- (c) the existing drainage facilities shall be maintained and rectified if found inadequate/ineffective during operation at all times during the planning approval period;
- (d) 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 30.6.2018;
- (e) the submission of proposals for fire service installations and water supplies for fire-fighting 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 30.9.2018;
- (f) in relation to (e) above, the provision of fire service installations and water supplies for fire-fighting within 9 months from the date of commencement of the renewed planning approval to the satisfaction of the Director of Fire Services or of the TPB by 31.12.2018;
- (g) the submission of landscape proposal within 6 months from the date of commencement of the renewed planning approval to the satisfaction of the

Director of Planning or of the TPB by 30.9.2018;

- (h) in relation to (g) above, the implementation of landscape proposal within 9 months from the date of commencement of the renewed planning approval to the satisfaction of the Director of Planning or of the TPB by 31.12.2018;
- (i) if any of the above planning conditions (a), (b) or (c) is not complied with during the approval period, the approval hereby given shall cease to have effect and shall be revoked immediately without further notice; and
- (j) if any of the above planning conditions (d), (e), (f), (g) or (h) is not complied with by the specified date, the approval hereby given shall cease to have effect and shall on the same date be revoked without further notice.”

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

[Dr C.H. Hau returned to join the meeting at this point.]

Agenda Item 34

Section 16 Application

[Open Meeting (Presentation and Question Sessions Only)]

A/NE-KTS/452 Proposed Temporary Storage (Cosmetic Products, Beverages and Construction Materials) with Ancillary Office for a Period of 3 Years in “Recreation” Zone, Lots 1618 (Part), 1619 and 1620 (Part) in D.D. 100 and Adjoining Government Land, Ying Pun, Kwu Tung South
(RNTPC Paper No. A/NE-KTS/452C)

Presentation and Question Sessions

131. Ms S.H. Lam, STP/FSYLE, presented the application and covered the following aspects as detailed in the Paper :

- (a) background to the application;
- (b) the proposed temporary storage (cosmetic products, beverages and construction materials) with ancillary office for a period of three years;
- (c) departmental comments – departmental comments were set out in paragraph 9 of the Paper. The Director of Environmental Protection (DEP) did not support the application as there were sensitive uses in the vicinity of the site and environmental nuisance was expected. Other concerned departments had no objection to or no adverse comment on the application;
- (d) during the first three weeks of the statutory publication period, five public comments were received. One commenter had reservation on the application as no detail of the application was available, while the remaining four commenters had no comment on the application. The District Officer/North conveyed that the Resident Representative of Ying Pun supported the application, whilst the Chairman of Sheung Shui District Rural Committee objected to the application on traffic and drainage grounds. The North District Council member of the subject constituency had no comment on the application; and
- (e) the Planning Department (PlanD)'s views – PlanD considered that the temporary use could be tolerated for a period of three years based on the assessments set out in paragraph 11 of the Paper. Although the proposed use was not in line with the planning intention of the “Recreation” (“REC”) zone, there was not yet any programme to implement the planned use. Approval of the application on a temporary basis would not frustrate the long-term planning intention. The proposed use was not incompatible with the surrounding land uses predominated by warehouses, workshops and open storage yards with some domestic structures in the vicinity and

concerned departments had no adverse comment on the application, except DEP. Though DEP did not support the application, there was no environmental complaint against the site in the past three years. Relevant approval conditions were recommended to minimize the potential environment nuisance. Regarding the adverse public comments, the comments of concerned departments and the planning assessments above were relevant.

132. Members had no question on the application.

Deliberation Session

133. After deliberation, the Committee decided to approve the application on a temporary basis for a period of 3 years until 16.3.2021, on the terms of the application as submitted to the Town Planning Board (TPB) and subject to the following conditions :

- “(a) no operation between 5:00 p.m. and 9:00 a.m., as proposed by the applicants, is allowed on the site during the planning approval period;
- (b) no operation on Sundays and public holidays, as proposed by the applicants, is allowed on the site during the planning approval period;
- (c) no workshop activities shall be carried out on the site at any time during the planning approval period;
- (d) no medium goods vehicle/heavy goods vehicle exceeding 5.5 tonnes including container trailer/tractor, as defined in the Road Traffic Ordinance, is allowed to/from the site at any time during the planning approval period;
- (e) no vehicle is allowed to queue back to or reverse onto/from public road at any time during the planning approval period;
- (f) the existing trees on the site shall be maintained at all times during the planning approval period;

- (g) the existing drainage facilities shall be maintained and rectified if found inadequate/ineffective during operation at all times during the planning approval period;
- (h) the submission of a condition record of the existing drainage facilities on the site within 3 months from the date of planning approval to the satisfaction of the Director of Drainage Services or of the TPB by 16.6.2018;
- (i) the implementation of the pedestrian safety enhancement measures within 6 months from the date of planning approval to the satisfaction of the Commissioner for Transport or of the TPB by 16.9.2018;
- (j) the submission of proposal for fire service installations and water supplies for fire fighting within 6 months from the date of planning approval to the satisfaction of the Director of Fire Services or of the TPB by 16.9.2018;
- (k) in relation to (j) above, the implementation of proposal for fire service installations and water supplies for fire fighting within 9 months from the date of planning approval to the satisfaction of the Director of Fire Services or of the TPB by 16.12.2018;
- (l) if any of the above planning conditions (a), (b), (c), (d), (e), (f) or (g) is not complied with during the planning approval period, the approval hereby given shall cease to have effect and shall be revoked immediately without further notice;
- (m) if any of the above planning conditions (h), (i), (j) or (k) is not complied with by the 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.”

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

Agenda Item 35

Section 16 Application

[Open Meeting (Presentation and Question Sessions Only)]

A/YL-KTN/587 Proposed Utility Installation (Package Substation) and Excavation of Land in “Village Type Development” Zone, Government Land in D.D. 109, Ko Po Tsuen, Kam Tin, Yuen Long
(RNTPC Paper No. A/YL-KTN/587)

135. The Secretary reported that the application was submitted by CLP Power Hong Kong Limited (CLP), which was a subsidiary of CLP Holdings Limited. The following Members had declared interests on the item:

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

136. The Committee noted that Mr Alex T.H. Lai and Mr Stephen L.H. Liu had tendered apologies for being unable to attend the meeting and Ms Christina M. Lee had already left the meeting.

Presentation and Question Sessions

137. Ms Ivy C.W. Wong, STP/FSYLE, presented the application and covered the following aspects as detailed in the Paper :

- (a) background to the application;
- (b) the proposed utility installation (package substation) and excavation of land;
- (c) departmental comments – departmental comments were set out in paragraph 9 of the Paper. Concerned departments had no objection to or no adverse comment on the application
- (d) no public comment was received during the first three weeks of the statutory publication period; and
- (e) the Planning Department (PlanD)’s views – PlanD had no objection to the application based on the assessments set out in paragraph 11 of the Paper. The proposed package substation was to provide essential electricity supply to the area and was not in conflict with the planning intention of the “Village Type Development” zone. Given its small-scale, it was not incompatible with the surrounding area and would unlikely cause significant impact on the surrounding environment. Concerned departments had no adverse comment on the application and relevant approval condition was recommended to address the concern of the Director of Fire Services.

138. Members had no question on the application.

Deliberation Session

139. 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 16.3.2022, 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 design and provision of water supplies for firefighting and fire service installations to the satisfaction of the Director of Fire Services or of the TPB.”

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

Agenda Item 36

Section 16 Application

[Open Meeting (Presentation and Question Sessions Only)]

A/YL-KTN/588 Proposed Temporary Animal Boarding Establishment for a Period of 3 Years in “Agriculture” Zone, Lots 946 S.A to S.O, 946 RP, 1118, 1119 S.A to S.E and 1119 RP in D.D. 107, Tai Kong Po, Yuen Long
(RNTPC Paper No. A/YL-KTN/588)

Presentation and Question Sessions

141. Ms Ivy C.W. Wong, STP/FSYLE, presented the application and covered the following aspects as detailed in the Paper :

- (a) background to the application;
- (b) the proposed temporary animal boarding establishment 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 reservation on the application as the site had been cleared and approval of the application would encourage similar site modification prior to application. The Director of Agriculture, Fisheries and Conservation (DAFC) did not support the application as the site possessed high potential for agricultural rehabilitation. Other concerned departments had no

objection to or no adverse comment on the application;

- (d) during the first three weeks of the statutory publication period, three public comments were received from Kadoorie Farm & Botanic Garden Corporation and the general public, raising objection to the application. Major objection grounds were set out in paragraph 11 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 12 of the Paper. The proposed use was not entirely in line with the planning intention of the “Agriculture” (“AGR”) zone and DAFC did not support the application, however it was temporary in nature and approval of the application on a temporary basis would not jeopardize the long-term planning intention. Besides, the proposed development was not incompatible with the surrounding areas predominated by residential dwellings/structures, open storage yards, plant nurseries and agricultural land. To address CTP/UD&L, PlanD's comments, other technical concerns and the potential nuisance generated by the daily operation of the proposed use, relevant approval conditions were recommended. There were also 15 similar applications within the same “AGR” zone approved by the Committee from 2005 to 2018 mainly on similar considerations. Approval of the current application was in line with the Committee's previous decisions on similar applications. Regarding the adverse public comments, the comments of concerned departments and the planning assessments above were relevant.

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 16.3.2021, 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 10:00 a.m. (except overnight animal boarding establishment), as proposed by the applicant, is allowed on the site during the planning approval period;
- (b) no operation between 10:00 a.m. and 11:00 a.m., and 5:00 p.m. and 6:00 p.m. on Monday to Friday, as proposed by the applicant, is allowed on the site during the planning approval period;
- (c) all animals shall be kept inside the enclosed structures for animal boarding establishment, as proposed by the applicant, during the planning approval period;
- (d) no public announcement system, whistle blowing, portable loud speaker, or any form of audio amplification system, as proposed by the applicant, is allowed on the site at any time during the planning approval period;
- (e) no vehicles exceeding 5.5 tonnes, including container tractors/trailers, as defined in the Road Traffic Ordinance, as proposed by the applicant, are allowed to be parked/stored on or enter/exit the site at any time during the planning approval period;
- (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 landscape and tree preservation proposal within 6 months from the date of the planning approval to the satisfaction of the Director of Planning or of the TPB by 16.9.2018;
- (h) in relation to (g) above, the implementation of landscape and tree preservation proposal within 9 months from the date of planning approval to the satisfaction of the Director of Planning or of the TPB by 16.12.2018;
- (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 16.9.2018;

- (j) in relation to (i) 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 16.12.2018;
- (k) in relation to (j) above, the implemented drainage facilities on the site shall be maintained at all times during the planning approval period;
- (l) the submission of 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 16.9.2018;
- (m) in relation to (l) above, the implementation of fire service installations proposal within 9 months from the date of planning approval to the satisfaction of the Director of Fire Services or of the TPB by 16.12.2018;
- (n) if any of the above planning conditions (a), (b), (c), (d), (e), (f) or (k) is not complied with during the planning approval period, the approval hereby given shall cease to have effect and shall be revoked without further notice;
- (o) if any of the above planning conditions (g), (h), (i), (j), (l) or (m) is not complied with by the specific date, the approval hereby given shall cease to have effect and shall on the same date be revoked without further notice;
and
- (p) upon the expiry of the planning permission, the reinstatement of the application site to an amenity area to the satisfaction of the Director of Planning or of the TPB.”

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

Agenda Item 37

Section 16 Application

[Open Meeting (Presentation and Question Sessions Only)]

A/YL-KTN/589 Proposed House (New Territories Exempted House - Small House) in
“Agriculture” Zone, Lot 948 S.A ss.11 RP in D.D. 109, Tai Kong Po
Tsuen, Kam Tin, Yuen Long
(RNTPC Paper No. A/YL-KTN/589)

Presentation and Question Sessions

145. Ms Ivy C.W. Wong, STP/FSYLE, presented the application and covered the following aspects as detailed in the Paper :

- (a) background to the application;
- (b) the proposed house (New Territories Exempted House (NTEH) - Small House);
- (c) departmental comments – departmental comments were set out in paragraph 10 and Appendix II of the Paper. The Director of Agriculture, Fisheries and Conservation (DAFC) did not support the application as the site possessed high potential for agricultural rehabilitation. Other concerned departments had no objection to or no adverse comment on the application;
- (d) during the first three weeks of the statutory publication period, four public comments were received, raising objection to the application. Major objection grounds were set out in paragraph 11 of the Paper; and
- (e) the Planning Department (PlanD)’s views – PlanD had no objection to the application based on the assessments set out in paragraph 12 of the Paper. Although the proposed Small House development was not in line with the planning intention of the “Agriculture” zone and DAFC did not support the

application, it was not incompatible with the surrounding land uses predominated by residential dwellings/structures/village house. Adverse impacts on traffic, drainage, environmental and landscape aspects were not anticipated and other concerned departments had no adverse comment on the application. Regarding the Interim Criteria for Consideration of Application for NTEH/Small House in New Territories, the site fell entirely within the village ‘environs’ (‘VE’) of Tai Kong Po. As there was no “Village Type Development” zone designated for Tai Kong Po, the villagers of Tai Kong Po could only apply Small Houses within the ‘VE’. Therefore, sympathetic consideration could be given to the application. Regarding the adverse public comments, the comments of concerned departments and the planning assessments above were relevant.

146. Members had no question on the application.

Deliberation Session

147. 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 16.3.2022, 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 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 the landscape proposal 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 VI of the Paper.

Agenda Item 38

Section 16 Application

[Open Meeting (Presentation and Question Sessions Only)]

A/YL-KTN/590 Proposed Temporary Animal Boarding Establishment for a Period of 3
Years in “Agriculture” Zone, Lot 1218 RP (Part) in D.D. 109, Tai
Kong Po, Kam Tin, Yuen Long
(RNTPC Paper No. A/YL-KTN/590)

Presentation and Question Sessions

149. Ms Ivy C.W. Wong, STP/FSYLE, drew Members’ attention that a replacement page (page 6 of the Paper), rectifying typographic errors, had been tabled at the meeting for Members’ reference. She then presented the application and covered the following aspects as detailed in the Paper :

- (a) background to the application;
- (b) the proposed temporary animal boarding establishment for a period of three years;
- (c) departmental comments – departmental comments were set out in paragraph 9 of the Paper. The Director of Agriculture, Fisheries and Conservation (DAFC) did not support the application as the site possessed high potential for agricultural rehabilitation. Other concerned departments had no objection to or no adverse comment on the application;
- (d) during the first three weeks of the statutory publication period, five public comments were received from Kadoorie Farm & Botanic Garden Corporation, World Wide Fund for Nature Hong Kong, Designing Hong Kong Limited and two individuals, raising objection to the application. Major objection grounds were set out in paragraph 11 of the Paper; and
- (e) the Planning Department (PlanD)’s views – PlanD considered that the

temporary use could be tolerated for a period of three years based on the assessments set out in paragraph 12 of the Paper. The proposed use was not entirely in line with the planning intention of the “Agriculture” (“AGR”) zone and DAFC did not support the application, however it was temporary in nature and approval of the application on a temporary basis would not jeopardize the long-term planning intention. The proposed development was not incompatible with the surrounding areas predominated by residential dwellings/structures, storage yards, warehouse, plant nurseries and agricultural land. Relevant approval conditions were recommended to address technical comments of concerned departments and to minimize potential environment nuisance generated by the daily operation of the proposed use. There were similar applications within the same “AGR” zone approved by the Committee from 2005 to 2018 mainly on similar considerations. Approval of the current application was in line with the Committee’s previous decisions on similar applications. Regarding the adverse public comments, the comments of concerned departments and the planning assessments above were relevant.

150. Members had no question on the application.

Deliberation Session

151. After deliberation, the Committee decided to approve the application on a temporary basis for a period of 3 years until 16.3.2021, 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 10:00 a.m. (except overnight animal boarding establishment), as proposed by the applicant, is allowed on the site during the planning approval period;
- (b) no operation between 5:00 p.m. and 6:00 p.m. on Monday to Friday, as proposed by the applicant, is allowed on the site during the planning approval period;

- (c) no operation on Sunday and Public Holiday (except overnight animal boarding establishment), as proposed by the applicant, is allowed on the site during the planning approval period;
- (d) all animals shall be kept inside the enclosed animal boarding establishment on the site, as proposed by the applicant, during the planning approval period;
- (e) no public announcement system, whistle blowing, portable loud speaker, or any form of audio amplification system, as proposed by the applicant, is 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 the planning approval to the satisfaction of the Director of Planning or of the TPB by 16.9.2018;
- (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 16.12.2018;
- (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 16.9.2018;
- (j) in relation to (i) 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 16.12.2018;
- (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 16.9.2018;

- (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 16.12.2018;
- (m) if any of the above planning conditions (a), (b), (c), (d), (e) or (f) is not complied with during the planning approval period, the approval hereby given shall cease to have effect and shall be revoked without further notice;
- (n) if any of the above planning conditions (g), (h), (i), (j), (k) or (l) is not complied with by the specific 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 application 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 39

Section 16 Application

[Open Meeting (Presentation and Question Sessions Only)]

A/YL-KTS/748 Proposed Temporary Open Storage of Private Vehicles and Light
Goods Vehicles for a Period of 3 Years in “Agriculture” Zone, Lot 140
RP in D.D. 113, Kam Tin South, Yuen Long
(RNTPC Paper No. A/YL-KTS/748B)

153. The Secretary reported that the site was located in Kam Tin South. Ms Janice W.M. Lai had declared an interest on the item as her family member owned a property in Cheung Po Tsuen, Kam Tin South. The Committee noted that Ms Janice W.M. Lai had

tendered an apology for being unable to attend the meeting.

Presentation and Question Sessions

154. Ms Ivy C.W. Wong, STP/FSYLE, presented the application and covered the following aspects as detailed in the Paper :

- (a) background to the application;
- (b) the proposed temporary open storage of private vehicles and light goods vehicles for a period of three years;
- (c) departmental comments – departmental comments were set out in paragraph 10 of the Paper. The Director of Agriculture, Fisheries and Conservation (DAFC) did not support the application as the site possessed potential for agricultural uses. Other concerned departments had no objection to or no adverse comment on the application.
- (d) during the first three weeks of the statutory publication period, three public comments were received from Kadoorie Farm & Botanic Garden Corporation, the Resident Representative of Ma On Kong Tsuen and an individual, raising objection to the application. Major objection grounds were set out in paragraph 11 of the Paper; and
- (e) the Planning Department (PlanD)’s views – PlanD 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 “Agriculture” (“AGR”) zone and DAFC did not support the application. No strong justification had been given in the submission to justify for a departure from the planning intention, even on a temporary basis. Also, the proposed development was not in line with the Town Planning Board Guidelines No. 13E in that the site fell within Category 3 areas and there was no previous planning approval for open storage use granted at the site. Two similar applications within the same “AGR” zone were rejected in

2012 and 2016 respectively on similar considerations. Rejection of the current application was in line with the previous decisions of the Committee on similar applications. Regarding the public comments, the comments of concerned departments and the planning assessments above were relevant.

155. Members had no question on the application.

Deliberation Session

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

- “(a) the development is not in line with the planning intention of the “Agriculture” (“AGR”) zone which is to retain and safeguard good agricultural land for agricultural purposes. This zone is also intended to retain fallow arable land with good potential for rehabilitation. No strong planning justification has been given in the submission for a departure from the planning intention, even on a temporary basis;
- (b) the application does not comply with the Town Planning Board PG-No. 13E in that there is no previous approval granted at the site and there is adverse departmental comment on the application; and
- (c) the approval of the application, even on a temporary basis, would set an undesirable precedent for similar applications within the “AGR” zone. The cumulative effect of approving such applications would result in a general degradation of the rural environment of the area.”

Agenda Item 40

Section 16 Application

[Open Meeting (Presentation and Question Sessions Only)]

A/YL-KTS/756 Proposed Temporary Place of Recreation, Sports or Culture for a Period of 3 Years in “Village Type Development” Zone, Government Land in D.D. 106, Kam Tin, Yuen Long (Former Shek Wu School)
(RNTPC Paper No. A/YL-KTS/756A)

157. The Secretary reported that the site was located in Kam Tin South. Ms Janice W.M. Lai had declared an interest on the item as her family member owned a property in Cheung Po Tsuen, Kam Tin South. The Committee noted that Ms Janice W.M. Lai had tendered an apology for being unable to attend the meeting.

Presentation and Question Sessions

158. Ms Ivy C.W. Wong, STP/FSYLE, presented the application and covered the following aspects as detailed in the Paper :

- (a) background to the application;
- (b) the proposed temporary place of recreation, sports or culture for a period of three years;
- (c) departmental comments – departmental comments were set out in paragraph 9 of the Paper. Concerned departments had no objection to or no adverse comment on the application;
- (d) during the first three weeks of the statutory publication period, a total of 108 public comments were received. Among which, one comment supported the application and the remaining 107 comments, submitted by the Chairman and the Vice-chairmen of Pat Heung Rural Committee (PHRC), the Village Representatives, Residential Representative, Indigenous Inhabitant Representatives (with 54 signatures of the villagers)

and residents of Shek Wu Tong Tsuen, a Yuen Long District Council (YLDC) member, the representative of the Pat Heung Kam Sheung Road Development Concern Group, Ever Rich Management Ltd. (a managing company of nearby residential estates) (with 101 signatures) and individuals, objected to the application. The District Officer (Yuen Long) (DO(YL)) conveyed objections received from a YLDC member and local residents. Major objection grounds of the public comments and objections referred to by DO(YL) were set out in paragraphs 10 and 9.1.13 respectively; and

- (e) the Planning Department (PlanD)'s views – PlanD considered that the temporary use could be tolerated for a period of three years based on the assessments set out in paragraph 11 of the Paper. The proposed use was to make use of the site of the Former Shek Wu School, which had been left vacant, to serve as a community recreation centre. The proposed use on a temporary basis would not frustrate the long-term planning intention of the “Village Type Development” zone and was not incompatible with the surrounding areas predominated by village houses, shop and services, vehicle park and storage yard. It would unlikely cause adverse impact on environment, traffic, landscape, drainage and fire safety aspects and concerned departments had no objection to the application. Relevant approval conditions were recommended to minimize possible environmental nuisance and to address technical comments of concerned departments. Regarding the adverse public comments, concerned departments had no adverse comments on public safety and hygiene aspects and had no plan to use the site. An advisory clause was recommended to advise the applicant to liaise with the local on the proposed use at the site.

159. In response to a Member's questions on the nature of the applicant and the number of African residing in the local community, Ms Ivy C.W. Wong, STP/FSYLE, said that the applicant was a non-profit-making organization, established in 2014, to organize activities related to African culture and arts. Details of the applicant's constitution and services provided could be found in Appendix I of the Paper. She had no information on the number of African residing in the local community.

Deliberation Session

160. A Member noted that the local villagers had been asking for priority be given for them to use the vacant school site. The Committee noted DO(YL) had no particular comment on the application. An advisory clause was also recommended to advise the applicant to liaise with the local community. A Member indicated support to the application in view of the community services to be provided.

161. After deliberation, the Committee decided to approve the application on a temporary basis for a period of 3 years until 16.3.2021, on the terms of the application as submitted to the Town Planning Board (TPB) and subject to the following conditions :

- “(a) no operation between 10:00 p.m. and 11:00 a.m., as proposed by the applicant, is allowed on the site during the planning approval period;
- (b) no public announcement system, portable loudspeaker or audio amplification system is allowed to be used on the site at any time during the planning approval period;
- (c) no medium or heavy goods vehicle exceeding 5.5 tonnes, including container tractors/trailers, as defined in the Road Traffic Ordinance, are allowed to be stored/parked at or enter/exit the site at any time during the planning approval period;
- (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 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 16.9.2018;

- (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 16.12.2018;
- (h) in relation to (g) above, the implemented drainage facilities on the site shall be maintained at all times during the planning approval period;
- (i) the submission of 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 16.9.2018;
- (j) in relation to (i) above, the provision of fire service installations within 9 months from the date of planning approval to the satisfaction of the Director of Fire Services or of the TPB by 16.12.2018;
- (k) if any of the above planning conditions (a), (b), (c), (d), (e) or (h) is not complied with during the planning approval period, the approval hereby given shall cease to have effect and shall be revoked immediately without further notice;
- (l) if any of the above planning conditions (f), (g), (i) or (j) is not complied with by the specified date, the approval hereby given shall cease to have effect and shall on the same date be revoked without further notice; and
- (m) upon the expiry of the planning permission, the reinstatement of the Site to an amenity area to the satisfaction of the Director of Planning or of the TPB.”

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

Agenda Item 41

Section 16 Application

[Open Meeting (Presentation and Question Sessions Only)]

A/YL-KTS/776 Renewal of Planning Approval for Temporary Open Storage of Vehicles and Vehicle Parts with Ancillary Office for a Period of 3 Years in “Residential (Group D)” Zone, Lots 703, 704 S.B RP and 705 S.B RP in D.D. 106 Kam Tin, Yuen Long
(RNTPC Paper No. A/YL-KTS/776)

163. The Secretary reported that the site was located in Kam Tin South. Ms Janice W.M. Lai had declared an interest on the item as her family member owned a property in Cheung Po Tsuen, Kam Tin South. The Committee noted that Ms Janice W.M. Lai had tendered an apology for being unable to attend the meeting.

Presentation and Question Sessions

164. Ms Ivy C.W. Wong, STP/FSYLE, presented the application and covered the following aspects as detailed in the Paper :

- (a) background to the application;
- (b) the renewal of planning approval for temporary open storage of vehicles and vehicle parts with ancillary office for a period of three years;
- (c) departmental comments – departmental comments were set out in paragraph 10 of the Paper. The Director of Environmental Protection (DEP) did not support the application as there were sensitive receivers in the vicinity and environmental nuisance was expected. Other concerned departments had no objection to or no adverse comment on the application;
- (d) no public comment was received during the first three weeks of the statutory publication period; and

- (e) the Planning Department (PlanD)'s views – PlanD considered that the temporary use could be tolerated for a further period of three years based on the assessments set out in paragraph 12 of the Paper. Although the applied use was not in line with the planning intention of the “Residential (Group D)” zone, there was no known programme for residential development. Approval of the application on a temporary basis would not frustrate the long-term planning intention. It was also not incompatible with the surrounding areas predominated by open storage yards, vehicles park, residential structures/dwellings and barracks. The application was generally in line with the Town Planning Board Guidelines No. 13E and 34B in that the site, falling within Category 3 areas, was subject to a previous planning permission for the same use granted in 2015; all approval conditions under the previous planning permission had been complied with; and there was no adverse comments from concerned departments, except DEP. Although DEP did not support the application, relevant approval conditions were recommended to address DEP's concerns and there was no environmental complaint against the site in the past three years. In this regard, sympathetic consideration could be given to 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, and be renewed from 23.5.2018 until 22.5.2021, 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) no dismantling, maintenance, repairing, cleansing, paint spraying or other workshop activities shall be carried out on the site at any time during the planning approval period;
- (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 maintenance of all landscape plantings within the site at all times during the planning approval period;
- (g) the existing drainage facilities on site shall be maintained at all times during the planning approval period;
- (h) the submission of the condition records of the existing drainage facilities on site within 3 months from the date of commencement of the renewed planning approval to the satisfaction of the Director of Drainage Services or of the TPB by 23.8.2018;
- (i) the provision of fire extinguisher(s) within a valid fire certificate (FS 251) within 6 weeks from the date of commencement of the renewed planning approval to the satisfaction of the Director of Fire Services or of the TPB by 4.7.2018;
- (j) the submission of fire service installations proposal within 6 months from the date of commencement of the renewed planning approval to the satisfaction of the Director of Fire Services or of the TPB by 23.11.2018;
- (k) in relation to (j) above, the provision of fire service installations within

9 months from the date of commencement of the renewed planning approval to the satisfaction of the Director of Fire Services or of the TPB by 23.2.2019;

- (l) if any of the above planning conditions (a), (b), (c), (d), (e), (f) or (g) is not complied with during the planning approval period, the approval hereby given shall cease to have effect and shall be revoked immediately without further notice;
- (m) if any of the above planning conditions (h), (i), (j) or (k) is not complied with by the 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 application 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 42

Section 16 Application

[Open Meeting]

A/YL-KTS/777 Proposed Animal Boarding Establishment in “Agriculture” Zone,
Government Land in D.D. 103, Ko Po San Tsuen, Kam Tin, Yuen
Long

(RNTPC Paper No. A/YL-KTS/777)

168. The Secretary reported that the site was located in Kam Tin South. Ms Janice W.M. Lai had declared an interest on the item as her family member owned a property in Cheung Po Tsuen, Kam Tin South. The Committee noted that Ms Janice W.M. Lai had tendered an apology for being unable to attend the meeting.

169. The Committee noted that the applicant's representative requested on 1.3.2018 deferment of the consideration of the application for two months in order to allow time for preparation of further information to address departmental comments. It was the first time the applicant requested deferment of the application.

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

Agenda Item 43

Section 16 Application

[Open Meeting]

A/YL-KTS/778 Proposed Religious Institution (Mosque with Ancillary Facilities and Community Hall) and School in "Agriculture" Zone, Lot 1542 RP (Part) in D.D. 106, Yuen Kong San Tsuen, Pat Heung, Yuen Long
(RNTPC Paper No. A/YL-KTS/778)

171. The Secretary reported that the site was located in Kam Tin South and Spence Robinson Limited (SRL) was one of the consultants of the applicant. Ms Janice W.M. Lai had declared an interest on the item as she had current business dealings with SRL and her family member owned a property in Cheung Po Tsuen, Kam Tin South. The Committee noted that Ms Janice W.M. Lai had tendered an apology for being unable to attend the meeting.

172. The Committee noted that the applicant's representative requested on 1.3.2018 deferment of the consideration of the application for two months in order to allow time for preparation of further information to address departmental comments. It was the first time the applicant requested deferment of the application.

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

Agenda Item 44

Section 16 Application

[Open Meeting]

A/YL-PH/768 Proposed Temporary Public Vehicle Park for Private Cars and Light Goods Vehicles for a Period of 3 Years in "Residential (Group D)" Zone, Lots 29 (Part), 33 (Part) and 35 (Part) in D.D. 111 and Adjoining Government Land, Pat Heung, Yuen Long
(RNTPC Paper No. A/YL-PH/768)

174. The Secretary reported that the site was located in Pat Heung. Ms Janice W.M. Lai had declared an interest on the item as her family member owned a property in Leung Uk Tsuen, Pat Heung. The Committee noted that Ms Janice W.M. Lai had tendered an apology for being unable to attend the meeting.

175. The Committee noted that the applicant's representative requested on 6.3.2018 deferment of the consideration of the application for two months in order to allow time for

preparation of further information to address departmental comments. It was the first time the applicant requested deferment of the application.

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

Agenda Item 45

Section 16 Application

[Open Meeting (Presentation and Question Sessions Only)]

A/YL-PH/769 Proposed Temporary Private Vehicle Park for Private Cars for a Period
of 3 Years in "Village Type Development" Zone, Lot 744 S.B RP
(Part) in D.D. 111, Sheung Che Tsuen, Pat Heung, Yuen Long
(RNTPC Paper No. A/YL-PH/769)

177. The Secretary reported that the site was located in Pat Heung. Ms Janice W.M. Lai had declared an interest on the item as her family member owned a property in Leung Uk Tsuen, Pat Heung. The Committee noted that Ms Janice W.M. Lai had tendered an apology for being unable to attend the meeting.

Presentation and Question Sessions

178. Ms Ivy C.W. Wong, STP/FSYLE, presented the application and covered the following aspects as detailed in the Paper :

- (a) background to the application;
- (b) the proposed temporary private 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. The Chief Town Planner/Urban Design and Landscape, Planning Department (CTP/UD&L, PlanD) had reservation on the application as vegetation had been cleared within and outside the site prior to submission of the application. Approval of the application would encourage vegetation clearance prior to application. Other concerned departments had no objection to or no adverse comment on the application.
- (d) during the first three weeks of the statutory publication period, two public comments were received from individuals, raising objection to the application. Major objection grounds were set out in paragraph 10 of the Paper; and
- (e) the PlanD's views – PlanD considered that the temporary use could be tolerated for a period of three years based on the assessments set out in paragraph 11 of the Paper. The proposed use was not entirely in line with the planning intention of the "Village Type Development" ("V") zone, however it could serve the local residents of Sheung Che Tsuen and there was no Small House application approved and under processing within the site. Approval of the application on a temporary basis would not frustrate the long-term planning intention of the "V" zone. It was also not incompatible with the surrounding areas predominated by village settlements, vehicle park and open storage yards and there were six similar applications within the same "V" zone and the "V" zone in the vicinity approved by the Committee from 1999 to 2017 on similar considerations. Relevant approval conditions were recommended to address CTP/UD&L, PlanD's concerns as well as technical comments of other concerned departments. Regarding the adverse public comments, the comments of concerned departments and the planning assessments above were relevant,

and an advisory clause was recommended to advise the applicant to avoid polluting the watercourse to the east of the site.

179. In response to a Member's question on the proposed use of the structure on the site, Ms Ivy C.W. Wong, STP/FSYLE, said that the structure with an area of 7.2m² and 2.6m high would be provided for storage of vehicles parts and cleaning products.

Deliberation Session

180. After deliberation, the Committee decided to approve the application on a temporary basis for a period of 3 years until 16.3.2021, 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 vehicles without valid licences issued under the Road Traffic (Registration and Licensing of Vehicles) Regulations are allowed to be parked/stored on the site at any time during the planning approval period;
- (c) a notice should be posted at a prominent location of the site to indicate that no medium or heavy goods vehicles exceeding 5.5 tonnes, including container tractors/trailers, as defined in the Road Traffic Ordinance, are allowed to be parked/stored on or enter/exit the site at all times during the planning approval period;
- (d) no dismantling, maintenance, repairing, cleansing, paint spraying or other workshop activities shall be carried out on the site at any time during the planning approval period;
- (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 landscape proposal within 6 months from the date of planning approval to the satisfaction of the Director of Planning or of the TPB by 16.9.2018;
- (g) in relation to (f) above, the implementation of landscape proposal within 9 months from the date of planning approval to the satisfaction of the Director of Planning or of the TPB by 16.12.2018;
- (h) the submission of a drainage proposal within 6 months from the date of planning approval to the satisfaction of the Director of Drainage Services or of the TPB by 16.9.2018;
- (i) in relation to (h) above, the implementation of drainage proposal within 9 months from the date of planning approval to the satisfaction of the Director of Drainage Services or of the TPB by 16.12.2018;
- (j) the submission of fire service installations proposal within 6 months from the date of planning approval to the satisfaction of the Director of Fire Services or of the TPB by 16.9.2018;
- (k) in relation to (j) above, the provision of fire service installations within 9 months from the date of planning approval to the satisfaction of the Director of Fire Services or of the TPB by 16.12.2018;
- (l) if any of the above planning conditions (a), (b), (c), (d) or (e) is not complied with during the planning approval period, the approval hereby given shall cease to have effect and shall be revoked immediately without further notice;
- (m) if any of the above planning conditions (f), (g), (h), (i), (j) or (k) is not complied with by the specified date, the approval hereby given shall cease to have effect and shall on the same date be revoked without further notice;
and

- (n) upon expiry of the planning permission, the reinstatement of the Site to an amenity area to the satisfaction of the Director of Planning or of the TPB.”

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

Agenda Item 46

Section 16 Application

[Open Meeting (Presentation and Question Sessions Only)]

A/YL-PH/770 Temporary Open Storage of Private Cars and Lorries for a Period of 3 Years in “Agriculture” Zone, Lot 1479 S.B (Part) in D.D. 111, Leung Uk Tsuen, Kam Tin Road, Pat Heung, Yuen Long
(RNTPC Paper No. A/YL-PH/770)

182. The Secretary reported that the site was located in Pat Heung. Ms Janice W.M. Lai had declared an interest on the item as her family member owned a property in Leung Uk Tsuen, Pat Heung. The Committee noted that Ms Janice W.M. Lai had tendered an apology for being unable to attend the meeting.

Presentation and Question Sessions

183. Ms Ivy C.W. Wong, STP/FSYLE, presented the application and covered the following aspects as detailed in the Paper :

- (a) background to the application;
- (b) the temporary open storage of private cars and lorries for a period of three years;
- (c) departmental comments – departmental comments were set out in paragraph 10 of the Paper. The Commissioner for Transport (C for T)

considered that there was insufficient information in the submission and his comments on the application had not yet been addressed by the applicant. The Director of Environmental Protection (DEP) did not support the application as there were sensitive receivers located immediate next to the site and environmental nuisance was expected. Other concerned departments had no objection to or no adverse comment on the application;

- (d) during the first three weeks of the statutory publication period, one public comment was received from an individual, raising objection to and concern on the application. Major 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 applied use was not in line with the planning intention of the “Agriculture” zone. Although, the site was the subject of seven previously approved applications for the same use submitted by the same application, the last three approved applications No. A/YL-PH/658, 680 and 724 were revoked due to non-compliance with approval conditions, particularly on the provision of run-in/out to/from Kam Tin Road. While the applicant had submitted drainage and landscape plans, it was doubtful that the traffic and landscape concerns could be duly addressed by the applicant, and C for T and DEP had adverse comments on the application on traffic and environmental grounds. Approval of the application with repeated non-compliance would set an undesirable precedent for similar applications. Hence, the application did not warrant sympathetic consideration. Regarding the adverse public comments, the comments of concerned departments and the planning assessments above were relevant.

184. Members had no question on the application.

Deliberation Session

185. After deliberation, the Committee decided to reject the application. The reasons

were :

- “(a) the development is not in line with the planning intention of the “Agriculture” zone which is to retain and safeguard good quality agricultural land/farm/fish ponds for agricultural purposes. It is also intended to retain fallow arable land with good potential for rehabilitation for cultivation and other agricultural purposes. No strong justification has been given in the submission for a departure from the planning intention, even on temporary basis; and

- (b) previous planning permissions granted to the applicant under Applications No. A/YL-PH/658, 680 and 724 were revoked due to non-compliance with approval conditions. Approval of the application with repeated non-compliances would set an undesirable precedent for other similar planning applications for temporary uses which are also subject to the requirement to comply with the approval conditions, thus nullifying statutory planning control.”

General Discussion

186. As a general issue, a Member asked whether applicants whose applications had been repeatedly revoked due to non-compliance with approval conditions should be backlisted. Another Member pointed out that the same application could be submitted by different applicant. The Member considered that a more stringent approach in assessing those applications should be adopted, for example applications with repeated revocations should be rejected unless genuine efforts had been demonstrated. The Committee noted that in assessing applications with repeated non-compliance, whether the application was submitted by the same applicant and for the same applied use would be taken into account, and each application should be considered by its own merits.

Agenda Item 47

Section 16 Application

[Open Meeting]

A/YL-NTM/360 Proposed Temporary Shop and Services (Grocery Store) for a Period of 3 Years in “Comprehensive Development Area” Zone, Lot 624 (Part) in D.D. 105, Shek Wu Wai San Tsuen, Ngau Tam Mei, Yuen Long
(RNTPC Paper No. A/YL-NTM/360)

187. The Committee noted that the applicant’s representative requested on 20.2.2018 deferment of the consideration of the application for two months in order to allow time for preparation of further information to address departmental comments. It was the first time the applicant requested deferment of the application.

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

Agenda Item 48

Section 16 Application

[Open Meeting]

A/YL-NTM/362 Proposed Temporary Open Storage of Construction Materials for a Period of 3 Years in “Comprehensive Development Area” Zone, Lots 686 (Part), 687, 690 and 692 (Part) in D.D. 105 and Adjoining Government Land, Shek Wu Wai San Tsuen, Ngau Tam Mei, Yuen Long
(RNTPC Paper No. A/YL-NTM/362)

189. The Committee noted that the applicant’s representative requested on 20.2.2018 deferment of the consideration of the application for two months in order to allow time for preparation of further information to address departmental comments. It was the first time the applicant requested deferment of the application.

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

Agenda Item 49

Section 16 Application

[Open Meeting]

A/YL-ST/522 Proposed Eating Place in “Village Type Development” Zone, Ground Floor, Lot 231 S.B (Part) and 231 RP (Part) in D.D. 102, San Tin, Yuen Long
(RNTPC Paper No. A/YL-ST/522)

191. The Committee noted that the applicant’s representative requested on 7.3.2018 deferment of the consideration of the application for two months in order to allow time for preparation of further information to address departmental comments. It was the first time the applicant requested deferment of the application.

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

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

Tuen Mun and Yuen Long West District

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

Agenda Item 50

Section 16 Application

[Open Meeting (Presentation and Question Sessions Only)]

A/HSK/54 Temporary Public Vehicle Park (Private Cars and Light Goods Vehicles) for a Period of 3 Years in “Residential (Group A) 4” Zone, Lots 2404 RP (Part) and 2405 RP (Part) in D.D. 124, Tin Sam Road, Hung Shui Kiu, Yuen Long
(RNTPC Paper No. A/HSK/54)

Presentation and Question Sessions

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

- (a) background to the application;
- (b) the temporary public vehicle park (private cars and light goods vehicles) for a period of three years;
- (c) departmental comments – departmental comments were set out in paragraph 9 of the Paper. Concerned departments had no objection to or no adverse comment on the application;
- (d) during the first three weeks of the statutory publication period, two public comments were received from individuals, raising objection 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 a three years based on the assessments set out in paragraph 11 of the Paper. While the applied use was not entirely in line with the planning intention of the “Residential (Group A)4” zone, it would provide parking spaces to meet any such demand in the area and the implementation programme for this part of the Hung Shui Kiu New Development Area was still being formulated. Approval of the application on a temporary basis would not jeopardise the long-term planning intention. Also, the applied use was not incompatible with the surrounding land uses and would unlikely create significant adverse traffic, environmental and drainage impacts on the surrounding areas. Concerned departments had no adverse comment on the application and relevant approval conditions were recommended to address technical comments of concerned departments. Regarding the adverse public comments, the comments of concerned departments and the planning assessment above were relevant.

194. Members had no question on the application.

Deliberation Session

195. After deliberation, the Committee decided to approve the application on a temporary basis for a period of 3 years until 16.3.2021, on the terms of the application as submitted to the Town Planning Board (TPB) and subject to the following conditions :

- “(a) no medium and heavy goods vehicles exceeding 5.5 tonnes, including container tractors/trailers, as defined in the Road Traffic Ordinance, are allowed to be parked/stored on or enter/exit the site, as proposed by the applicant, at any time during the planning approval period;
- (b) a notice should be posted at a prominent location of the Site to indicate that no medium and heavy goods vehicles exceeding 5.5 tonnes, including container tractors/trailers as defined in the Road Traffic Ordinance, are allowed to be parked/stored on or enter/exit the site at any time during the

planning approval period;

- (c) no vehicle without valid licence issued under the Road Traffic Ordinance is allowed to be parked/stored on the site at any time during the planning approval period;
- (d) 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;
- (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 provision of boundary fencing within 6 months from the date of planning approval to the satisfaction of the Director of Planning or of the TPB by 16.9.2018;
- (g) the submission of a revised 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 16.9.2018;
- (h) in relation to (g) above, the implementation of the revised drainage proposal within 9 months from the date of the planning approval to the satisfaction of the Director of Drainage Services or of the TPB by 16.12.2018;
- (i) in relation to (h) above, the implemented drainage facilities shall be maintained at all times during the planning approval period;
- (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 16.9.2018;
- (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 16.12.2018;

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

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

Agenda Item 51

Section 16 Application

[Open Meeting (Presentation and Question Sessions Only)]

A/TM-LTY Y/345 Proposed Temporary Shop and Services (Real Estate Agency) for a Period of 3 Years in “Residential (Group D)” and “Village Type Development” Zones, Lot 3040 (Part) in D.D. 124 and Adjoining Government Land, Chung Uk Tsuen, Tuen Mun
(RNTPC Paper No. A/TM-LTY Y/345)

Presentation and Question Sessions

197. Ms Stella Y. Ng, STP/TMYLW, presented the application and covered the

following aspects as detailed in the Paper :

- (a) background to the application;
- (b) the proposed temporary shop and services (real estate agency) for a period of three years;
- (c) departmental comments – departmental comments were set out in paragraph 9 of the Paper. Concerned departments had no objection to or no adverse comment on the application;
- (d) during the first three weeks of the statutory publication period, one public comment was received from a Tuen Mun District Council member, who supported the application; and
- (e) the Planning Department (PlanD)'s views – PlanD considered that the temporary use could be tolerated for a period of three years based on the assessments set out in paragraph 11 of the Paper. While the proposed development was not entirely in line with the planning intentions of the “Village Type Development” and “Residential (Group D)” zones, it could provide real estate services to serve any such demand in the area and was not incompatible with the surrounding land uses. Approval of the application on a temporary basis would not jeopardize the long-term planning intentions. Adverse impact on environmental, traffic, landscape and drainage aspects were not anticipated and concerned departments had no adverse comment on the application. Relevant approval conditions were recommended to address technical requirements of the concerned departments.

198. Members had no question on the application.

Deliberation Session

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

temporary basis for a period of 3 years until 16.3.2021, 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 9:00 a.m., as proposed by the applicant, is allowed on the site during the planning approval period;
- (b) no vehicle is allowed to enter or be parked/stored on the site, as proposed by the applicant, at any time during the planning approval period;
- (c) the submission of a drainage proposal within 6 months from the date of the planning approval to the satisfaction of the Director of Drainage Services or of the TPB by 16.9.2018;
- (d) in relation to (c) above, the implementation of the drainage proposal within 9 months from the date of the planning approval to the satisfaction of the Director of Drainage Services or of the TPB by 16.12.2018;
- (e) the implemented drainage facilities shall be maintained at all times during the planning approval period;
- (f) the submission of a fire service installations proposal within 6 months from the date of the planning approval to the satisfaction of the Director of Fire Services or of the TPB by 16.9.2018;
- (g) in relation to (f) 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 16.12.2018;
- (h) the submission of a landscape proposal within 6 months from the date of planning approval to the satisfaction of the Director of Planning or of the TPB by 16.9.2018;
- (i) in relation to (h) above, the implementation of the landscape proposal within 9 months from the date of planning approval to the satisfaction of

the Director of Planning or of the TPB by 16.12.2018;

- (j) the provision of boundary fencing, within 6 months from the date of planning approval to the satisfaction of the Director of Planning or of the TPB by 16.9.2018;
- (k) if any of the above planning conditions (a), (b) or (e) is not complied with during the planning approval period, the approval hereby given shall cease to have effect and shall be revoked immediately without further notice;
- (l) if any of the above planning conditions (c), (d), (f), (g), (h), (i) or (j) is not complied with by the specified date, the approval hereby given shall cease to have effect and shall on the same date be revoked without further notice; and
- (m) upon the expiry of the planning permission, the reinstatement of the application Site to an amenity area to the satisfaction of the Director of Planning or of the TPB.”

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

Agenda Item 52

Section 16 Application

[Open Meeting (Presentation and Question Sessions Only)]

A/YL-PN/51 Proposed Temporary Staff Common Room and Store Room for a
Period of 3 Years in “Coastal Protection Area” Zone, Government
Land in D.D. 135, Ha Pak Nai, Yuen Long
(RNTPC Paper No. A/YL-PN/51)

Presentation and Question Sessions

201. Ms Stella Y. Ng, STP/TMYLW, presented the application and covered the

following aspects as detailed in the Paper :

- (a) background to the application;
- (b) the proposed temporary staff common room and store room for a period of three years;
- (c) departmental comments – departmental comments were set out in paragraph 8 of the Paper. The Director of Agriculture, Fisheries and Conservation (DAFC) had reservation on the application in that the approval of the solar power project was yet to be obtained from relevant authority, it was premature for the applicant to propose the two containers at the site. Also, there was no proper vehicular access to the site, transporting and placing the containers at the site might create adverse impacts on the reed bed and the surrounding natural environment. The Chief Town Planner/Urban Design and Landscape, Planning Department (CTP/UD&L, PlanD) had strong reservation on the application as the applied use was incompatible with the surrounding landscape character and approval of the application might encourage other incompatible use to proliferate in the “Coastal Protection Area” (“CPA”) zone resulting in general degradation of the rural coastal plain landscape character. Other concerned departments had no objection to or no adverse comment on the application;
- (d) during the first three weeks of the statutory publication period, five public comments were received from Kadoorie Farm & Botanic Garden Corporation, the Hong Kong Bird Watching Society, Designing Hong Kong Limited, the World Wide Fund for Nature Hong Kong and an individual, raising objection to the application. Major objection grounds were set out in paragraph 9 of the Paper; and
- (e) PlanD’s views – PlanD did not support the application based on the assessments set out in paragraph 10 of the Paper. The proposed development was not in line with the planning intention of the “CPA” zone

and there was no strong justification for a departure from the planning intention even on a temporary basis. Besides, the proposed development was incompatible with the surrounding area and DAFC and CTP/UD&L, PlanD had reservations on the application. Approval of the application might set an undesirable precedent in the “CPA” zone and the cumulative impact of which would result in a general degradation of the environment of the area. Regarding the adverse public comments, the comments of the concerned departments and the planning assessments above were relevant.

202. Members had no question on the application.

Deliberation Session

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

- “(a) the “Coastal Protection Area” (“CPA”) zoning is intended to conserve, protect and retain the natural coastlines and the sensitive coastal natural environment, including attractive geological features, physical landform or area of high landscape, scenic or ecological value, with a minimum of built development. There is a general presumption against development in this zone. The proposed development is not in line with the planning intention of the “CPA” zone. There is no strong planning justification in the submission for a departure from the planning intention, even on a temporary basis;
- (b) the site is located in an area of high landscape value with mangroves and intertidal shorelines. The proposed development is incompatible with the surrounding landscape character; and
- (c) approval of the application would set an undesirable precedent for similar applications in the “CPA” zone. The cumulative effect of approving such applications would result in a general degradation of the natural environment and landscape quality in the area.”

Agenda Item 53

Section 16 Application

[Open Meeting]

A/YL-PS/547 Proposed Filling of Land (by 0.2m) for Permitted Place of Recreation, Sports and Culture (Golf Driving Range with Ancillary Shop and Services, Eating Place and Office, and Barbecue Area) in “Recreation” Zone, Lots 48 (Part), 51, 52, 53, 54, 55 RP and 65 (Part) in D.D. 126, Ping Shan, Yuen Long

(RNTPC Paper No. A/YL-PS/547A)

204. The Committee noted that the applicant’s representative requested on 8.2.2018 deferment of the consideration of the application for two months in order to allow time for preparation of further information to address departmental comments. It was the second time the applicant requested deferment of the application. Since the last deferment, the applicant had submitted further information to address departmental comments.

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

Agenda Item 54

Section 16 Application

[Open Meeting (Presentation and Question Sessions Only)]

A/YL-PS/555 Proposed Temporary Shop and Wholesale of Construction Materials
for a Period of 3 Years in “Government, Institution or Community” and
“Village Type Development” Zones, Lots 256 (Part), 258 RP (Part) and
259 in D.D. 122, Ping Shan, Yuen Long
(RNTPC Paper No. A/YL-PS/555)

Presentation and Question Sessions

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

- (a) background to the application;
- (b) the proposed temporary shop and wholesale of construction materials for a period of three years;
- (c) departmental comments – departmental comments were set out in paragraph 9 of the Paper. Concerned departments had no objection to or no adverse comment on the application;
- (d) during the first three weeks of the statutory publication period, one public comment was received from an individual, raising objection to the application. 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. While the proposed development, with more than 98% of site area fell within the “Government, Institution or Community” zone, was not in line with the planning intention,

there was not yet any programme/known intention to implement the zoned use on the site. Approval of the application on a temporary basis would not jeopardise the long-term planning intention. Besides, the proposed development was not incompatible with the surrounding land uses such as vehicle parks and storage yards, and would unlikely create significant adverse impact on traffic, environmental, drainage and landscape aspects. Concerned departments had no adverse comment on the application and relevant approval conditions were recommended to address their technical requirements. Regarding the adverse public comment, the comments of concerned departments and the planning assessments above were relevant.

207. Members had no question on the application.

Deliberation Session

208. After deliberation, the Committee decided to approve the application on a temporary basis for a period of 3 years until 16.3.2021, 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 medium and heavy goods vehicles exceeding 5.5 tonnes, including container tractors/trailers, as defined in the Road Traffic Ordinance are allowed to be parked/stored on or enter/exit the site, as proposed by the applicant, at any time during the planning approval period;
- (c) no cutting, dismantling or other workshop activity is allowed on the site at any time during the planning approval period;
- (d) no vehicle is allowed to queue back to or reverse onto/from public road at any time during the planning approval period;
- (e) 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 16.12.2018;

- (f) in relation to (e) above, the implemented drainage facilities shall be maintained at all times during the planning approval period;
- (g) 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 16.9.2018;
- (h) in relation to (g) 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 16.12.2018;
- (i) the submission of landscape proposal within 6 months from the date of planning approval to the satisfaction of the Director of Planning or of the TPB by 16.9.2018;
- (j) in relation to (i) above, the implementation of landscape proposal within 9 months from the date of planning approval to the satisfaction of the Director of Planning or of the TPB by 16.12.2018;
- (k) the provision of boundary fencing within 6 months from the date of planning approval to the satisfaction of the Director of Planning or of the TPB by 16.9.2018;
- (l) if any of the above planning conditions (a), (b), (c), (d) 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 (e), (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 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.”

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

Agenda Item 55

Section 16 Application

[Open Meeting (Presentation and Question Sessions Only)]

A/HSK/52 Temporary Open Storage of Construction Materials with Ancillary Workshop for a Period of 3 Years in “Government, Institution or Community” and “Open Space” Zones, Lots 34 RP (Part), 35 (Part), 36 (Part), 37 (Part), 38 (Part), 39 (Part) and 41 (Part) in D.D. 128, Ha Tsuen, Yuen Long
(RNTPC Paper No. A/HSK/52)

210. The Secretary reported that the site was located in Ha Tsuen. Ms Janice W.M. Lai had declared an interest on the item as her spouse was a shareholder of a company which owned two pieces of lands in Ha Tsuen. The Committee noted that Ms Janice W.M. Lai had tendered an apology for being unable to attend the meeting.

Presentation and Question Sessions

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

- (a) background to the application;
- (b) the temporary open storage of construction materials with ancillary

workshop for a period of three years;

- (c) departmental comments – departmental comments were set out in paragraph 10 of the Paper. The Director of Environmental Protection (DEP) did not support the application as there were sensitive uses in the vicinity of the site and environmental nuisance was expected. Other concerned departments had no objection to or no adverse comment on the application;
- (d) no public comment was received during the first three weeks of the statutory publication period; and
- (e) the Planning Department (PlanD)'s views – PlanD considered that the temporary use could be tolerated for a period of three years based on the assessments set out in paragraph 12 of the Paper. While the proposed development was not in line with the planning intentions of the “Government, Institution or Community” and “Open Space” zones, the implementation programme for this part of New Development Area was still being formulated. Approval of the application on a temporary basis would not jeopardize the long-term development of the area. The proposed development was also not incompatible with the surrounding land uses, such as logistic centre, open storage, warehouse and vehicle park uses. The application was generally in line with the Town Planning Board Guidelines No. 13E in that the site fell within Category 1 areas and relevant proposals had been submitted to demonstrate that the proposed use would not generate adverse impacts. Although DEP did not support the application, there was no environmental complaint against the site in the past three years. The concerns on the possible environment nuisances and the technical requirements of the concerned departments could be addressed by imposing relevant approval conditions.

212. Members had no question on the application.

Deliberation Session

213. After deliberation, the Committee decided to approve the application on a temporary basis for a period of 3 years until 16.3.2021, 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. to 7:00 a.m., as proposed by the applicant, is allowed on the site during the planning approval period;
- (b) no operation on Sundays and public holidays, as proposed by the applicant, is allowed on the site during the planning approval period;
- (c) no vehicle queuing back to or reverse onto/from the public road is allowed at any time during the planning approval period;
- (d) the existing 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 time during the planning approval period;
- (f) the submission of a condition record of the existing drainage facilities within 3 months from the date of the planning approval to the satisfaction of the Director of Drainage Services or of the TPB by 16.6.2018;
- (g) the existing landscape planting on the site shall be maintained at all time during the planning approval period;
- (h) the submission of a fire service installations proposal within 6 months from the date of planning approval to the satisfaction of Director of Fire Services or of the TPB by 16.9.2018;
- (i) in relation to (h) above, the implementation of the fire service installations proposal within 9 months from the date of planning approval to the satisfaction of Director of Fire Services or of the TPB by 16.12.2018;

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

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

Agenda Item 56

Section 16 Application

[Open Meeting (Presentation and Question Sessions Only)]

A/HSK/53 Renewal of Planning Approval for Temporary Public Vehicle Park
(Private Cars and Light Goods Vehicles) for a Period of 3 Years in
“Open Space” Zone and an area shown as ‘Road’, Lots 904 S.B RP and
907 RP in D.D. 125, Ha Tsuen, Yuen Long
(RNTPC Paper No. A/HSK/53)

215. The Secretary reported that the site was located in Ha Tsuen. Ms Janice W.M. Lai had declared an interest on the item as her spouse was a shareholder of a company which owned two pieces of lands in Ha Tsuen. The Committee noted that Ms Janice W.M. Lai had tendered an apology for being unable to attend the meeting.

Presentation and Question Sessions

216. The Committee noted that three replacement pages (pages 5 and 6 of the Paper and page 1 of Appendix VI), with revised comments of the District Lands Officer/Yuen Long, Lands Department, had been dispatched to Members before the meeting. Mr Vincent T.K. Lai, STP/TMYLW, presented the application and covered the following aspects as detailed in the Paper :

- (a) background to the application;
- (b) the renewal of planning approval for temporary public vehicle park (private cars and light goods vehicles) for a period of three years;
- (c) departmental comments – departmental comments were set out in paragraph 10 of the Paper. Concerned departments had no objection to or no adverse comment on the application;
- (d) during the first three weeks of the statutory publication period, one public comment was received from an individual, raising objection to the application. 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 further period of three years based on the assessments set out in paragraph 12 of the Paper. While the applied use was not in line with the planning intention of the “Open Space” zone, the implementation programme for this part of New Development Area was still being formulated. Approval of the application on a temporary basis would not jeopardize the long-term development of the area. The applied use was also not incompatible with the surrounding land uses, such as open storage, warehouse and vehicle park uses. The application was generally in line with the Town Planning Board Guidelines No. 34B in that there had been no change in planning circumstance since the last planning approval, the renewal period sought was the same as the previous approval and all approval conditions under the previous

application had been complied with. Besides, the concerns on the possible environment nuisances and the technical requirements of the concerned departments could be addressed by imposing relevant approval conditions. Regarding the adverse public comment, the comments of concerned departments and the planning assessments above were relevant.

217. Members had no question on the application.

Deliberation Session

218. After deliberation, the Committee decided to approve the application on a temporary basis for a period of 3 years from 28.3.2018 until 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 night time operation between 11:00 pm to 7:00 am, as proposed by the applicant, is allowed on the site during the approval period;
- (b) no vehicle is allowed to queue back to public roads or reverse onto/from public roads at any time during the planning approval period;
- (c) no vehicle without valid license issued under the Road Traffic Ordinance is allowed to be parked/stored on the site at any time during the planning approval period;
- (d) no medium or heavy goods vehicle (i.e. exceeding 5.5 tonnes), including container trailers/tractors, as defined in the Road Traffic Ordinance, as proposed by the applicant, is allowed to be parked/stored on the site at any time during the planning approval period;
- (e) a notice should be posted at a prominent location of the site to indicate that no medium or heavy goods vehicle (i.e. exceeding 5.5 tonnes), including container trailers/tractors, as defined in the Road Traffic Ordinance is allowed to be parked/stored on the site at all times during the planning

approval period;

- (f) the existing drainage facilities implemented on the site shall be maintained at all times during the planning approval period;
- (g) the existing trees and landscape planting on the site shall be maintained at all time during the planning approval period;
- (h) the existing fencing 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 commencement of the renewal planning approval to the satisfaction of the Director of Drainage Services or of the TPB by 28.6.2018;
- (j) the submission of a fire service installations proposal within 6 months from the date of commencement of the renewal planning approval to the satisfaction of the Director of Fire Services or of the TPB by 28.9.2018;
- (k) in relation to (j), the implementation of the fire service installations proposal within 9 months from the date of commencement of the renewal planning approval to the satisfaction of the Director of Fire Services or of the TPB by 28.12.2018;
- (l) if the above planning conditions (a), (b), (c), (d), (e), (f), (g) or (h) is not complied with at any time during the approval period, the approval hereby given shall cease to have effect and shall be revoked immediately without further notice;
- (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 application site to an amenity area to the satisfaction of the Director of Planning or of the TPB.”

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

Agenda Item 57

Section 16 Application

[Open Meeting]

A/HSK/55 Temporary Shop and Services (Retail Shop for Pet Goods) and Dog Breeding Centre 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/55)

220. The Secretary reported that the site was located in Ha Tsuen. Ms Janice W.M. Lai had declared an interest on the item as her spouse was a shareholder of a company which owned two pieces of lands in Ha Tsuen. The Committee noted that Ms Janice W.M. Lai had tendered an apology for being unable to attend the meeting.

221. The Committee noted that the applicant’s representative requested on 8.3.2018 deferment of the consideration of the application for two months in order to allow time for preparation of further information to address departmental comments. It was the first time the applicant requested deferment of the application.

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

meeting for the Committee's consideration. The Committee also agreed to advise the applicant that two months were allowed for preparation of the submission of further information, and no further deferment would be granted unless under very special circumstances.

Agenda Item 58

Section 16 Application

[Open Meeting (Presentation and Question Sessions Only)]

A/TSW/71 Proposed Place of Recreation, Sports or Culture (Swimming Pool Complex and Open Space) in "Open Space" Zone, District Open Space in Area 107, Tin Shui Wai
(RNTPC Paper No. A/TSW/71)

223. The Secretary reported that the application was submitted by the Leisure and Cultural Services Department (LCSD). Townland Consultants Limited (Townland) was one of the consultants of the applicant. The following Members had declared interests on the item:

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

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

224. The Committee noted that Ms Janice W.M. Lai and Mr Alex T.H. Lai had tendered apologies for being unable to attend the meeting.

Presentation and Question Sessions

225. The Committee noted that two replacement pages (page 6 of the Paper and page 1 of Appendix IV), rectifying typographic errors, had been dispatched to Members before the meeting. Mr Vincent T.K. Lai, STP/TMYLW, presented the application and covered the following aspects as detailed in the Paper :

- (a) background to the application;
- (b) the proposed place of recreation, sports or culture (swimming pool complex and open space);
- (c) departmental comments – departmental comments were set out in paragraph 9 of the Paper. Concerned departments had no objection to or no adverse comment on the application;
- (d) during the first three weeks of the statutory publication period, seven public comments were received from the members of general public and the adjacent school. Among which, four public comments supported the application, two objected to the application and one expressed concerns. Major views were set out in paragraph 10 of the Paper; and
- (e) the Planning Department (PlanD)'s views – PlanD had no objection to the application based on the assessments set out in paragraph 11 of the Paper. The proposed development which was requested by the local community was generally in line with the planning intention of the “Open Space” zone and compatible with the surrounding land uses, including primary school, Tin Sau Road Park and Hong Kong Wetland Park. Besides, the proposed development intensity was appropriate and no major adverse impact on drainage, environmental, transport, water and landscape aspects were anticipated. Relevant approval conditions were also recommended to address technical requirements of concerned departments. Regarding open space provision, 1.1 ha public open space would be provided within the proposed development. The open space provision would be adequate to meet the requirement in accordance with the Hong Kong Planning Standards and Guidelines (HKPSG). The proposed development also met the requirements on the provision of swimming pool complex in HKPSG. Regarding the adverse public comments, the comments of concerned departments and the planning assessments above were relevant.

226. Members had no question on the application.

Deliberation Session

227. A Member was concerned whether the Government had explored to incorporate more recreational facilities into the proposed development to optimise the use of land resources. The Committee noted that the Yuen Long District Council had been consulted several times between 2006 to 2017 on the types of facilities to be included within the proposed development. The current development proposal was generally accepted by the stakeholders.

228. 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 16.3.2022, 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 a revised Preliminary Environmental Assessment and the implementation of the mitigation measures identified therein to the satisfaction of the Director of Environmental Protection or of the TPB;
- (b) the implementation of the accepted drainage/sewerage facilities to the satisfaction of the Director of Drainage Services or of the TPB;
- (c) the provision of water supplies for firefighting and fire service installations to the satisfaction of the Director of Fire Services or of the TPB; and
- (d) the submission and implementation of a landscape proposal including tree preservation scheme to the satisfaction of the Director of Planning or of the TPB.”

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

Agenda Item 59

Section 16 Application

[Open Meeting]

A/YL-HTF/1086 Proposed Temporary Animal Boarding Establishment for a Period of 3 Years in “Agriculture” Zone, Lot 341 (Part) in D.D. 128, Lau Fau Shan, Yuen Long
(RNTPC Paper No. A/YL-HTF/1086)

230. The Secretary reported that the site was located in Ha Tsuen. Ms Janice W.M. Lai had declared an interest on the item as her spouse was a shareholder of a company which owned two pieces of lands in Ha Tsuen. The Committee noted that Ms Janice W.M. Lai had tendered an apology for being unable to attend the meeting.

231. The Committee noted that the applicant’s representative requested on 1.3.2018 deferment of the consideration of the application for two months in order to allow time for preparation of further information to address departmental comments. It was the first time the applicant requested deferment of the application.

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

Agenda Item 60

Section 16 Application

[Open Meeting (Presentation and Question Sessions Only)]

A/YL-TT/425 Proposed Religious Institution (Taoist Temple) in “Agriculture” Zone,
Lot 1438 in D.D. 118 and Adjoining Government Land, Tai Tong,
Yuen Long
(RNTPC Paper No. A/YL-TT/425)

Presentation and Question Sessions

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

- (a) background to the application;
- (b) the proposed religious institution (taoist temple);
- (c) departmental comments – departmental comments were set out in paragraph 9 of the Paper. The Director of Agriculture, Fisheries and Conservation (DAFC) did not support the application as the site possessed high potential for agricultural rehabilitation. The Chief Town Planner/Urban Design and Landscape, Planning Department (CTP/UD&L, PlanD) had reservation on the application as vegetation clearance had taken place at the site and no landscape proposal was submitted to ascertain whether the landscape impact could be mitigated. Approval of the application might encourage other applications to modify the site prior to application. Other concerned departments had no objection to or no adverse comment on the application;
- (d) during the first three weeks of the statutory publication period, two public comments were received from a Yuen Long District Council member and an individual, raising objection to the application. Major objection grounds were set out in paragraph 10 of the Paper; and

- (e) PlanD's views – PlanD did not support the application based on the assessments set out in paragraph 11 of the Paper. The proposed development was not in line with the planning intention of the “Agriculture” (“AGR”) zone and DAFC did not support the application. The applicant did not submit any information on the details of the operation of the proposed use. There was no strong planning justification given in the submission for a departure from the planning intention. CTP/UD&L, PlanD had reservation on the application for reasons of landscape impact at the site and inadequate information on how the landscape impact would be mitigated. There was no similar application approved within the same “AGR” zone. Approval of the application would set an undesirable precedent for similar uses to proliferate, resulting in general degradation of the environment of the area. Regarding the adverse public comments, the comments of concerned departments and the planning assessments above were relevant.

234. Members had no question on the application.

Deliberation Session

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

- “(a) the development is not in line with the planning intention of “Agriculture” (“AGR”) zone which is primarily to retain and safeguard good quality agricultural land/farm/fish ponds for agricultural purposes. It is also intended to retain fallow arable land with good potential for rehabilitation for cultivation and other agricultural purposes. No strong planning justification has been given in the submission to justify a departure from the planning intention;
- (b) the applicant fails to demonstrate that the proposed development would not create adverse landscape impacts on the surrounding areas; and

- (c) approval of the application would set an undesirable precedent for other similar uses to proliferate within the “AGR” zone. The cumulative effect of approving such applications would result in a general degradation of the environment of the area.”

Agenda Item 61

Section 16 Application

[Open Meeting (Presentation and Question Sessions Only)]

A/YL-TYST/879 Proposed Temporary Warehouse for Storage of Construction Material for a Period of 3 Years in “Undetermined” Zone, Lot 1198 S.A (Part) in D.D. 119, Tong Yan San Tsuen, Yuen Long
(RNTPC Paper No. A/YL-TYST/879)

Presentation and Question Sessions

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

- (a) background to the application;
- (b) the proposed temporary warehouse for storage of construction material for a period of three years;
- (c) departmental comments – departmental comments were set out in paragraph 9 of the Paper. The Director of Environmental Protection (DEP) did not support the application as there were sensitive uses in the vicinity of the site and environmental nuisance was expected. Other concerned departments had no objection to or no adverse comment on the application;
- (d) no public comment was received during the first three weeks of the statutory publication period; and

- (e) the Planning Department (PlanD)'s views – PlanD considered that the temporary use could be tolerated for a period of three years based on the assessments set out in paragraph 11 of the Paper. The proposed development was not in conflict with the planning intention of “Undetermined” zone on the Outline Zoning Plan and was not incompatible with the surrounding uses such as warehouse/storages, opens storage yards and vehicle repair workshops. While the site fell within areas zoned “Other Specified Uses” annotated “Mixed Use” and “Residential – Zone 2 (with Commercial)” as well as an area shown as ‘Road’ on the Recommended Outline Development Plan of Yuen Long South, approval of the application on a temporary basis would not jeopardise the long-term development of the area. Although DEP did not support the application, there was no environmental complaint against the site received in the past three years and relevant approval conditions were recommended to minimize possible environmental nuisance as well as to address technical requirements of concerned departments.

237. Members had no question on the application.

Deliberation Session

238. After deliberation, the Committee decided to approve the application on a temporary basis for a period of 3 years until 16.3.2021, on the terms of the application as submitted to the Town Planning Board (TPB) and subject to the following conditions :

- “(a) no operation between 4:00 p.m. and 10:00 a.m., as proposed by the applicant, is allowed on the site during the planning approval period;
- (b) no operation on Sundays and public holidays, as proposed by the applicant, is allowed on the site during the planning approval period;
- (c) no open storage, as proposed by the applicant, is allowed on the site at any time during the planning approval period;

- (d) no repairing, dismantling, cleaning or other workshop activities, as proposed by the applicant, are allowed on the site at any time during the planning approval period;
- (e) no medium or heavy goods vehicles exceeding 5.5 tonnes, including container tractor/trailer, as defined in the Road Traffic Ordinance, as proposed by the applicant, is allowed to be parked/stored on or enter/exit the site at any time during the planning approval period;
- (f) no vehicle is allowed to queue back to or reverse onto/from public road at any time during the planning approval period ;
- (g) the provision of boundary fence on the site within 6 months from the date of planning approval to the satisfaction of the Director of Planning or of the TPB by 16.9.2018;
- (h) the submission of a revised drainage proposal within 6 months from the date of planning approval to the satisfaction of the Director of Drainage Services or of the TPB by 16.9.2018;
- (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 16.12.2018;
- (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) the implementation of the accepted landscape and tree preservation proposal within 6 months from the date of planning approval to the satisfaction of the Director of Planning or of the TPB by 16.9.2018;
- (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 16.9.2018;

- (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 16.12.2018;
- (n) if any of the above planning conditions (a), (b), (c), (d), (e), (f) 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;
- (o) if any of the above planning conditions (g), (h), (i), (k), (l) or (m) is not complied with by the specified date, the approval hereby given shall cease to have effect and shall on the same date be revoked without further notice; and
- (p) upon the expiry of the planning permission, the reinstatement of the application site to an amenity area to the satisfaction of the Director of Planning or of the TPB.”

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

Agenda Item 62

Section 16 Application

[Open Meeting (Presentation and Question Sessions Only)]

A/YL-TYST/880 Temporary Container Tractor/Trailer Park and Open Storage of
Construction Machinery with Ancillary Office for a Period of 3 Years
in “Undetermined” Zone, Lot 2817 RP (Part) in D.D. 120, Kung Um
Road, Yuen Long
(RNTPC Paper No. A/YL-TYST/880)

Presentation and Question Sessions

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

- (a) background to the application;
- (b) the temporary container tractor/trailer park and open storage of construction machinery with ancillary office for a period of three years;
- (c) departmental comments – departmental comments were set out in paragraph 10 of the Paper. The Director of Environmental Protection (DEP) did not support the application as there were sensitive uses in the vicinity of the site and environmental nuisance was expected. Other concerned departments had no objection to or no adverse comment on the application;
- (d) no public comment was received during the first three weeks of the statutory publication period; and
- (e) the Planning Department (PlanD)'s views – PlanD considered that the temporary use could be tolerated for a period of three years based on the assessments set out in paragraph 12 of the Paper. The applied use was not in conflict with the planning intention of “Undetermined” zone on the Outline Zoning Plan and was not incompatible with the surrounding uses including open storage/storage yards, warehouses and workshops. While the site fell within areas zoned “Other Specified Uses” annotated “Refuse Collection Point and Sewage Pumping Station” and “District Open Space” as well as an area shown as ‘Road’ on the Recommended Outline Development Plan of Yuen Long South, approval of the application on a temporary basis would not jeopardise the long-term development of the area. The application was generally in line with the Town Planning Board Guidelines No. 13E in that the site fell within Category 1 areas and relevant proposals had been submitted to demonstrate that the applied use would not

generate adverse impacts. Although DEP did not support the application, there was no environmental complaint against the site received in the past three years and relevant approval conditions were recommended to minimize possible environmental nuisance as well as to address technical requirements of concerned departments.

241. Members had no question on the application.

Deliberation Session

242. After deliberation, the Committee decided to approve the application on a temporary basis for a period of 3 years until 16.3.2021, 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 vehicle dismantling, vehicle repairing or other workshop activities, as proposed by the applicant, is allowed on the site at any time during the planning approval period;
- (d) no vehicle is allowed to queue back to or reverse onto/from public road at any time during the planning approval period;
- (e) all existing trees and landscape plantings within the site shall be maintained at all times during the planning approval period;
- (f) the existing drainage facilities on the site shall be maintained at all times during the planning approval period;
- (g) the submission of a condition record of the existing drainage facilities on

the Site within 3 months from the date of planning approval to the satisfaction of the Director of Drainage Services or of the TPB by 16.6.2018;

- (h) 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 27.4.2018;
- (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 16.9.2018;
- (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 16.12.2018;
- (k) if any of the above planning conditions (a), (b), (c), (d), (e) or (f) is not complied with during the planning approval period, the approval hereby given shall cease to have effect and shall be revoked immediately without further notice;
- (l) if any of the above planning conditions (g), (h), (i) or (j) is not complied with by the specified date, the approval hereby given shall cease to have effect and shall on the same date be revoked without further notice; 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.”

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

Agenda Item 63

Section 16 Application

[Open Meeting (Presentation and Question Sessions Only)]

A/YL-TYST/881 Temporary Vehicle Repair Workshop for a Period of 3 Years in
“Undetermined” Zone, Lot 1231 S.B ss.1 (Part) in D.D. 119 and
Adjoining Government Land, Pak Sha Tsuen, Yuen Long
(RNTPC Paper No. A/YL-TYST/881)

Presentation and Question Sessions

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

- (a) background to the application;
- (b) the temporary vehicle repair workshop for a period of three years;
- (c) departmental comments – departmental comments were set out in paragraph 9 of the Paper. The Director of Environmental Protection (DEP) did not support the application as there were sensitive uses in the vicinity of the site and environmental nuisance was expected. Other concerned departments had no objection to or no adverse comment on the application;
- (d) no public comment was received during the first three weeks of the statutory publication period; and
- (e) the Planning Department (PlanD)’s views – PlanD considered that the temporary use could be tolerated for a period of three years based on the assessments set out in paragraph 11 of the Paper. The applied use was not in conflict with the planning intention of “Undetermined” zone on the Outline Zoning Plan and was not incompatible with the surrounding uses such as warehouse, open storage/storage yards and vehicle repair workshops. While the site fell within an area zoned “Residential – Zone 2

(with Commercial)” on the Recommended Outline Development Plan of Yuen Long South, approval of the application on a temporary basis would not jeopardise the long-term development of the area. Although DEP did not support the application and there were 3 substantiated environmental complaints concerning the site, the applicant had rectified the non-compliance related waste disposal and no subsequent environmental complaint concerning the site had been received. Relevant approval conditions were recommended to minimize possible environmental nuisance as well as to address technical requirements of concerned departments.

245. Members had no question on the application.

Deliberation Session

246. After deliberation, the Committee decided to approve the application on a temporary basis for a period of 3 years until 16.3.2021, on the terms of the application as submitted to the Town Planning Board (TPB) and subject to the following conditions :

- “(a) no operation between 4:00 p.m. and 10:00 a.m., as proposed by the applicant, is allowed on the site during the planning approval period;
- (b) no operation on Sundays and public holidays, as proposed by the applicant, is allowed on the site during the planning approval period;
- (c) no paint-spraying, car washing and repairing of light, medium or heavy goods vehicle, as defined in the Road Traffic Ordinance, as proposed by the applicant, are allowed on the site at any time during the planning approval period;
- (d) no vehicle is allowed to queue back to or reverse onto/from public road at any time during the planning approval period ;
- (e) the provision of boundary fence on the site within 6 months from the date

of planning approval to the satisfaction of the Director of Planning or of the TPB by 16.9.2018;

- (f) the implementation of the accepted ingress/egress proposal within 6 months from the date of planning approval to the satisfaction of the Commissioner of Transport or of the TPB by 16.9.2018;
- (g) the submission of a drainage proposal within 6 months from the date of planning approval to the satisfaction of the Director of Drainage Services or of the TPB by 16.9.2018;
- (h) in relation to (g) 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 16.12.2018;
- (i) in relation to (h) above, the implemented drainage facilities on the site shall be maintained at all times during the planning approval period;
- (j) the submission of a 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 16.9.2018;
- (k) in relation to (j) above, the implementation of the fire service installations proposal within 9 months from the date of planning approval to the satisfaction of the Director of Fire Services or of the TPB by 16.12.2018;
- (l) if any of the above planning conditions (a), (b), (c), (d) 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;
- (m) if any of the above planning conditions (e), (f), (g), (h), (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.”

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

Agenda Item 64

Section 16 Application

[Open Meeting (Presentation and Question Sessions Only)]

A/YL-TYST/882 Temporary Open Storage of Construction Machinery and Material for a Period of 3 Years in “Undetermined” Zone, Lots 2417 (Part), 2418 (Part) and 2421 (Part) in D.D. 120, Tong Yan San Tsuen, Yuen Long (RNTPC Paper No. A/YL-TYST/882)

Presentation and Question Sessions

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

- (a) background to the application;
- (b) the temporary open storage of construction machinery and material 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 and environmental nuisance was expected. Other concerned departments had no objection to or no adverse comment on the

application;

- (d) no public comment was received during the first three weeks of the statutory publication period; and
- (e) the Planning Department (PlanD)'s views – PlanD considered that the temporary use could be tolerated for a period of three years based on the assessments set out in paragraph 12 of the Paper. The applied use was not in conflict with the planning intention of “Undetermined” zone on the Outline Zoning Plan and was not incompatible with the surrounding uses including open storage/storage yards, warehouses and workshops. While the site fell within areas zoned “Special Residential – Public Rental Housing (with Commercial)” as well as an area shown as ‘Road’ on the Recommended Outline Development Plan of Yuen Long South, approval of the application on a temporary basis would not jeopardise the long-term development of the area. The application was generally in line with the Town Planning Board Guidelines No. 13E in that the site fell within Category 1 areas and relevant proposals had been submitted to demonstrate that the applied use would not generate adverse impacts. Although DEP did not support the application, there was no environmental complaint against the site received in the past three years and relevant approval conditions were recommended to minimize possible environmental nuisance as well as to address technical requirements of concerned departments.

249. Members had no question on the application.

Deliberation Session

250. After deliberation, the Committee decided to approve the application on a temporary basis for a period of 3 years from 16.3.2018 to 16.3.2021, 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 cutting, repairing, cleaning, dismantling or other workshop activities, as proposed by the applicant, is allowed on the site at any time during the planning approval period;
- (d) no heavy goods vehicle exceeding 24 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 stacking height of the materials stored within 5m of the periphery of the site shall not exceed the height of boundary fence, as proposed by the applicant, 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 a condition record of the existing drainage facilities on the site within 3 months from the date of planning approval to the satisfaction of the Director of Drainage Services or of the TPB by 16.6.2018;
- (j) the provision of boundary fencing within 6 months from the date of

planning approval to the satisfaction of the Director of Planning or of the TPB by 16.9.2018;

- (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 27.4.2018;
- (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 16.9.2018;
- (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 16.12.2018;
- (n) 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;
- (o) if any of the above planning conditions (i), (j), (k), (l) or (m) is not complied with by the specified date, the approval hereby given shall cease to have effect and shall on the same date be revoked without further notice; and
- (p) upon the expiry of the planning permission, the reinstatement of the Site to an amenity area to the satisfaction of the Director of Planning or of the TPB.”

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

Agenda Item 65

Section 16 Application

[Open Meeting (Presentation and Question Sessions Only)]

A/YL/241 Proposed Temporary Shop and Services (Car Beauty Services) for a
Period of 6 Years in “Open Space” Zone, Lot 4290 in D.D. 116, Tai
Tong, Yuen Long
(RNTPC Paper No. A/YL/241)

Presentation and Question Sessions

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

- (a) background to the application;
- (b) the proposed temporary shop and services (car beauty services) for a period of six years;
- (c) departmental comments – departmental comments were set out in paragraph 8 of the Paper. Concerned departments had no objection to or no adverse comment on the application;
- (d) during the first three weeks of the statutory publication period, one public comment was received from an individual, raising objection to the application. Major objection grounds were set out in paragraph 9 of the Paper; and
- (e) the Planning Department (PlanD)’s views – PlanD considered that the temporary use could be tolerated for a period of six years based on the assessments set out in paragraph 10 of the Paper. Although the proposed use was not in line with the planning intention of the “Open Space” zone, it could provide car beauty services to serve any such demand in the area and there was no plan to development the site into public open space at the

moment. Approval of the application on a temporary basis would not jeopardize the long-term planning intention. Besides, the proposed development was not incompatible with the surrounding uses, including residential uses, open storage/storage yards, vehicle parks and workshop etc. Adverse impacts on environmental, traffic, drainage, fire safety and landscape aspects were not anticipated and relevant approval conditions were recommended to minimize possible environment nuisance as well as to address technical requirements of concerned departments. Regarding the adverse public comment, the comments of concerned departments and the planning assessments above were relevant.

253. Members had no question on the application.

Deliberation Session

254. After deliberation, the Committee decided to approve the application on a temporary basis for a period of 6 years until 16.3.2024, 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 dismantling, maintenance, repairing, paint-spraying or other workshop activities, as proposed by the applicant, are allowed on the site at any time during the planning approval period;
- (c) no vehicle without valid licence issued under the Road Traffic Ordinance is allowed to be parked/stored on site at any time during the planning approval period;
- (d) 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 all times 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 provision of boundary fence on the Site within 6 months from the date of planning approval to the satisfaction of the Director of Planning or of the TPB by 16.9.2018;
- (g) the submission of a revised drainage proposal within 6 months from the date of planning approval to the satisfaction of the Director of Drainage Services or of the TPB by 16.9.2018;
- (h) in relation to (g) 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 16.12.2018;
- (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 16.9.2018;
- (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 16.12.2018;
- (k) 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;
- (l) if any of the above planning conditions (f), (g), (h), (i) or (j) is not complied with by the specified date, the approval hereby given shall cease to have effect and shall on the same date be revoked without further notice; 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.”

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

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

Agenda Item 66

Any Other Business

Valediction

256. As this was the last RNTPC meeting of the current term of membership, the Chairman took the opportunity to thank Members for their dedication and support to the work for the Committee over the past two years.

257. There being no other business, the meeting closed at 5:45 p.m..