

TOWN PLANNING BOARD

**Minutes of 600th Meeting of the
Rural and New Town Planning Committee held at 2:30 p.m. on 6.4.2018**

Director of Planning
Mr Raymond K.W. Lee

Chairman

Mr H.W. Cheung

Vice-chairman

Mr Ivan C.S. Fu

Dr F.C. Chan

Mr David Y.T. Lui

Mr Peter K.T. Yuen

Mr Philip S.L. Kan

Mr K.K. Cheung

Dr C.H. Hau

Dr Lawrence K.C. Li

Mr Stephen L.H. Liu

Mr L.T. Kwok

Mr Ricky W.Y. Yu

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
Miss Fiona S.Y. Lung

Secretary

Absent with Apologies

Miss Winnie W.M. Ng

Mr K.W. Leung

Dr Jeanne C.Y. Ng

In Attendance

Assistant Director of Planning/Board
Ms April K.Y. Kun

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

Town Planner/Town Planning Board
Miss Winsome W.S. Lee

Opening Remarks

1. The Chairman said that it was the first meeting of the Rural and New Town Planning Committee (RNTPC) for the term 2018-20. He was pleased to introduce Mr H.W. Cheung, who had been re-appointed as Vice-chairman of RNTPC, and four new Members, Mr L.T. Kwok, Mr K.W. Leung, Dr Jeanne C.Y Ng and Mr Ricky W.Y. Yu, and extend a welcome to them. The Committee noted that Mr K.W. Leung and Dr Jeanne C.Y. Ng had tendered apologies for being unable to attend the meeting. He also welcomed Mr K.K. Cheung who was a member of the Metro Planning Committee last term and would join the RNTPC this term.

Agenda Item 1

Confirmation of the Draft Minutes of the 599th RNTPC Meeting held on 16.3.2018

[Open Meeting]

2. The draft minutes of the 599th RNTPC meeting held on 16.3.2018 were confirmed without amendments.

Agenda Item 2

Matters Arising

[Open Meeting]

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

Sai Kung and Islands District

Agenda Item 3

Section 12A Application

[Open Meeting]

Y/I-LWKS/1 Application for Amendment to the Approved Luk Wu and Keung Shan Outline Zoning Plan No. S/I-LWKS/2, To Rezone the Application Site from “Government, Institution or Community (1)” to “Government, Institution or Community (2)”, Lot 724 (Part) in D.D. 311 and Adjoining Government Land, Keung Shan, Lantau Island
(RNTPC Paper No. Y/I-LWKS/1B)

4. The Secretary reported that Ramboll Environ Hong Kong Ltd. (Environ) was one of the consultants of the applicant. Mr Ivan C.S. Fu had declared an interest on this item as he was having current business dealings with Environ. The Committee noted that the applicant had requested deferral of consideration of the application and agreed that Mr Ivan C.S. Fu could stay in the meeting as he had no involvement in the application.

5. The Committee noted that the applicant’s representative requested on 12.3.2018 deferment of the consideration of the application for two months in order to allow time to prepare further information to address the departmental and public comments. It was the third time that the applicant requested deferment of the application. Since the last deferment, the applicant had submitted further information including a new Geotechnical Planning Review Report, a revised Environmental Assessment, supplementary traffic documents and a response to comment table to address departmental and public comments on water pollution, traffic, building and geotechnical matters.

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

meeting for the Committee's consideration. The Committee also agreed to advise the applicant that two months were allowed for preparation of the submission of the further information. Since it was the third deferment and a total of six months had been allowed for preparation of submission of further information, this was the last deferment and no further deferment would be granted.

Sha Tin, Tai Po and North District

Agenda Item 4

Section 12A Application

[Open Meeting]

Y/NE-LYT/12 Application for Amendment to the Approved Lung Yeuk Tau & Kwan Tei South Outline Zoning Plan No. S/NE-LYT/17 and Approved Hok Tau Outline Zoning Plan No. S/NE-HT/5, To Rezone the Application Site from "Agriculture" and "Green Belt" to "Other Specified Uses" annotated "Cemetery", Sung Him Tong Sung Chan Wui Kei Tuk Kau Fan Cheung, Lot 2213 in D.D. 83, Kwan Tei, Fanling
(RNTPC Paper No. Y/NE-LYT/12)

7. The Committee noted that the applicant's representative requested on 19.3.2018 deferment of the consideration of the application for two months in order to allow time to prepare further information to address departmental comments. It was the first time that the applicant requested deferment of the application.

8. After deliberation, the Committee decided to defer a decision on the application as requested by the applicant pending the submission of further information from the applicant. The Committee agreed that the application should be submitted for its consideration within 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, no further deferment would be granted unless under very special circumstances.

[Mr Ricky W.Y. Yu arrived to join the meeting at this point.]

Agenda Item 5

Section 12A Application

[Open Meeting]

Y/TP/26 Application for Amendment to the Draft Tai Po Outline Zoning Plan No. S/TP/27, To Rezone the Application Site from “Green Belt” to “Comprehensive Development Area (2)” and “Comprehensive Development Area (3)”, Various Lots in D.D. 12 and D.D. 14 and Adjoining Government Land, Tung Tsz, Tai Po
(RNTPC Paper No. Y/TP/26B)

9. The Secretary reported that the application was submitted by Hobman Company Ltd., which was a subsidiary of Wheelock Properties (HK) Limited (Wheelock), Llewelyn-Davies Hong Kong Limited (LD), Black & Veatch Hong Kong Limited (B&V), Dennis Lau & Ng Chun Man Architects & Engineers (HK) Limited (DLN), and Ramboll Environ Hong Kong Limited (Environ) were four of the consultants of the applicant. The application site was located in Tai Po. The following Members had declared interests on this item:

- | | | |
|---------------------|---|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Mr Ivan C.S. Fu | - | having current business dealings with Wheelock and Environ; |
| Mr K.K. Cheung | - | having current business dealings with Wheelock and B&V; |
| Mr Stephen L.H. Liu | - | having past business dealings with Wheelock, LD and DLN; |
| Dr C.H. Hau | - | being the life member of the Conservatory Association (CA) and his wife being the Honorary Secretary of the Board of Directors of CA which had received donation from Wheelock before; and |

Mr H.W. Cheung - owning a flat in Tai Po.

10. The Committee noted that Mr Stephen L.H. Liu had not yet arrived to join the meeting and the applicant had requested deferral of consideration of the application. The Committee agreed that Mr Ivan C.S. Fu and Mr K.K. Cheung could stay in the meeting but should refrain from participating in the discussion as their interests were direct. The Committee also agreed that as the interest of Dr C.H. Hau was indirect and the property of Mr H.W. Cheung had no direct view of the application site, they could stay in the meeting.

11. The Secretary reported that the Concern Group for Tung Tsz Green Belt (the Concern Group) submitted a letter on 5.4.2018 to express their concerns on the repeated deferment requested by the applicant and there was no further information submitted since the last deferment on 26.1.2018. The Concern Group raised objection to the third deferment of the consideration of the application by the applicant. The letter was tabled for Members' information.

12. The Committee noted that the applicant's representative requested on 20.3.2018 and 22.3.2018 deferment of the consideration of the application for two months in order to allow time for formulation of the revised scheme and updating of all relevant technical assessments to address departmental and public comments. It was the third time that the applicant requested deferment of the application. Since the last deferment, the applicant had not submitted any further information but now requested more time to prepare the submission of further information.

13. After deliberation, the Committee decided to defer a decision on the application as requested by the applicant pending the submission of further information from the applicant. The Committee agreed that the application should be submitted for its consideration within three months from the date of receipt of further information from the applicant. If the further information submitted by the applicant was not substantial and could be processed within a shorter time, the application could be submitted to an earlier meeting for the Committee's consideration. The Committee also agreed to advise the applicant that two months were allowed for preparation of the submission of the further information. Since it was the third deferment and a total of six months had been allowed including the previous deferments for preparation of submission of further information, this

was the last deferment and no further deferment would be granted.

Fanling, Sheung Shui and Yuen Long East District

Agenda Item 6

Section 12A Application

[Open Meeting]

Y/FSS/14 Application for Amendment to the Approved Fanling/Sheung Shui Outline Zoning Plan No. S/FSS/22, To Rezone the Application Site from “Comprehensive Development Area” to “Comprehensive Development Area (1)”, Sheung Shui Lot 2 RP and Adjoining Government Land

(RNTPC Paper No. Y/FSS/14)

14. The Secretary reported that Ove Arup & Partners Hong Kong Limited (Arup), ADI Limited (ADI), Ramboll Environ Hong Kong Limited (Environ), and Dennis Lau & Ng Chun Man Architects & Engineers (HK) Limited (DLN) were four of the consultants of the applicant. The following Members had declared interests on this item :

- Mr Ivan C.S. Fu - having current business dealings with Arup, ADI and Environ;
- Mr K.K. Cheung - having current business dealings Arup; and
- Mr Stephen L.H. Liu - having past business dealings with DLN.

15. The Committee noted that Mr Stephen L.H. Liu had not yet arrived to join the meeting and the applicant had requested deferral of consideration of the application. The Committee agreed that Mr Ivan C.S. Fu and Mr K.K. Cheung could stay in the meeting as they had no involvement in the application.

16. The Committee noted that the applicant’s representative requested on 19.3.2018 deferment of the consideration of the application for two months in order to allow time for

preparation of further information to address comments from various government departments. It was the first time that the applicant requested deferment of the application.

17. 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, no further deferment would be granted unless under very special circumstances.

Agenda Item 7

Section 12A Application

[Open Meeting]

Y/KTN/1 Application for Amendment to the Approved Kwu Tung North Outline Zoning Plan No. S/KTN/2, To Rezone the Application Site from "Comprehensive Development Area" to "Residential (Group B) 1", Lots 684 RP (Part), 711 RP (Part), 717 (Part), 718 RP (Part), 719 (Part), 721 RP (Part) and 2158 RP (Part) in D.D. 92 and Adjoining Government Land, Kwu Tung North
(RNTPC Paper No. Y/KTN/1A)

18. The Secretary reported that ADI Limited (ADI) was one of the consultants of the applicant. The application site was located in Kwu Tung North. The following Members had declared interests on this item :

- Mr Ivan C.S. Fu - having current business dealings with ADI; and
- Dr C.H. Hau - owning a property in Kwu Tung.

19. The Committee noted that the applicant had requested deferral of consideration of the application and agreed that as Mr Ivan C.S. Fu had no involvement in the application and the property of Dr C.H. Hau had no direct view of the application site, they could stay in the meeting.

20. The Committee noted that the applicant's representative requested on 21.3.2018 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 second time that the applicant requested deferment of the application. Since the last deferment, the applicant had submitted further information including proposed viewpoints for revising visual impact assessment to address comments from the Planning Department.

21. After deliberation, the Committee decided to defer a decision on the application as requested by the applicant pending the submission of further information from the applicant. The Committee agreed that the application should be submitted for its consideration within 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 second deferment and a total of four months had been allowed for preparation of submission of further information, no further deferment would be granted unless under very special circumstances.

Sai Kung and Islands District

Agenda Item 8

Section 16 Application

[Open Meeting]

A/I-NEL/7 Proposed Temporary Concrete Batching Plant for a Period of 3 Years
in “Undetermined” Zone, Lot 30 (Part) in D.D. 362, Tsing Chau Wan,
Lantau Island
(RNTPC Paper No. A/I-NEL/7A)

22. The Secretary reported that Ramboll Environ Hong Kong Limited (Environ) was one of the consultants of the applicant. Mr Ivan C.S. Fu had declared an interest on this item as he was having current business dealings with Environ. The Committee noted that the applicant had requested deferral of consideration of the application and agreed that Mr Ivan C.S. Fu could stay in the meeting as he had no involvement in the application.

23. The Committee noted that the applicant’s representative requested on 26.3.2018 deferment of the consideration of the application for two months in order to allow time for preparation of further information to address the comments of the Marine Department. It was the second time that the applicant requested deferment of the application. Since the last deferment, the applicant had not submitted any further information.

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

Agenda Item 9

Section 16 Application

[Open Meeting]

A/SK-HC/279 Temporary Place of Recreation, Sports or Culture for a Period of 3 Years in “Green Belt” and “Village Type Development” Zones, Lots 865 RP, 868 RP, 871, 872, 873, 874, 875 RP and 876 RP in D.D. 244 and Adjoining Government Land, Ho Chung, Sai Kung
(RNTPC Paper No. A/SK-HC/279A)

25. The Committee noted that the applicant’s representative requested on 13.3.2018 deferment of the consideration of the application for two months in order to allow time for preparation of further information to address comments from the Transport Department (TD). It was the second time the applicant requested deferment of the application. Since the last deferment, the applicant had submitted further information with a revised traffic impact assessment to address comments from TD.

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

Agenda Item 10

Section 16 Application

[Open Meeting]

A/SK-TLS/52 Proposed Minor Relaxation of Plot Ratio, Site Coverage and Building Height Restrictions for Permitted Residential Development in “Residential (Group C) 1” Zone, Lot 1109 RP (Part) in D.D. 253, 8 Ka Shue Road, Sai Kung
(RNTPC Paper No. A/SK-TLS/52A)

27. The Committee noted that the applicant’s representative requested on 28.3.2018 deferment of the consideration of the application for two months in order to allow time to address comments from the Transport Department, Civil Engineering and Development Department and Planning Department. It was the second time the applicant requested deferment of the application. Since the last deferment, the applicant had submitted further information including revised tree preservation and landscape proposal, revised swept path analysis, revised visual impact assessment, and revised photomontages and plans to address comments from various government departments.

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

Sha Tin, Tai Po and North District

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

Agenda Item 11

Section 16 Application

[Open Meeting (Presentation and Question Sessions Only)]

A/ST/942 Shop and Services (Fast Food Shop) in “Industrial” Zone, Unit A5,
G/F, On Wah Industrial Building, 41-43 Au Pui Wan Street, Fo Tan,
Sha Tin
(RNTPC Paper No. A/ST/942)

Presentation and Question Sessions

29. 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 (fast food shop);
- (c) departmental comments – departmental comments were set out in paragraph 9 of the Paper. Concerned government departments had no objection to or no adverse comment on the application;
- (d) 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 considered not incompatible with the industrial and industrial-related uses in the subject industrial building and the surrounding developments. The applied use generally complied with the Town Planning Board Guidelines No. 25D for Use/Development within “Industrial” Zone including the fire safety and traffic aspects. Similar applications for a range of mixed ‘Shop and Services’ uses such as fast food shop, retail shop and real estate agency had been approved for other units on the ground floor of the subject industrial building and its vicinity. A temporary approval of three years was recommended in order not to jeopardize the long-term planning intention of industrial use for the premises and to allow the Committee to monitor the supply and demand of industrial floor space in the area.

30. Members had no question on the application.

Deliberation Session

31. After deliberation, the Committee decided to approve the application on a temporary basis for a period of 3 years until 6.4.2021, 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 planning approval to the satisfaction of the Director of Fire Services or of the TPB by 6.10.2018; 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.”

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

Agenda Item 12

Section 16 Application

[Open Meeting (Presentation and Question Sessions Only)]

A/NE-TK/636 Temporary Vehicle Park (Private Car and Light Goods Vehicle) for a Period of 3 Years in “Agriculture” and “Village Type Development” Zones, Lots 968 (Part), 970 RP (Part), 977 S.B RP, 977 S.B ss.1, 977 S.B ss.2, 977 S.B ss.3, 977 S.B ss.4, 977 S.B ss.5, 977 S.B ss.6, 977 S.B ss.7, 977 S.B ss.8, 977 S.B ss.15, 977 S.B ss.16, 978, 979 S.A, 979 S.B, 981 S.C, 982, 984 S.B (Part), 1019 S.A (Part), 1019 S.B (Part), 1019 S.C, 1029, 1030, 1031, 1032, 1033 in D.D. 23, Po Sam Pai Village, Ting Kok, Tai Po
(RNTPC Paper No. A/NE-TK/636)

Presentation and Question Sessions

33. 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 vehicle park (private car and light goods vehicle) 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 did not support the application as there were active agricultural activities in its vicinity and the site had potential for agricultural rehabilitation. The Chief Town Planner/Urban Design & Landscape, Planning Department (PlanD) had reservations on the application from the landscape planning point of view as vegetation had been cleared within the site prior to submission of the application. The Commissioner for Transport had reservation on the application and advised that the applicant should submit a car parking layout and traffic review to

demonstrate that the vehicle park would not cause any adverse traffic impact on the surrounding access roads and road network. 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 from local villagers, Kadoorie Farm & Botanic Garden and an individual objecting to the application. Major objection grounds were set out in paragraph 10 of the Paper; and
- (e) PlanD's views – PlanD did not support the application based on the assessments set out in paragraph 11 of the Paper. The applied use was not in line with the planning intention of the “Agriculture” (“AGR”) zone and there was no strong planning justification in the submission for a departure from the planning intention, even on a temporary basis. Approval of the application would set an undesirable precedent to encourage vegetation clearance prior to application and the cumulative effect of approving similar applications would result in degradation of landscape character and landscape impact on the area. The applicant failed to demonstrate that the applied use would not have adverse traffic impacts on the surrounding access roads and road network. Regarding the adverse public comments, the comments of government departments and planning assessments above were relevant.

34. In respond to a Member's question, Ms Kathy C.L. Chan, STP/STN, said that the applied use was considered not incompatible with the surrounding area given that there were village houses and temporary structures in the vicinity.

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

Deliberation Session

35. A Member pointed out that in view of the large scale of the proposed vehicle park, the applied use was considered not compatible with the surrounding area. Other Members agreed.

36. A Member noted that there was increasing number of developments along Ting Kok Road. The vegetation clearance at the site prior to submission of application had already caused damage to the rural environment. That should not be encouraged and the application was not supported. Another Member noted that the applied use for vehicle park in such scale might imply that there was a large demand for parking spaces in the area.

37. 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 primarily to retain and safeguard good quality agricultural land/farm/fish ponds for agricultural purposes, and to retain fallow arable land with good potential for rehabilitation for cultivation and other agricultural purposes. There is no strong planning justification in the submission for a departure from the planning intention of “AGR” zone, even on a temporary basis;
- (b) the applicant fails to demonstrate in the submission that the development would not result in adverse landscape and traffic impacts; and
- (c) the approval of the application, even on a temporary basis, would set an undesirable precedent for other similar applications in the “AGR” zone. The cumulative effect of approving such applications would result in a general degradation of the landscape character of the area.”

Agenda Items 13 and 14

Section 16 Applications

[Open Meeting (Presentation and Question Sessions Only)]

A/TP/645 Proposed House (New Territories Exempted House - Small House) in “Green Belt” and “Village Type Development” Zones, Lots 496 S.A RP and 496 S.B in D.D. 21, Pun Shan Chau, Tai Po

A/TP/646 Proposed House (New Territories Exempted House - Small House) in “Green Belt” and “Village Type Development” Zones, Lots 496 S.A ss.1 and 496 S.C in D.D. 21, Pun Shan Chau, Tai Po
(RNTPC Paper No. A/TP/645 and 646)

38. The Committee noted that the two s.16 applications for proposed house (New Territories Exempted House (NTEH) – Small House) were similar in nature and the application sites were located in close proximity to each another and within the same “Green Belt” (“GB”) and “Village Type Development” (“V”) zones, they could be considered together.

Presentation and Question Sessions

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

- (a) background to the applications;
- (b) the proposed house (NTEH - Small House) at each of the sites;
- (c) departmental comments – departmental comments were set out in paragraph 10 and Appendix V of the Paper. The Commissioner for Transport had reservation on the applications as the Small Houses should be confined within the “V” zone as far as possible. However, he considered that the applications involving development of one Small House on each of the sites could be tolerated. The Chief Town Planner/Urban Design & Landscape, Planning Department (PlanD) had reservation on the

applications from the landscape planning perspective as the proposed developments would require site formation and/or slope works and the remaining green wooded area in the locality would be susceptible to further impact of human activities. There was vegetation clearance within the sites prior to submission of the applications. 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, seven public comments on application No. A/TP/645 and five public comments on application No. A/TP/646 were received from the Kadoorie Farm and Botanic Garden Corporation, Designing Hong Kong Limited, World Wide Fund - Hong Kong, Incorporated Owners of Hilltop Garden and individuals objecting to the applications. Major objection views were set out in paragraph 11 of the Paper; and
- (e) PlanD's views – PlanD did not support the applications based on the assessments set out in paragraph 12 of the Paper. The proposed Small House developments were not in line with the planning intention of “GB” zone and there was a general presumption against the development within “GB” zone. The applications did not comply with the Town Planning Board Guidelines No. 10 in that the proposed Small Houses would involve extensive clearance of natural vegetation affecting the existing natural landscape. 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 Houses fell within the “V” zone of Pun Shan Chau Village and land was still available within the “V” zone to meet the outstanding Small House applications. It was considered 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. Two previous applications (No. A/TP/634 and A/TP/635) at the application sites were rejected by the Committee in November 2017 on similar grounds. There had been no change in planning circumstances since the rejection of

these previous applications. Although two similar applications (A/TP/437 and A/TP/631) were approved by the Committee, the former one (A/TP/437) was approved in 2009 prior to the adoption of a more cautious approach, and the latter (A/TP/631) was approved in 2017 based on sympathetic considerations as it was the subject of a previous approved application submitted by the same applicant and the processing of the Small House grant was at an advanced stage. The circumstances of these cases were not similar to the current applications. Regarding the public comments, the comments of concerned departments and the planning assessments above were relevant.

40. Members had no question on the application.

Deliberation Session

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

- “(a) the proposed development is not in line with the planning intention of the “Green Belt” (“GB”) zone for the area which is to define 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 the 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 will affect the existing natural landscape. The applicant fails to demonstrate that the proposed development would have no adverse landscape impact on the surrounding areas;

- (c) the proposed development does not comply with the Interim Criteria for Consideration of Applications for New Territories Exempted House/Small House Development in New Territories in that the proposed development would cause adverse landscape impact on the surrounding areas; and
- (d) land is still available within the “Village Type Development” (“V”) zone of Pun Shan Chau Village 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 15

Section 16 Application

[Open Meeting (Presentation and Question Sessions Only)]

A/TP/647 Proposed House (New Territories Exempted House - Small House) in
“Green Belt” Zone, Lot 461 S.A in D.D. 32, Ha Wong Yi Au, Tai Po
(RNTPC Paper No. A/TP/647)

42. The Committee noted that the applicant’s representative requested on 27.3.2018 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, no further deferment would be granted unless under very special circumstances.

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

Agenda Item 16

Section 16 Application

[Open Meeting (Presentation and Question Sessions Only)]

A/NE-FTA/167 Temporary Goods Distribution and Storage Use for a Period of 3 Years
in “Other Specified Uses” annotated “Port Back-up Uses” Zone and an
area shown as ‘Road’, Lots 182 RP (Part) and 183 RP (Part) in D.D.
52, Fu Tei Au, Sheung Shui
(RNTPC Paper No. A/NE-FTA/167D)

Presentation and Question Sessions

44. 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 temporary goods distribution and storage use for a period of three years;
- (c) departmental comments – departmental comments were set out in paragraph 10 of the Paper. Concerned government departments had no objection to or no adverse comment on the application;
- (d) during the first three weeks of the statutory publication periods, six public comments from two North District Council (NDC) members, the Chairman of Sheung Shui District Rural Committee (SSDRC) and an individual were received. While a NDC member and the Chairman of SSDRC had no comment, another NDC member and the individual provided comments on the application. Major views and concerns were set out in paragraph 11 of

the Paper; and

- (e) the Planning Department (PlanD)'s views – PlanD considered that the temporary use could be tolerated for a period of three years based on the assessments set out in paragraph 12 of the Paper. The applied use was considered generally in line with the planning intention of the “Other Specified Uses” annotated “Port Back-up Uses” zone. Although part of the site fell within an area shown as ‘Road’ and was required for the proposed Remaining Packages of Development of Fanling North New Development Area (NDA), the NDA project was anticipated to be commenced not earlier than 2023. Approval of the application for a temporary period of three years would not jeopardize the long-term planning intention for the NDA development. The applied use was considered not incompatible with the surrounding environment. 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. As previous approval (application No. A/NE-FTA/154) submitted by the same applicant for the same applied use had been granted in 2015 and there was no major change in the planning circumstances since the last approval, sympathetic considerations could be given to the current application. As the last approval was revoked due to non-compliance with the approval condition, shorter compliance periods were recommended to closely monitor the progress. Regarding the public comments, the comments of concerned departments and the planning assessments above were relevant.

45. A Member asked the following questions:

- (a) the vehicular access to the site from the main access road, and its land status;
- (b) whether there would be road widening on the vehicular access and the implementation program; and

- (c) whether the capacity of the vehicular access could accommodate the additional traffic flow arising from the applied use for goods distribution and storage use.

46. Mr Tim T.Y. Fung, STP/STN, made the following responses:

- (a) as shown in Drawing A-1, the site was accessible to Man Kam To Road via a local access road, which was mainly government land with portion of private land;
- (b) a portion of the site fell within the Remaining Packages of Fanling North NDA project, the Civil Engineering and Development Department advised that the project was planned to be commenced in 2023 the earliest and the subject vehicular access would not be affected at this stage; and
- (c) the applied use at the site was previously approved by the Committee. The site was mainly used for unpacking the bulk of goods from Mainland China and distribution to different companies in Hong Kong. Noting the restriction of the operation hours, the Transport Department (TD) had no comment on the application from traffic engineering viewpoint.

Deliberation Session

47. Mr Ricky W.K. Ho, CTE/NTE, TD supplemented that the traffic impact assessment submitted by the applicant was considered acceptable and approval conditions on restrictions of the operation hours and type of vehicles were suggested in the Paper.

48. After deliberation, the Committee decided to approve the application on a temporary basis for a period of 3 years until 6.4.2021, 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 medium and heavy goods vehicles exceeding 5.5 tonnes, as defined in the Road Traffic Ordinance, is allowed for the operation of the site at any time during the planning approval period;
- (d) the maintenance of all existing trees and landscape plantings at the site at all times during the planning approval period;
- (e) the maintenance of the existing drainage facilities at the site at all times during the planning approval period;
- (f) the submission of a condition record of the existing drainage facilities within 3 months from the date of planning approval to the satisfaction of the Director of Drainage Services or of the TPB by 6.7.2018;
- (g) the submission of proposals for water supplies for fire-fighting and fire service installations within 3 months from the date of planning approval to the satisfaction of the Director of Fire Services or of the TPB by 6.7.2018;
- (h) in relation to (g) above, the provision of water supplies for fire-fighting and fire service installations within 6 months from the date of planning approval to the satisfaction of the Director of Fire Services or of the TPB by 6.10.2018;
- (i) if any of the above planning conditions (a), (b), (c), (d) or (e) 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 (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.”

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

Agenda Item 17

Section 16 Application

[Open Meeting (Presentation and Question Sessions Only)]

A/NE-FTA/182 Proposed Filling of Land and Pond for Permitted Agricultural Use (Hydroponic Farm) in “Agriculture” Zone, Lots 427 S.D, 427 RP, 427 S.E RP, 433 (Part), 445 (Part), 446 (Part), 447 (Part), 462 (Part), 463, 464 (Part), 465 (Part), 466 (Part), 467, 468, 518 RP, 520 RP, 521, 522, 523, 524, 525 and 526 in D.D. 89 and Adjoining Government Land, near Lo Wu Station Road, Man Kam To Road
(RNTPC Paper No. A/NE-FTA/182)

Presentation and Question Sessions

50. 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 filling of land and pond for permitted agricultural use (hydroponic farm);
- (c) departmental comments – departmental comments were set out in paragraph 9 of the Paper. The District Lands Officer/North, Lands Department (LandsD) did not support the application from the land administration point of view on the grounds that there were illegal structures on the site, illegal occupation of government land and illegal landfilling activities had been carried out on the site. As for the rest of the site, the land/pond filling activities had never obtained permission from

relevant departments. The Director of Agriculture, Fisheries and Conservation (DAFC) objected to the application from nature conservation point of view in that the application site and its vicinity was a piece of wetland consisted of marsh/watercourse/etc., which might be of considerable ecological value, and the applicant failed to identify and address any potential ecological impact that might arise from the proposed land filling activity. The Commissioner for Transport did not support the application at this stage as the applicant should carry out a traffic impact assessment covering Man Kam To Road, Po Shek Wu Road, Jockey Club Road and road network of the Sheung Shui/Fanling district. The Chief Town Planner/Urban Design and Landscape, Planning Department (PlanD) objected to the application from landscape planning point of view as there was an extensive unauthorised land filling of at least 2m in height and unauthorised significant vegetation clearance at the site prior to application. The Director of Environmental Protection (DEP) and the Chief Engineer/Mainland North, Drainage Services Department had reservations on the application as there was no technical assessment to demonstrate that the proposed use would not result in adverse drainage impacts. DEP had also received environmental complaints concerning the site from 2015 to 2018. 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, 17 public comments were received from the Chairman of Sheung Shui District Rural Committee (SSDRC), a North District Council (NDC) member, the Kadoorie Farm and Botanic Garden, Hong Kong Bird Watching Society, World Wide Fund for Nature Hong Kong, Designing Hong Kong and individuals. While the Chairman of SSDRC had no comment and the NDC member supported the application, the other public comments raised objection to the application. Major views 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. Whilst 'Agricultural

Use' was always permitted in the "Agriculture" ("AGR") zone, any form of land filling (except for laying of soil not exceeding 1.2m in thickness for cultivation or construction of any agricultural structure with prior written approval issued by LandsD), or pond filling would require planning permission from the Town Planning Board (TPB). The application site was over 2 hectares and majority of it had been filled without planning permission. The current application was for further filling of the entire site to about +6.5mPD (which was about 2 to 3m in thickness based on original ground level), which was a "Destroy First, Build Later" case. Although the northern part of the site covering Lots 466, 520 RP, 521 to 523 in D.D. 89 had once obtained approvals from the Agricultural, Fisheries and Conservation Department and LandsD for erection of agricultural structures, the land filling activities at that part of the site exceeding +3.9mPD had never been agreed by concerned departments and the relevant Letter of Approval (LoA) and associated Certificates of Exemption (CoEs) (for Building Works and Site Formation) were cancelled and revoked on 12.10.2017. The extensive filling of land and pond with hard surface was considered incompatible with the rural agricultural landscape character in the area and the applicant had not provided any justification for the required depth of land-filling (i.e. over 5mPD) for erection of hydroponic farm/greenhouses and ancillary facilities. There was no information in the submission to demonstrate that the development would not result in adverse ecological, environmental, drainage and traffic impacts. Approval of the application might set an undesirable precedent to encourage similar vegetation clearance/land filling/pond filling prior to obtaining permission within "AGR" zone and would jeopardize the existing valuable rural landscape resources and irreversibly degrade the agricultural landscape character in the area. The cumulative effect of approving such similar applications would result in a general degradation of the environment of the area. Regarding the adverse public comments, the comments of government departments and planning assessments above were relevant.

51. A Member asked whether there was any information about the ecological value and condition of the site before land filling occurred and whether there were complaints on flooding. In response, Mr Tim T.Y. Fung, STP/STN, said that the site (about 2 hectare) was part of 60 hectare “AGR” zone on the Fu Tei Au and Sha Ling Outline Zoning Plan. There was no previous ecological information on the site in hand. For the site condition, according to the aerial photo taken on 29.4.2017, the site was not yet formed and there was active farmland and fallow agricultural land on the site and in the surrounding area. Some residents living near the site did not indicate that there was flooding at their houses but they did mention that the nearby channels were blocked.

52. A Member asked the following questions:

- (a) whether the permit/license mentioned were approved by TPB; and
- (b) when the illegal land filling, enforcement action and reinstatement action were taken.

53. Mr Tim T.Y. Fung, STP/STN, made the following responses:

- (a) the proposed use for hydroponic farm was a Column 1 use which was always permitted in “AGR” zone; however, any filling of pond or filling of land (except the laying of soil not exceeding 1.2m in thickness for cultivation or construction of any agricultural structure with prior written approval issued by LandsD) for the permitted use within “AGR” zone would require permission from TPB. The northern part of the site was the subject of CoEs issued by LandsD in 2017 which specified that the site formation level for the agricultural structures should not exceed +3.9mPD. As illegal land filling was carried out on the site, the CoEs were cancelled and revoked by LandsD in October 2017. No planning permission was granted by TPB at the site; and
- (b) according to the aerial photos and site investigation, it was noted that the illegal land filling activities was undertaken in mid-2017. Relevant warning letters were issued by LandsD to the applicant in July and August

2017. Subsequently, the LoA and CoEs were cancelled and revoked in October 2017. For planning enforcement action, the Chief Town Planner/Central Enforcement and Prosecution, PlanD had issued two Enforcement Notices (ENs) in August and September 2017 requiring discontinuance of the unauthorised development. Subsequently, two Reinstatement Notices (RNs) were issued to the concerned parties with the requirements to remove the fill materials and to grass the land by March 2018.

Deliberation Session

54. The Chairman said while the RNs were not complied with by the deadlines, prosecution action could be taken as the next step. He also supplemented that the Court had increased the penalty in recent years for these cases.

55. Members generally did not support the application, and expressed their concerns on undertaking the land filling activities without first obtaining planning permission, and the long process for carrying out enforcement action.

56. Noting that “destroy first, build later” case would not be encouraged, a Member asked how planning application for such cases should be considered. In response, the Secretary said that for cases subject to enforcement action, TPB would take into account the reinstated condition of the site as required in RN issued by the Planning Authority when considering the application.

57. Mr Edwin W.K. Chan, AD/R3, LandsD said that for old schedule agricultural lots held under the Block Government Lease, in general there was control on erection of structures only. In this regard, there was no enforcement power under the lease for illegal land filling activities. For this case, the enforcement action taken by LandsD was not against land filling but the erection of structures on agricultural land.

58. The Chairman supplemented that the CoEs issued by LandsD were related to the site formation level for the proposed agricultural structures.

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

- “(a) the planning intention of the “Agriculture” (“AGR”) zone 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 justifications for land/pond filling of 2 to 3m in height (+6.5mPD) for agricultural purpose;
- (b) the applicant fails to demonstrate that the filling of land and pond would not cause adverse drainage, environmental, ecological, landscape and traffic impacts on the surrounding area; and
- (c) the approval of the application would set an undesirable precedent for other similar applications within the “AGR” zone. The cumulative impact of approving such applications would result in a general degradation of the environment of the area.”

Agenda Item 18
Section 16 Application

[Open Meeting (Presentation and Question Sessions Only)]

A/NE-LK/112 Proposed House (New Territories Exempted House - Small House) in
 “Agriculture” and “Village Type Development” Zones, Lots 1523 S.C
 and 1523 RP in D.D. 39, Ma Tseuk Leng, Sha Tau Kok
 (RNTPC Paper No. A/NE-LK/112)

Presentation and Question Sessions

60. 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 - Small House);
- (c) departmental comments – departmental comments were set out in paragraph 9 and Appendix V of the Paper. The Director of Agriculture, Fisheries and Conservation (DAFC) did not support the application from agriculture point of view as the site was an abandoned land overgrown with vegetation. Agricultural activities in the vicinity were active and the site possesses high potential for agricultural rehabilitation. She also had reservation on the application from nature conservation point of view as the proposed development including site formation works might cause potential adverse impact on the natural to semi-natural stream with trees growing in its riparian areas to the immediate northeast of the site. The Commissioner for Transport had reservation on the application and considered that Small House development should be confined within the “Village Type Development” (“V”) zone as far as possible but given that the proposed development involving one Small House only, it 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, three public comments were received from the Chairman of Sheung Shui District Rural Committee indicating no comment on the application, a North District Council member supporting and the Kadoorie Farm and Botanic Garden Corporation objecting to the application. Major grounds were set out in paragraph 10 of the Paper; and

- (e) the Planning Department (PlanD)'s views – PlanD had no objection to the application based on the assessments set out in paragraph 11 of the Paper. The proposed Small House was not incompatible with the surrounding area and no significant adverse landscape impact arising from the proposed Small House was anticipated. 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' ('VE') of Ma Tseuk Leng, Ma Tsuek Leng San Uk Ha and Wo Tong Kong. Land available within the "V" zone was insufficient to meet the outstanding Small House applications and the future Small House demand forecast. Although DAFC did not support the application, it was noted that there was no tree on the site and the Director of Environmental Protection opined that the proposed development itself was unlikely to cause pollution to the nearby stream. Relevant approval conditions had been recommended to address the concerns on the possible environmental nuisances and the technical requirements of relevant government departments. Previous application (No. A/NE-LK/80) for Small House development submitted by the same applicant was approved by the Committee in September 2013; however, the planning permission lapsed in September 2017. Similar applications for Small House development in the vicinity of the site were approved by the Committee between 2001 and 2018. Approval of the application was in line with the Committee's previous decisions. Regarding the adverse public comments, the comments of government departments and planning assessments above were relevant.

- (f) Members had no question on the application.

Deliberation Session

61. A Member noted that there was land available within the “V” zone of Ma Tseuk Leng which could accommodate Small House developments. If the subject application was approved, it could set an undesirable precedent.

62. The Chairman said that the Committee had adopted a more cautious approach in considering applications for Small House development in recent years. If there was sufficient land in the concerned “V” zone, the Small House developments should be confined within the “V” zone as far as possible for a more orderly development pattern. However, for the current application, it was previously approved by the Committee in 2013 and the processing of the Small House grant was at an advanced stage. In this regard, sympathetic consideration could be given to the current application.

63. The Committee noted that the similar applications No. A/NE-LK/83 and A/NE-LK/84 in the same ‘VE’ were also approved by the Committee in May 2014 noting that their respective Small House grants were being processed by the Lands Department.

64. 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 6.4.2022, 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;
- (b) the submission and implementation of drainage proposal to the satisfaction of the Director of Drainage Services or of the TPB; and
- (c) the submission and implementation of landscape proposal to the satisfaction of the Director of Planning or of the TPB.”

65. 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-LYT/640 Temporary Private Vehicle Park for Private Car and Light Goods Vehicle (Excluding Container Vehicle) and Loading/Unloading for a Period of 3 Years in “Residential (Group C)” Zone, Lots 799 S.A RP, 800 S.B RP and 801 S.B in D.D. 83, 192 Sha Tau Kok Road, Lung Yeuk Tau, Fanling
(RNTPC Paper No. A/NE-LYT/640A)

66. The Committee noted that the applicant’s representative requested on 20.3.2018 deferment of the consideration of the application for two months in order to allow time for preparation of further information to address comments from the Transport Department (TD). It was the second time the applicant requested deferment of the application. Since the last deferment, the applicant had submitted further information including a traffic impact assessment to address comments from TD.

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

Agenda Item 20

Section 16 Application

[Open Meeting]

A/NE-TKL/568 Temporary Vehicle Repair Workshop for Lorry, Coach and Container Vehicle with Ancillary Office and Electricity Transformer Station for a Period of 3 Years in “Open Storage” and “Agriculture” Zones, Lots 783 and 784 in D.D. 77 and Adjoining Government Land, Ping Che (RNTPC Paper No. A/NE-TKL/568C)

68. The Secretary reported that MVA Hong Kong Ltd. (MVA) was one of the consultants of the applicant. Mr Ivan C.S. Fu had declared an interest on this item as he was having current business dealings with MVA. The Committee noted that the applicant had requested deferral of consideration of the application and agreed that Mr Ivan C.S. Fu could stay in the meeting as he had no involvement in the application.

69. The Committee noted that the applicant’s representative requested on 23.3.2018 deferment of the consideration of the application for two months in order to allow time to address comments from the Transport Department (TD). It was the fourth time that the applicant requested deferment of the application. Since the last deferment, the applicant submitted further information including a traffic impact assessment to address comments from TD.

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

Agenda Item 21

Section 16 Application

[Open Meeting]

A/NE-TKL/577 Temporary Warehouse (Storage of Spare Parts and Used Electrical Goods) with Ancillary Workshop for a Period of 3 Years in “Open Storage” Zone and an area shown as ‘Road’, Lots 885 and 1552 S.A ss.3 (Part) in D.D. 77 and Adjoining Government Land, Ping Che
(RNTPC Paper No. A/NE-TKL/577A)

71. The Committee noted that the applicant’s representative requested on 15.3.2018 deferment of the consideration of the application for two months in order to allow time for preparation of further information to address further comments from the Transport Department (TD). It was the second time that the applicant requested deferment of the application. Since the last deferment, the applicant had submitted further information including a traffic impact assessment to address comments from TD.

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

Agenda Item 22

Section 16 Application

[Open Meeting]

A/NE-TKL/585 Temporary Open Storage of Construction Materials for a Period of 3 Years in “Agriculture” and “Village Type Development” Zones, Lots 1507 S.B RP (Part), 2022 S.B RP (Part), 2036 (Part), 2037, 2038, 2039, 2040 (Part), 2041 (Part) and 2042 (Part) in D.D. 76 and Adjoining Government Land, Leng Tsai, Sha Tau Kok Road, Fanling
(RNTPC Paper No. A/NE-TKL/585)

73. The Committee noted that the applicant’s representative requested on 23.3.2018 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 that the applicant requested deferment of the application.

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

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

Fanling, Sheung Shui and Yuen Long East District

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

Agenda Item 23

Section 16 Application

[Open Meeting (Presentation and Question Sessions Only)]

A/YL-KTN/591 Temporary Storage of Fertiliser and Food Processing Material for a Period of 3 Years in “Other Specified Uses” annotated “Railway Reserve” Zone, Lots 423 RP (Part) and 428 RP in D.D. 107 and Adjoining Government Land, Fung Kat Heung, Kam Tin, Yuen Long (RNTPC Paper No. A/YL-KTN/591)

Presentation and Question Sessions

75. 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 storage of fertiliser and food processing 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 heavy vehicles involved and sensitive uses in the vicinity of the site and environmental nuisance was expected. Other concerned government departments had no objection to or no adverse comment on the application;
- (d) during the first three weeks of the statutory publication period, one public comment was received from an individual objecting to the application.

Major objection grounds were set out in paragraph 11 of the Paper; and

- (e) the Planning Department (PlanD)'s views – PlanD considered that the temporary use could be tolerated for a period of three years based on the assessments set out in paragraph 12 of the Paper. Although the applied use was not in line with the planning intention of “Other Specified Uses” annotated “Railway Reserve” (“OU(Railway Reserve)”) zone which was primarily for reservation of land for railway development, i.e. the Northern Link (NOL), the exact alignment and development programme of the NOL was yet to be finalized. Approval of the application on a temporary basis would not frustrate the long-term planning intention of the “OU(Railway Reserve)” zone. The development was considered not incompatible with the surrounding land uses predominated by open storage and warehouse uses. The applied use was generally in line with the Town Planning Board Guidelines No. 13E in that the site fell within Category 2 areas; previous approvals had been granted; technical concerns of relevant government departments could be addressed through implementation of approval conditions. Although DEP did not support the application, there was no substantiated environmental complaint pertaining to the site in the past three years. Relevant approval conditions had been recommended to address the concerns on the possible environmental nuisances. Previous and similar applications for various temporary open storage uses were approved with conditions by the Committee within the same “OU(Railway Reserve)” zone. However, since the last approval was revoked due to non-compliance with approval conditions, shorter compliance periods were recommended to closely monitor the progress of compliance with approval conditions. Regarding the adverse public comment, the comments of government departments and planning assessments above were relevant.

76. Members had no question on the application.

Deliberation Session

77. After deliberation, the Committee decided to approve the application on a temporary basis for a period of 3 years until 6.4.2021, on the terms of the application as submitted to the Town Planning Board (TPB) and subject to the following conditions:

- “(a) no operation between 11:00 p.m. and 7:00 a.m., as proposed by the applicant, is allowed on the site during the planning approval period;
- (b) no operation on Sundays and public holidays, as proposed by the applicant, is allowed on the site during the planning approval period;
- (c) no dismantling, maintenance, repairing, cleansing, paint spraying or other workshop activities shall be carried out on the site at any time during the planning approval period;
- (d) the maintenance of the existing boundary fencing on 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 submission of landscape proposal within 3 months from the date of the planning approval to the satisfaction of the Director of Planning or the TPB by 6.7.2018;
- (g) in relation to (f) above, the implementation of the landscape proposal within 6 months from the date of planning approval to the satisfaction of the Director of Planning or the TPB by 6.10.2018;
- (h) the submission of drainage proposal within 3 months from the date of planning approval to the satisfaction of the Director of Drainage Services or the TPB by 6.7.2018;

- (i) in relation to (h) above, the implementation of drainage proposal within 6 months from the date of planning approval to the satisfaction of the Director of Drainage Services or the TPB by 6.10.2018;
- (j) the submission of fire service installations proposal within 3 months from the date of planning approval to the satisfaction of the Director of Fire Services or of the TPB by 6.7.2018;
- (k) in relation to (j) above, the implementation 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 6.10.2018;
- (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 application site to an amenity area to the satisfaction of the Director of Planning or of the TPB.”

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

Agenda Item 24

Section 16 Application

[Open Meeting]

A/YL-KTN/592 Proposed Temporary Shop and Services (Financial Institution) with Ancillary Staff Canteen for a Period of 3 Years in “Other Specified Uses” annotated “Railway Reserve” Zone, Lots 4122, 4123, 4124 and 4125 (Part) in D.D. 104 and Adjoining Government Land, San Tam Road, Kam Tin, Yuen Long
(RNTPC Paper No. A/YL-KTN/592)

79. The Committee noted that the applicant’s representative requested on 27.3.2018 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 that the applicant requested deferment of the application.

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

Agenda Item 25

Section 16 Application

[Open Meeting (Presentation and Question Sessions Only)]

A/YL-KTS/779 Proposed Temporary Place of Recreational, Sports or Culture (Hobby Farm) for a Period of 3 Years in “Agriculture” Zone, Lots 777 RP, 778 RP, 779 RP and 926 in D.D. 103, Kam Tin, Yuen Long
(RNTPC Paper No. A/YL-KTS/779)

Presentation and Question Sessions

81. Ms Ivy C.W. Wong, STP/FSYLE reported that a replacement page (page 5 of the Paper) regarding revision to the comments from the District Lands Officer/Yuen Long, Lands Department was tabled for Members’ reference. She presented the application and covered the following aspects as detailed in the Paper:

- (a) background to the application;
- (b) the proposed temporary place of recreational, sports or culture (hobby farm) for a period of three years;
- (c) departmental comments – departmental comments were set out in paragraph 9 of the Paper. The Chief Town Planner/Urban Design & Landscape, Planning Department (CTP/UD&L, PlanD) had reservations on the application as approval of the application would encourage site modification prior to application, resulting in piecemeal development destroying the tranquil nature of the area. Other concerned government departments had no objection to or no adverse comment on the application;
- (d) during the first three weeks of the statutory publication period, three public comments were received from the Kadoorie Farm and Botanic Garden Corporation, the land stakeholders and an individual objecting to the application. Major objection grounds were set out in paragraph 10 of the Paper; and

- (e) PlanD's views – PlanD considered that the proposed 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 generally not in conflict with the planning intention of the “Agriculture” (“AGR”) zone. Approval of the application on a temporary basis for a period of three years would not frustrate the long-term planning intention of the “AGR” zone. The proposed use was considered not incompatible with the surrounding areas which were rural in character. While CTP/UD&L, PlanD had reservation on the application, relevant approval conditions on submission and implementation of landscape and tree preservation proposals were recommended to address the landscape concerns. The site was the subject of a previously approved application (No. A/YL-KTS/659) for hobby farm. Approval of the application was in line with the Committee's previous decisions. However, since the last approval was revoked due to non-compliance with approval conditions, shorter compliance periods were recommended to closely monitor the progress of compliance with approval conditions. Regarding the adverse public comments, the comments of government departments and planning assessments above were relevant.

82. Noting that 63% of the site would be used as farmland, a Member asked the use of the remaining portion of the site. In response, Ms Ivy C.W. Wong, STP/FSYLE, said that according to Drawing A-1 submitted by the applicant, the remaining portion of the site included an existing pond and paved area, the latter of which would be used for agriculture learning centre, water storage tank and electric meter room.

Deliberation Session

83. A Member indicated his support to the application and asked about the identity of the applicant. In response, the Chairman said that, there was no requirement on the identity of an applicant under the Town Planning Ordinance to apply for planning permission. However, the applicant was required to obtain owner's consent or making notification to the land owner if he/she was not the current land owner.

84. The Committee noted that the applicant was one of the land owners and had fulfilled the requirements as set out in the relevant Town Planning Board Guidelines on satisfying the owner's consent/notification requirement.

85. Another Member asked whether the land owner's agreement to develop the site should be obtained before or after the consideration of the application. In response, the Chairman said that it was not necessary for the applicant to be the land owner. The planning permission was related to the land. The applicant would have to negotiate with the land owner on implementation of the planning permission.

86. A Member noted that the proposal included about 2,000m² of land for cultivation together with several structures. He asked whether there would be any control on alteration of proposal upon approval. The Secretary said that, in general, the planning permission was granted on the basis of the submitted scheme. However, there was provision on amendment to the approved scheme and reference could be made to the Town Planning Board Guidelines No. 36B.

87. After deliberation, the Committee decided to approve the application on a temporary basis for a period of 3 years until 6.4.2021, on the terms of the application as submitted to the TPB and subject to the following conditions:

- “(a) no operation between 6:00 p.m. to 9:00 a.m., as proposed by the applicant, is allowed on the site during the planning approval period;
- (b) no public announcement system, portable loudspeaker or audio amplification system is allowed to be used on the site during the planning approval period;
- (c) the submission of landscape and tree preservation proposal within 6 months from the date of planning approval to the satisfaction of the Director of Planning or of the TPB by 6.10.2018;
- (d) in relation to (c) 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 6.1.2019;

- (e) 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 6.10.2018;
- (f) in relation to (e) 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 6.1.2019;
- (g) in relation to (f) above, the implemented drainage facilities on the site shall be maintained at all times during the planning approval period;
- (h) 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 6.10.2018;
- (i) in relation to (h) 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 6.1.2019;
- (j) if any of the above planning conditions (a), (b) 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;
- (k) if any of the above planning conditions (c), (d), (e), (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 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.”

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

Agenda Item 26

Section 16 Application

[Open Meeting (Presentation and Question Sessions Only)]

A/YL-PH/765 Temporary Open Storage of Construction Materials, Machinery, Second-Hand Vehicles and Vehicle Parts with Ancillary Office for a Period of 3 Years in “Residential (Group D)” and “Agriculture” Zones, Lots 2879 (Part), 2881 (Part), 2888 (Part), 2889 (Part), 2890 (Part) and 2900 (Part) in D.D. 111, Wing Ning Lei, Wang Toi Shan, Pat Heung, Yuen Long
(RNTPC Paper No. A/YL-PH/765A)

Presentation and Question Sessions

89. 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 construction materials, machinery, second-hand 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 of the site and environmental nuisance was expected. The Director of Agriculture, Fisheries and Conservation did not support the application from the agricultural point of view as the site was of 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 objecting to the application. Major objection grounds were set out in paragraph 11 of the Paper; and
- (e) the Planning Department (PlanD)'s views – PlanD considered that the temporary use could be tolerated for a period of three years based on the assessments set out in paragraph 12 of the Paper. Although the applied use was not in line with the planning intentions of the “Residential (Group D)” (“R(D)”) and “Agriculture” (“AGR”) zones, there was no known proposal for permanent development in “R(D)” zone of the site. Approval of the application on a temporary basis would not jeopardize the long-term planning intention of the “R(D)” and “AGR” zones. The applied use was not considered incompatible with the surrounding area intermixed with various open storage, workshop and warehouse uses. The application was in line with the Town Planning Board Guidelines No. 13E in that the site, falling within Category 3 areas, was subject to a previous planning permission for similar open storage use in 2014; all approval conditions under the previous planning permission had been complied with; and there was no adverse comment from concerned departments, except DEP. Though DEP did not support the application, there was no substantiated environmental complaint concerning the site in the past three years and relevant approval conditions had been recommended to minimise any potential environmental nuisances. Approval of the application would be in line with the Committee's previous decision. Regarding the adverse public comment, the comments of government departments and planning assessments above were relevant.

90. Members had no question on the application.

Deliberation Session

91. After deliberation, the Committee decided to approve the application on a temporary basis for a period of 3 years until 6.4.2021, 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. to 9:00 a.m., as proposed by the applicant, is allowed on the site during the planning approval period;
- (b) no operation between 1:00 p.m. to 5:00 p.m. on Saturdays, as proposed by the applicant, is allowed on the site during the planning approval period;
- (c) no operation on Sundays and public holidays, as proposed by the applicant, is allowed on the site during the planning approval period;
- (d) no dismantling, maintenance, repairing, cleansing, paint spraying or other workshop activities shall be carried out at the site at any time during the planning approval period;
- (e) no medium or heavy goods vehicle exceeding 5.5 tonnes, including container tractor/trailer, as defined in the Road Traffic Ordinance is allowed to be parked/stored on or enter/exit the site at any time during the planning approval period;
- (f) no vehicle is allowed to queue back to or reverse into/from public road at any time 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 records of the existing drainage facilities on site within 3 months from the date of planning approval to the satisfaction of the Director of Drainage Services or of the TPB by 6.7.2018;

- (i) the submission of a tree preservation proposal within 6 months from the date of planning approval to the satisfaction of the Director of Planning or of the TPB by 6.10.2018;
- (j) in relation to (i) above, the implementation of a 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 6.1.2019;
- (k) the provision of fire extinguisher(s) within 6 weeks with a valid fire certificate (FS 251) from the date of planning approval to the satisfaction of the Director of Fire Services or of the TPB by 18.5.2018;
- (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 6.10.2018;
- (m) in relation to (l) 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 6.1.2019;
- (n) if any of the above planning conditions (a), (b), (c), (d), (e), (f) or (g) is not complied with during the planning approval period, the approval hereby given shall cease to have effect and shall be revoked immediately without further notice;
- (o) if any of the above planning conditions (h), (i), (j), (k), (l) or (m) is not complied with by the specified date, the approval hereby given shall cease to have effect and shall on the same date be revoked without further notice; and
- (p) upon the expiry of the planning permission, the reinstatement of the application site to an amenity area to the satisfaction of the Director of Planning or of the TPB.”

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

Agenda Item 27

Section 16 Application

[Open Meeting]

A/YL-PH/772 Proposed Temporary Public Car Park (Private Car and Light Goods Vehicle) for a Period of 3 Years in “Residential (Group D)” Zone, Lot 78 S.A (Part) in D.D. 108, Fan Kam Road, Pat Heung, Yuen Long
(RNTPC Paper No. A/YL-PH/772)

93. The Committee noted that the applicant’s representative requested on 15.3.2018 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 that the applicant requested deferment of the application.

94. 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, no further deferment would be granted unless under very special circumstances.

Agenda Item 28

Section 16 Application

[Open Meeting (Presentation and Question Sessions Only)]

A/YL-PH/773 Proposed Temporary Wholesale Trade (Food) for a Period of 3 Years
in “Open Storage” Zone, Lots 2404, 2405, 2409 S.B RP and 2410 RP
in D.D. 111 and Adjoining Government Land, Pat Heung, Yuen Long
(RNTPC Paper No. A/YL-PH/773)

Presentation and Question Sessions

95. Ms Ivy C.W. Wong, STP/FSYLE, drew Members’ attention that ten replacement pages (pages 1, 2 and 10 to 12 of the Paper, 4 pages of Appendix Ib and Drawing A-1) and one additional page (Appendix Ic) regarding the further information submitted by the applicant 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 wholesale trade (food) for a period of three years;
- (c) departmental comments – departmental comments were set out in paragraph 9 of the Paper. The Director of Environmental Protection (DEP) did not support the application as there were sensitive receivers in the vicinity 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 were received from villagers of Wang Toi Shan Shan Tsuen and an individual objecting to the application. Major objection grounds were set out in paragraph 10 of the Paper; and

- (e) the Planning Department (PlanD)'s views – PlanD considered that the temporary use could be tolerated for a period of three years based on the assessments set out in paragraph 11 of the Paper. The proposed use was considered not in conflict with the planning intention and approval of the application on a temporary basis would not jeopardize the long-term planning intention of the “Open Storage” zone. The proposed use was not incompatible with the uses in the surrounding area which was mixed with open storage yards, workshop, residential dwellings/structures and vacant/unused land. Although DEP did not support the application, relevant approval conditions were recommended to minimize the potential environment nuisance. Regarding the adverse public comments, the comments of government departments and planning assessments above were relevant.

96. Members had no question on the application.

Deliberation Session

97. After deliberation, the Committee decided to approve the application on a temporary basis for a period of 3 years until 6.4.2021, 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) the existing boundary fencing on the site shall be maintained at all times during the planning approval period;
- (d) no vehicle is allowed to queue back to or reverse onto/from public road at any time during the planning approval period;

- (e) no vehicle is allowed to make left turn from the site to the public road at any time during the planning approval period;
- (f) 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 enter/exit the site at any time during the planning approval period;
- (g) the submission of landscape proposal within 6 months from the date of the planning approval to the satisfaction of the Director of Planning or the TPB by 6.10.2018;
- (h) in relation to (g) 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 the TPB by 6.1.2019;
- (i) the submission of a drainage proposal within 6 months from the date of planning approval to the satisfaction of the Director of Drainage Services or of the TPB by 6.10.2018;
- (j) in relation to (i) above, the implementation of the drainage proposal within 9 months from the date of planning approval to the satisfaction of the Director of Drainage Services or of the TPB by 6.1.2019;
- (k) the provision of fire extinguisher(s) with a valid fire certificate (FS 251) within 6 weeks from the date of planning approval to the satisfaction of the Director of Fire Services or of the TPB by 18.5.2018;
- (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 6.10.2018;
- (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 6.1.2019;

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

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

Agenda Item 29
Section 16 Application

[Open Meeting (Presentation and Question Sessions Only)]

A/YL-PH/774 Proposed Temporary Open Storage of Construction Machinery and Equipment with Ancillary Office and Staff Rest Room for a Period of 3 Years in “Agriculture” Zone, Lot 357 in D.D. 110, Tsat Sing Kong, Pat Heung, Yuen Long
(RNTPC Paper No. A/YL-PH/774)

Presentation and Question Sessions

99. 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 construction machinery and equipment with ancillary office and staff rest room 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 did not support the application as there were sensitive receivers in the vicinity of the site and environmental nuisance was expected. The Director of Agriculture, Fisheries and Conservation (DAFC) did not support the application from agricultural point of view as the site was fallow abandoned land and it possessed high potential for agricultural rehabilitation. The Chief Town Planner/Urban Design & Landscape, Planning Department (PlanD) had reservation on the application from landscape planning perspective as adverse impact arising from the proposed development on landscape resources was anticipated and approval of the current application would set an undesirable precedent to encourage similar application within the zone. 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 the Kadoorie Farm and Botanic Garden Corporation objecting to the application. Major objection grounds were set out in paragraph 11 of the Paper; and
- (e) PlanD's views – PlanD did not support the application based on the assessments set out in paragraph 12 of the Paper. The proposed use was not in line with the planning intention of the "Agriculture" ("AGR") zone and DAFC did not support the application. There was no strong planning justification given in the submission for a departure from the planning intention, even on a temporary basis. Approval of the current application would set an undesirable precedent for similar applications within this part of the "AGR" zone. The cumulative effect of approving such applications would result in general degradation of the rural environment of the area. The proposed use was not in line with the Town Planning Board Guidelines No. 13E in that the site fell within Category 3 areas, there was no previous approval granted at the site and there were adverse departmental comments

and local objection. The applicant failed to demonstrate that the proposed development would not generate adverse environmental and landscape impacts. Twenty-three similar applications within the same “AGR” zone were rejected on similar considerations. Rejection of the current application was in line with the previous decisions of the Committee on similar applications. Regarding the public comment, the comments of concerned departments and the planning assessments above were relevant.

100. Members had no question on the application.

Deliberation Session

101. 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 Guidelines No. 13E in that there is no previous approval granted at the site and there are adverse departmental comments and public objection against the application;
- (c) the applicant fails to demonstrate that the development would not generate adverse environmental and landscape impacts on the surrounding areas; and
- (d) the approval of the application, even on a temporary basis, would set an undesirable precedent for other similar applications to proliferate into this part of the “AGR” zone. The cumulative effect of approving such application would result in a general degradation of the rural environment

of the area.”

Agenda Item 30

Section 16 Application

[Open Meeting (Presentation and Question Sessions Only)]

A/YL-SK/231 Proposed Temporary Public Vehicle Park (Private Car Only) for a Period of 5 Years in “Village Type Development” Zone, Lot 1286 RP (Part) in D.D. 114, Kam Sheung Road, Shek Kong, Yuen Long
(RNTPC Paper No. A/YL-SK/231A)

Presentation and Question Sessions

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

- (a) background to the application;
- (b) the proposed temporary public vehicle park (private car only) for a period of five years;
- (c) departmental comments – departmental comments were set out in paragraph 9 of the Paper. Concerned government departments had no objection to or no adverse comment on the application;
- (d) during the first three weeks of the statutory publication period, three public comments were received from indigenous inhabitant representative of Sheung Tsuen, a Sheung Tsuen villager/manager of Lai Yut Wai Tso and an individual objecting to the application. Major objection grounds were set out in paragraph 10 of the Paper; and
- (e) the Planning Department (PlanD)’s views – PlanD considered that the temporary use could be tolerated for a period of five years based on the assessments set out in paragraph 11 of the Paper. The proposed use was

not entirely in line with the planning intention of “Village Type Development” (“V”) zone, however, it could serve the local residents nearby and there was no Small House application approved or currently under processing at the site. Approval of the application on a temporary basis would not frustrate the long-term planning intention of the “V” zone. The proposed use was not incompatible with the surrounding areas which were characterised by residential dwellings/structures, site office, parking of vehicles, vehicle workshops and unused land. Similar applications within the same “V” zone were approved by the Committee from 1999 to 2016 on similar considerations. 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 assessments above were relevant,

103. In response to a Member’s enquiry on the duration of approval for temporary use, Ms Ivy C.W. Wong, STP/FSYLE, said that the proposed use for ‘Public Vehicle Park (excluding container vehicle)’ was a Column 2 use in the “V” zone, which required planning permission from the Town Planning Board (TPB). While such use could be approved on permanent basis, the applicant had applied for a temporary approval for a period of five years.

Deliberation Session

104. After deliberation, the Committee decided to approve the application on a temporary basis for a period of 5 years until 6.4.2023, on the terms of the application as submitted to the TPB and subject to the following conditions:

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

- (c) only private cars as defined in the Road Traffic Ordinance and its subsidiary regulations, as proposed by the applicant, are allowed to enter/be parked on the site at all times during the planning approval period;
- (d) a notice shall be posted at a prominent location of the site at all times to indicate that only private cars as defined in the Road Traffic Ordinance and its subsidiary regulations are allowed to enter/be parked on the site during the planning approval period;
- (e) no vehicle is allowed to queue back to or reverse onto/ from public road at any time during the planning approval period;
- (f) the submission of run-in/out proposal within 6 months from the date of planning approval to the satisfaction of the Commissioner for Transport and the Director of Highways or of the TPB by 6.10.2018;
- (g) in relation to (f) above, the implementation of run-in/out proposal within 9 months from the date of planning approval to the satisfaction of the Commissioner for Transport and the Director of Highways or of the TPB by 6.1.2019;
- (h) the submission of drainage proposal within 6 months from the date of planning approval to the satisfaction of the Director of Drainage Services or of the TPB by 6.10.2018;
- (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 6.1.2019;
- (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 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 6.10.2018;
- (l) in relation to (k) above, the implementation of 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 6.1.2019;
- (m) if any of the above planning conditions (a), (b), (c), (d), (e) or (j) is not complied with during the planning approval period, the approval hereby given shall cease to have effect and shall be revoked immediately without further notice;
- (n) if any of the above planning conditions (f), (g), (h), (i), (k) or (l) is not complied with by the specified date, the approval hereby given shall cease to have effect and shall on the same date be revoked without further notice;
and
- (o) upon 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.”

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

Agenda Item 31

Section 16 Application

[Open Meeting (Presentation and Question Sessions Only)]

A/YL-SK/234 Proposed Temporary Shop and Services (Car Audio Shop) and Ancillary Office for a Period of 3 Years in “Village Type Development” and “Agriculture” Zones, Lot 1289 RP (Part) in D.D. 114, Shek Kong, Yuen Long
(RNTPC Paper No. A/YL-SK/234)

Presentation and Question Sessions

106. Ms Ivy C.W. Wong, STP/FSYLE reported that a replacement page (page 6 of the Paper) regarding revision to the comments from the District Lands Officer/Yuen Long, Lands Department was tabled for Members’ reference. She 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 audio shop) and ancillary office for a period of three years;
- (c) departmental comments – departmental comments were set out in paragraph 9 of the Paper. Concerned government departments had no objection to or no adverse comment on the application;
- (d) during the first three weeks of the statutory publication period, five public comments were received from indigenous inhabitant and resident representatives of Sheung Tsuen, local residents and individuals objecting to the application. Major objection grounds were set out in paragraph 10 of the Paper; and
- (e) the Planning Department (PlanD)’s views – PlanD considered that the temporary use could be tolerated for a period of three years based on the

assessments set out in paragraph 11 of the Paper. The proposed use was not in line with the planning intentions of the “Village Type Development” (“V”) and “Agriculture” (“AGR”) zones. However, the Director of Agriculture, Fisheries and Conservation had no strong view against the application as the site did not have high potential for agricultural rehabilitation. There was also no Small House application approved or under processing at the site. Approval of the application on a temporary basis for a period of three years would not jeopardize the long-term planning intentions of the “V” and “AGR” zones. The proposed use was considered not incompatible with the surrounding land uses which were rural in character predominated by residential structures/dwellings, vacant/unused land, a workshop and parking of vehicles. Previous and similar applications were approved by the Committee on similar considerations. Approval of the application was in line with the Committee’s previous decisions. 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 assessments above were relevant.

107. Members had no question on the application.

Deliberation Session

108. After deliberation, the Committee decided to approve the application on a temporary basis for a period of 3 years until 6.4.2021, 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 vehicle is allowed to queue back to or reverse into/from public road at any time during the planning approval period;
- (e) 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 6.10.2018;
- (f) in relation to (e) 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 6.1.2019;
- (g) in relation to (f) above, the implemented drainage facilities on the site shall be maintained at all times during the planning approval period;
- (h) the submission of tree preservation and landscape proposal within 6 months from the date of planning approval to the satisfaction of the Director of Planning or of the TPB by 6.10.2018;
- (i) in relation to (h) 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 6.1.2019;
- (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 6.10.2018;
- (k) in relation to (j) 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 6.1.2019;

- (l) if any of the above planning condition (a), (b), (c), (d) 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 (e), (f), (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 application site to an amenity area to the satisfaction of the Director of Planning or of the TPB.”

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

Agenda Item 32
Section 16 Application

[Open Meeting (Presentation and Question Sessions Only)]

A/YL-MP/267 Proposed Temporary Shop and Services (Real Estate Agency and Retail Store) and Ancillary Site Office for a Period of 3 Years in “Open Space” Zone, Lot 2905 S.C RP (Part) in D.D. 104 and Adjoining Government Land, Mai Po, Yuen Long
(RNTPC Paper No. A/YL-MP/267A)

110. The Secretary reported that the application site was located at Mai Po. Mr K.W. Leung has declared an interest on this item as he owned a property at the Fairview Park. The Committee noted that Mr K.W. Leung had tendered apology for being unable to attend the meeting.

Presentation and Question Sessions

111. Ms Helen H.Y. Chan, STP(Atg.)/FSYLE, 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 and retail store) and ancillary site office for a period of three years;
- (c) departmental comments – departmental comments were set out in paragraph 10 of the Paper. Concerned government departments had no objection to or no adverse comment on the application;
- (d) during the first three weeks of the statutory publication period, one public comment was received from an individual objecting to the application. Major objection grounds were set out in paragraph 11 of the Paper; and
- (e) the Planning Department (PlanD)'s views – PlanD considered that the temporary use could be tolerated for a period of three years based on the assessments set out in paragraph 12 of the Paper. Although the proposed use was not in line with the planning intention of the “Open Space” (“O”) zone, there was no development programme for implementing the proposed open space. Approval of the application on a temporary basis for a period of three years would not frustrate the long-term planning intention of the “O” zone. The proposed use was considered not incompatible with the surrounding land uses with a mix of residential developments, domestic dwellings, storage yards, plant nurseries and vacant land. Though the site was located in the Wetland Buffer Area of the Town Planning Board Guidelines No. 12C, the guidelines specified that temporary uses were exempted from the requirement of the Ecological Impact Assessment. The previous application for shop and services was approved and all the approval conditions had been complied with. Similar applications within the same “O” zone were approved by the Committee on similar

considerations. Approval of the application was in line with the Committee's previous decisions. Relevant approval conditions were recommended to address technical comments of concerned departments. Regarding the adverse public comment, the comments of concerned departments and the planning assessments above were relevant.

112. Members had no question on the application.

Deliberation Session

113. After deliberation, the Committee decided to approve the application on a temporary basis for a period of 3 years until 6.4.2021, on the terms of the application as submitted to the Town Planning Board (TPB) and subject to the following conditions:

- “(a) no operation between 7:30 p.m. and 9:30 a.m., as proposed by the applicant, is allowed on the site during the planning approval period;
- (b) only private car is allowed to enter/park at the site at all times during the planning approval period;
- (c) no vehicle is allowed to queue back to or reverse onto/from public road at all times during the planning approval period
- (d) the maintenance of paving and boundary fencing on the site at all times during the planning approval period;
- (e) the maintenance of landscape planting on the site at all times during the planning approval period;
- (f) the maintenance of existing drainage facilities on the site at all times during the planning approval period;
- (g) the submission of records of the existing drainage facilities on site within 3 months from the date of planning approval to the satisfaction of the

Director of Drainage Services or of the TPB by 6.7.2018;

- (h) the submission of fire service installations proposal within 6 months from the date of planning approval to the satisfaction of Director of Fire Services or of the TPB by 6.10.2018;
- (i) in relation to (h) above, the implementation of fire service installations proposal within 9 months from the date of planning approval to the satisfaction of Director of Fire Services or of the TPB by 6.1.2019;
- (j) if any of the above planning conditions (a), (b), (c), (d), (e) or (f) is not complied with during the planning approval period, the approval hereby given shall cease to have effect and shall be revoked immediately without further notice;
- (k) if any of the above planning conditions (g), (h) or (i) is not complied with by the specified date, the approval hereby given shall cease to have effect and shall on the same date be revoked without further notice; and
- (l) upon the expiry of the planning permission, the reinstatement of the site to an amenity area to the satisfaction of the Director of Planning or of the TPB.”

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

Agenda Item 33

Section 16 Application

[Open Meeting (Presentation and Question Sessions Only)]

A/YL-MP/268 Proposed Temporary Open Storage of Construction Machinery and Equipment with Ancillary Converted Container Office and Staff Common Room for a Period of 3 Years in “Open Space” and “Village Type Development” Zones, Lots 22, 23, 24, 25, 29, 30, 31, 33, 34 and 38 in D.D. 101 and Adjoining Government Land, San Tin, Yuen Long (RNTPC Paper No. A/YL-MP/268)

115. The Committee noted that three replacement pages (pages 12 and 14 of the Paper and page 5 of Appendix VI-a) regarding revision to the number of the public comments received were tabled for Members’ reference.

Presentation and Question Sessions

116. Ms Helen H.Y. Chan, STP(Atg.)/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 construction machinery and equipment with ancillary converted container office and staff common room 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 heavy vehicles would be involved and there were sensitive receivers of residential use in the vicinity of the site and environmental nuisance was expected. The Chief Town Planner/Urban Design and Landscape, Planning Department (CTP/UD&L, PlanD) had reservation on the application from the landscape planning perspective as there were existing trees of common species in good to fair

condition found along the site boundary and no information on the proposed landscape treatment was submitted. It was not certain if the proposed use would cause contamination of the soil that would have impact on the future use of the site as open space. Other concerned government departments had no objection to or no adverse comment on the application;

- (d) during the first three weeks of the statutory publication period, six public comments including one from a Yuen Long District Council (YLDC) member supporting and five from another YLDC member, the Owners' Committee of Royal Palms and individuals objecting to the application. Major grounds were set out in paragraph 11 of the Paper; and

- (e) PlanD's views – PlanD did not support the application based on the assessments set out in paragraph 12 of the Paper. The proposed use was not in line with the planning intention of the “Open Space” (“O”) zone for provision of outdoor air-space for active and/or passive recreational uses and “Village Type Development” (“V”) zone for Small House developments by indigenous villagers. No strong planning justification had been given in the submission for a departure from the planning intentions, even on a temporary basis. The application was not in line with the Town Planning Board Guidelines No. 13E in that the site fell within Category 3 and 4 areas, no previous approval for open storage use had been granted for the site, there were adverse comments from DEP, CTP/UD&L, PlanD and local objections, and the applicant had not submitted any technical assessment/proposal to demonstrate that the proposed use would not have adverse environmental and landscape impacts on the surrounding areas. Approval of the application would set an undesirable precedent and encourage similar applications in the area. The cumulative effect of approving the application would result in a general degradation of the environment of the area. Previous application at the part of the site and similar applications within the “O” and “V” zones were rejected by the Committee on similar consideration. Rejection of the current application was in line with the previous decisions of the Committee. Regarding the adverse public comments, the comments of

government departments and planning assessments above were relevant.

117. Members had no question on the application.

Deliberation Session

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

- “(a) the proposed development is not in line with the planning intention of “Open Space” (“O”) and “Village Type Development” (“V”) zones. There is no strong planning justification in the submission for a departure from such planning intention, even on a temporary basis;
- (b) the proposed development is not in line with the Town Planning Board Guidelines for Application for Temporary Open Storage and Port Back-up Uses (TPB PG-No. 13E) in that no previous approval has been granted for the site, there are adverse department comments on environmental and landscape aspects and local objection; and
- (c) the approval of the application would set an undesirable precedent for similar applications within the “O” and “V” zones. The cumulative effect of approving such application would result in general degradation of the environment of the area.”

[The Chairman thanked Ms Ivy C.W. Wong and Ms Helen Chan, STPs/FSYLE, for their attendance to answer Members’ enquiries. They left the meeting at this point.]

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

Tuen Mun and Yuen Long West District

Agenda Item 34

Section 16 Application

[Open Meeting]

A/TM/519 Proposed Columbarium in “Government, Institution or Community”
Zone, 184 C Tsing Shan Tsuen, Tuen Mun
(RNTPC Paper No. A/TM/519)

119. The Committee noted that the applicant’s representative requested on 22.3.2018 deferment of the consideration of the application for two months in order to allow time for preparation of further information to address comments from the Hong Kong Police Force. It was the first time that the applicant requested deferment of the application.

120. 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, no further deferment would be granted unless under very special circumstances.

Agenda Item 35

Section 16 Application

[Open Meeting]

A/HSK/60

Proposed Temporary Public Vehicle Park (Private Cars and Light Goods Vehicles) with Ancillary Car Beauty Services and Office for a Period of 3 Years in “Village Type Development” Zone, Lots 1804 (Part), 1805 (Part), 1808 RP, 1809 RP (Part) and 1817 (Part) in D.D. 124, San Lee Uk Tsuen, Yuen Long
(RNTPC Paper No. A/HSK/60)

121. The Committee noted that the applicant’s representative requested on 27.3.2018 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 that the applicant requested deferment of the application.

122. 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, no further deferment would be granted unless under very special circumstances.

Agenda Item 36

Section 16 Application

[Open Meeting]

A/TM-LTY Y/347 Proposed Temporary Public Vehicle Park (Private Cars and Light Goods Vehicles) and Ancillary Convenience Store for a Period of 3 Years in “Village Type Development” and “Residential (Group D)” Zones, Lot 2336 (Part) in D.D. 130, Tsoi Yuen Tsuen, Nai Wai, Tuen Mun
(RNTPC Paper No. A/TM-LTY Y/347)

123. The Committee noted that the applicant’s representative requested on 27.3.2018 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 that the applicant requested deferment of the application.

124. 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, no further deferment would be granted unless under very special circumstances.

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

Agenda Item 37

Section 16 Application

[Open Meeting (Presentation and Question Sessions Only)]

A/YL-PS/556 Temporary Logistics Centre and Vehicle Park (Container Tractors, Container Trailers and Lorries (Medium/Heavy Goods Vehicles)) for a Period of 3 Years in “Comprehensive Development Area” Zone, Lots 105 RP (Part), 107 (Part), 108 (Part), 111 (Part), 112, 113, 114 (Part), 115, 116, 118, 119 (Part), 120 (Part), 124 (Part), 127 (Part), 128 and 158 (Part) in D.D. 122 and Adjoining Government Land, Ping Shan, Yuen Long
(RNTPC Paper No. A/YL-PS/556)

Presentation and Question Sessions

125. 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 logistics centre and vehicle park (container tractors, container trailers and lorries (medium/heavy 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 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. Whilst the development was not in line with the planning intention of the “Comprehensive Development Area” (“CDA”) zone, there was no known development proposal to implement the zoned use for the time being. Approval of the application on a temporary basis would not jeopardize the long-term planning intention of the “CDA” zone. The applied use was generally in line with the Town Planning Board Guidelines No. 13E in that the site fell within Category 2 areas, previous approvals had been granted, the planning conditions of the last approval had been complied with, and technical concerns of relevant government departments could be addressed through implementation of approval conditions. There was no adverse comment on the application from relevant government departments, except DEP. Although DEP did not support the application, there was no substantiated environmental complaint pertaining to the site in the past three years and relevant approval conditions had been recommended to address the concerns on the possible environmental nuisances. Previous applications for temporary logistics centre and vehicle park at the site and similar applications in the vicinity of the site had been approved by the Committee. Approval of the application was in line with the Committee's previous decisions.

126. Members had no question on the application.

Deliberation Session

127. After deliberation, the Committee decided to approve the application on a temporary basis for a period of 3 years until 6.4.2021, on the terms of the application as submitted to the Town Planning Board (TPB) and subject to the following conditions:

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

- (b) no operation on Sundays and public holidays, as proposed by the applicant, is allowed on the site 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 at any time during the planning approval period;
- (e) no vehicle is allowed to queue back to or reverse onto/from public road at any time during the planning approval period;
- (f) the existing trees and landscape planting on the site shall be maintained at all times during the planning approval period;
- (g) the existing drainage facilities on the site shall be maintained at all times during the planning approval period;
- (h) the existing fencing of the site shall be maintained at all times during the approval period;
- (i) the submission of a condition record of the existing drainage facilities within 3 months from the date of planning approval to the satisfaction of the Director of Drainage Services or of the TPB by 6.7.2018;
- (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 6.10.2018;
- (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 6.1.2019;

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

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

Agenda Item 38
Section 16 Application

[Open Meeting (Presentation and Question Sessions Only)]

A/YL-PS/557 Temporary Vehicle Park for Private Cars and Light Vans for a Period of 3 Years in “Open Space” and “Residential (Group E) 2” Zones, Lot 1342 (Part) in D.D. 122, Ping Shan, Yuen Long
(RNTPC Paper No. A/YL-PS/557)

Presentation and Question Sessions

129. 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 vehicle park for private cars and light vans for a period of three years;
- (c) departmental comments – departmental comments were set out in paragraph 9 of the Paper. Concerned government departments had no objection to or no adverse comment on the application;
- (d) during the first three weeks of the statutory publication period, three public comments were received from individuals objecting to the application. Major objection grounds were set out in paragraph 10 of the Paper; and
- (e) the Planning Department (PlanD)’s views – PlanD considered that the proposed development could be tolerated for a period of three years based on the assessments set out in paragraph 11 of the Paper. Whilst the development was not in line with the planning intention of the “Open Space” (“O”) zone, the site was currently not on the priority list for open space development. Approval of the application on a temporary basis for three years would not frustrate the long-term planning intention of the “O” zone. The applied use would unlikely create significant adverse traffic, environmental, drainage and landscape impacts on the surrounding areas and there had been no environmental complaint concerning the site received in the past three years. Concerned government departments had no objection to or no adverse comment on the application. Previous applications for the applied use at the site had been approved by the Committee. Approval of the application was in line with the Committee’s previous decisions. However, since the last approval was revoked due to non-compliance with approval conditions, shorter compliance periods were recommended to closely monitor the progress of compliance with approval conditions. Regarding the adverse public comments, the comments of government departments and planning assessments above were relevant.

130. Members had no question on the application.

Deliberation Session

131. After deliberation, the Committee decided to approve the application on a temporary basis for a period of 3 years until 6.4.2021, on the terms of the application as submitted to the Town Planning Board (TPB) and subject to the following conditions:

- “(a) no operation between 11:00 p.m. and 7:00 a.m., as proposed by the applicant, is allowed on the site during the planning approval period;
- (b) no vehicles other than private cars and light vans, 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;
- (c) no vehicles without valid licences issued under the Road Traffic Ordinance are allowed to be parked/stored on the site at any time during the planning approval period;
- (d) a notice shall be posted at a prominent location of the site to remind drivers on pedestrian safety on the access road to the site, as proposed by the applicant, 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 existing drainage facilities on the site shall be maintained at all times during the planning approval period;
- (g) the submission of the condition record of the existing drainage facilities on the site within 3 months from the date of planning approval to the satisfaction of the Director of Drainage Services or of the TPB by 6.7.2018;
- (h) the provision of fencing within 3 months from the date of planning approval to the satisfaction of the Director of Planning or of the TPB by 6.7.2018;

- (i) the submission of landscape proposal within 3 months from the date of planning approval to the satisfaction of the Director of Planning or of the TPB by 6.7.2018;
- (j) in relation to (i) above, the implementation 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 6.10.2018;
- (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 condition (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.”

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

Agenda Item 39

Section 16 Application

[Open Meeting (Presentation and Question Sessions Only)]

A/YL-TYST/850 Social Welfare Facility (Residential Care Home for the Elderly) in “Undetermined” Zone, Lots 720 RP, 740 RP, 742 RP and 743 RP in D.D. 117, Pak Sha Tsuen, Kung Um Road, Yuen Long
(RNTPC Paper No. A/YL-TYST/850B)

133. The Secretary reported that MVA Hong Kong Ltd. (MVA) was one of the consultants of the applicant. Mr Ivan C.S. Fu had declared an interest on this item as he was having current business dealings with MVA. The Committee agreed that Mr Ivan C.S. Fu could stay in the meeting as he had no involvement in the application.

Presentation and Question Sessions

134. 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 social welfare facility (residential care home for the elderly (RCHE));
- (c) departmental comments – departmental comments were set out in paragraph 9 of the Paper. The Director of Environmental Protection advised that RCHE was a sensitive use and there was no technical assessment on the environmental aspects including air quality, noise and drainage impacts. The Project Manager (West), Civil Engineering and Development Department (PM(W), CEDD) did not support the subject application as it was not in line with the planning intention, land use proposals and development programme of the Yuen Long South (YLS) development under the Recommended Outline Development Plan (RODP) of the Planning and Engineering Study for Housing Sites (YLS Study) promulgated on 8.8.2017. Other concerned government 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 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 “Undetermined” (“U”) zone which was to cater for the continuing demand for open storage, pending further detailed studies on the infrastructural impacts and the preparation of the detailed layout plan. The existing RCHE on the site was only a tolerated use under the Town Planning Ordinance. There was no strong justification in the submission for a departure from the planning intention. The application site fell within an area partly shown as ‘Road’ and partly zoned “Local Open Space” (“LO”) on the RODP under the YLS Study, as such, the application was not in line with the planning and urban design principles, and land use proposals of the RODP. Approval of the application would jeopardize the long-term development of YLS. The applied use was considered not compatible with the surrounding areas mainly occupied by warehouses, storages, open storage yards, vehicle repair workshops, and scattered residential structures. The RCHE was a sensitive use and there was no technical assessment/evaluation on the environmental aspects submitted by the applicant and insufficient information to ascertain the air quality and noise impacts. No similar application or planning application involving domestic uses in the subject “U” zone was approved by the Committee in the past.

135. In response to the Chairman's enquiry, Mr Alan Y.L. Au, STP/TMYLW, said that the site was currently occupied by a RCHE providing 63 bed spaces with 44 being taken up, and the number of the bed spaces would remain at 63 upon redevelopment.

136. Some Members noted the statement made in the Paper that the applied use was not in line with the planning intention of “U” zone, and asked about the intention of “U” zone

and any procedure to determine the land uses in the “U” zone. In response, Mr Alan Y.L. Au, STP/TMYLW, said that the original planning intention for the area in general was for open storage use. However, since Kung Um Road was insufficient to cater for the heavy goods vehicular traffic, the area was therefore zoned “U” pending further detailed studies on the infrastructural impacts and the preparation of detailed layout plan. Subsequently, the YLS Study was conducted and the RODP was promulgated which had indicated the future land uses of the area. According to the RODP, the site fell within an area partly zoned “LO” and partly shown as ‘Road’ for future road widening.

137. A Member asked about the operation of the existing RCHE if the current application was not approved. In response, Mr Alan Y.L. Au, STP/TMYLW, said that as the current RCHE was an ‘existing use’, it would not be affected until the YLS development was implemented.

Deliberation Session

138. Members noted that the existing RCHE had started its operation in 1993 and it was already in existence on the date of the first publication of the draft Tong Yan San Tsuen Development Permission Area Plan No. DPA/YL-TYST/1 in mid-1993. Hence, the RCHE could be continued to operate. Members also noted that the existing RCHE was regulated by the Social Welfare Department (SWD) under its licensing scheme and it had a valid licence for operation.

Planning Intention of the “U” Zone

139. Noting that the RCHE use had occupied the site since its operation, a Member opined that the applied use should not be considered as not in line with the planning intention of the area. The Chairman supplemented that the planning intention of “U” zone was for open storage use along the Kung Um Road, pending a comprehensive study for the identification of the long-term development of that area. The relevant RODP under the YLS Study had been formulated and submitted to the Government, Legislative Council, and Town Planning Board for consideration earlier. The statutory plan-making process to incorporate the recommendations of the RODP would be undertaken in due course.

In Conflict with the Implementation of YLS Development

140. Some Members said that it was not appropriate to grant planning permission for the applied use on a permanent basis at this stage as it was in conflict with the implementation of YLS development. The retention of the existing RCHE until implementation of the YLS development would allow operational flexibility to the applicant. A Member considered that the redevelopment of RCHE could take account of the proposed “LO” of the RODP under the YLS Study.

141. Members noted that the RCHE was operated by a private operator and no redevelopment program was provided by the applicant, while the implementation of YLS development was tentatively scheduled to commence in 2021/22 and was expected to be completed by 2038. The subject site was not within Stage 1 of the implementation program of YLS.

Redevelopment of the RCHE

142. Noting that one of the justifications of redevelopment provided by the applicant was to improve the aging facilities of the RCHE, the Vice-chairman enquired whether relevant government departments should be informed about the situation and whether the condition of the existing premise should be one of the considerations. A Member said that the aging facilities would directly affect the operation of the existing RCHE; therefore, it should be one of the considerations. Another Member opined that it was the responsibility of the licensing authority, i.e. SWD to ensure the building safety of the RCHE. In response, the Chairman said that building safety could be assessed through licensing requirements and the premise condition would be re-assessed when the licence was renewed. The current licence of the RCHE would be valid until 2019. Members noted that repairing and maintenance works to the existing RCHE would be allowed without the need of obtaining a planning permission.

Incompatible with the Surrounding Areas

143. Noting that no similar application or planning application involving domestic uses in the subject “U” zone was approved, Members generally considered that the applied use was considered incompatible with the surrounding land uses, which were mainly occupied by warehouses, storages, open storage yards and vehicle repair workshop, and domestic use at the site was not encouraged.

144. Members generally did not support the application and considered that the rejection reasons as recommended in paragraph 12.1(a) of the Paper should be revised. Some Members suggested that the rejection reasons should be confined to the incompatibility of land use with the surrounding areas, non-compliance with the long-term development of the area, and insufficient technical assessment.

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

- “(a) the site is located in an area occupied by warehouses, storages, open storage yards and vehicle repair workshops. The proposed development is considered incompatible with the surrounding area and domestic use should not be encouraged at the site;
- (b) the long-term development of the general area is subject to the Planning and Engineering Study for the Housing Sites in Yuen Long South. The approval of the application would jeopardize the long-term development of the area as recommended in the study; and
- (c) the applicant fails to demonstrate that the development would not be subject to adverse environmental impacts nor create adverse sewerage impact on the surrounding area.”

Agenda Item 40

Section 16 Application

[Open Meeting]

A/YL-TYST/883 Proposed Temporary Public Vehicle Park (Private Cars and Goods Vehicles (below 24 tonnes) Only) for a Period of 3 Years in “Village Type Development” Zone, Lot 1543 (Part) in D.D. 121, Shan Ha Tsuen, Yuen Long
(RNTPC Paper No. A/YL-TYST/883)

146. The Committee noted that the applicant’s representative requested on 26.3.2018 deferment of the consideration of the application for two months in order to allow time for preparation of further information to address comments from the Transport Department. It was the first time that the applicant requested deferment of the application.

147. 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, no further deferment would be granted unless under very special circumstances.

Agenda Item 41

Section 16 Application

[Open Meeting (Presentation and Question Sessions Only)]

A/YL-TYST/884 Proposed Temporary Warehouse for Storage of Machinery and Spare Parts for a Period of 3 Years in “Undetermined” Zone, Lots 1483 S.A RP and 1483 S.B RP in D.D. 119 and Adjoining Government Land, Kung Um Road, Yuen Long
(RNTPC Paper No. A/YL-TYST/884)

Presentation and Question Sessions

148. 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 machinery and spare parts 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 use was not in conflict with the planning intention of the “Undetermined” zone which was generally intended for open storage use. Whilst the use of the

area was being reviewed under the Planning and Engineering Study for Housing Sites in Yuen Long South, the Chief Engineer/Cross-boundary Infrastructure and Development, PlanD and the Project Manager (New Territories West), Civil Engineering and Development Department had no objection to the application. The approval of the application on a temporary basis would not jeopardize the long-term development of the site. The proposed use was also not incompatible with the surrounding land uses. Though DEP did not support the application, there was no substantiated environmental complaint concerning the site in the past three years and relevant approval conditions had been recommended to minimise any potential environmental nuisances. Previous application for similar uses at the site and similar applications in the vicinity had been approved by the Committee. Approval of the application was in line with the Committee's previous decisions.

149. Members had no question on the application.

Deliberation Session

150. After deliberation, the Committee decided to approve the application on a temporary basis for a period of 3 years until 6.4.2021, on the terms of the application as submitted to the Town Planning Board (TPB) and subject to the following conditions:

- “(a) no operation between 7:00 p.m. and 9:00 a.m., as proposed by the applicant, is allowed on the site during the planning approval period;
- (b) no operation on Sundays and public holidays, as proposed by the applicant, is allowed on the site during the planning approval period;
- (c) no repairing, dismantling, spraying, cleansing or workshop activities, as proposed by the applicant, is allowed on the site at any time during the planning approval period;

- (d) no open storage activities is allowed on the site at any time during the planning approval period;
- (e) no vehicle is allowed to queue back to or reverse onto/from public road at any time during the planning approval period;
- (f) all existing trees and landscape plantings within the site shall be maintained at all times during the planning approval period;
- (g) the existing drainage facilities on the site shall be maintained at all times during the planning approval period;
- (h) the submission of a condition record of the existing drainage facilities within 3 months from the date of planning approval to the satisfaction of the Director of Drainage Services or of the TPB by 6.7.2018;
- (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 6.10.2018;
- (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 6.1.2019;
- (k) if any of the above planning conditions (a), (b), (c), (d), (e), (f) or (g) is not complied with during the planning approval period, the approval hereby given shall cease to have effect and shall be revoked immediately without further notice;
- (l) if any of the above planning conditions (h), (i) or (j) is not complied with by the specified date, the approval hereby given shall cease to have effect and shall on the same date be revoked without further notice; and

- (m) upon 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.”

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

Agenda Item 42

Section 16 Application

[Open Meeting (Presentation and Question Sessions Only)]

A/YL/242 Temporary Shop and Services (Real Estate Agency) for a Period of 6 Years in “Residential (Group A) 1” Zone, Lot 1890 S.C RP (Part) in D.D. 120 and Adjoining Government Land, Kung Um Road, Yuen Long
(RNTPC Paper No. A/YL/242)

Presentation and Question Sessions

152. 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 shop and services (real estate agency) for a period of six years;
- (c) departmental comments – departmental comments were set out in paragraph 8 of the Paper. Concerned government departments had no objection to or no adverse comment on the application;
- (d) during the first three weeks of the statutory publication period, two public comments were received from a Yuen Long District Council member and

the Incorporated Owners of La Grove objecting 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 proposed use could be tolerated for a period of six years based on the assessments set out in paragraph 10 of the Paper. Although the applied use was not entirely in line with the planning intention of the “Residential (Group A)” (“R(A)”) zone, it could provide real estate agency service to serve any such demand in the area. Approval of the application on a temporary basis would not jeopardize the long-term planning intention of the “R(A)” zone. It was considered that the applied use and the development scale was not incompatible with the surrounding uses which were predominantly residential uses intermixed with warehouses, office and vehicle parks. Relevant approval conditions had been recommended to address the concerns on the possible environmental nuisances and the technical requirements of the relevant government departments. Previous application for the applied use at the site had been approved by the Committee. Approval of the application was in line with the Committee’s previous decision. However, since the last approval was revoked due to non-compliance with approval conditions, shorter compliance periods were recommended to closely monitor the progress of compliance with approval conditions. Regarding the adverse public comments, the comments of government departments and planning assessments above were relevant.

Deliberation Session

153. A Member noted that the duration of the applied temporary use was six years instead of the common three-year period. The Secretary explained that, for area covered by rural outline zoning plan, if the proposed use was not a Column 2 use, it might be approved on a temporary basis for a maximum period of three years. If the proposed use was a Column 2 use, it would be approved on a permanent basis. However, the applicant might also apply for a temporary approval due to the operational needs. For the subject case, the applicant had applied for a temporary use of six years.

154. After deliberation, the Committee decided to approve the application on a temporary basis for a period of 6 years until 6.4.2024, on the terms of the application as submitted to the Town Planning Board (TPB) and subject to the following conditions:

- “(a) no operation between 8:00 p.m. and 9:00 a.m., as proposed by the applicant, is allowed on the site during the planning approval period;
- (b) the submission of a revised drainage proposal within 3 months from the date of planning approval to the satisfaction of the Director of Drainage Services or of the TPB by 6.7.2018;
- (c) the implementation of the 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 6.10.2018;
- (d) in relation to (c) above, the implemented drainage facilities on the site shall be maintained at all times during the planning approval period;
- (e) the implementation of the accepted fire service installations proposal within 6 months from the date of planning approval to the satisfaction of the Director of Fire Services or of the TPB by 6.10.2018;
- (f) if any of the above planning conditions (a) and (d) is not complied with during the planning approval period, the approval hereby given shall cease to have effect and shall be revoked immediately without further notice;
- (g) if any of the above planning conditions (b), (c) and (e) 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
- (h) 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.”

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

Agenda Item 43

Section 16 Application

[Open Meeting (Presentation and Question Sessions Only)]

A/HSK/56 Temporary Public Vehicle Park (Private Car and Light Goods Vehicle)
for a Period of 3 Years in “Open Space” Zone, Lot 908 RP in D.D. 125,
Ha Tsuen, Yuen Long
(RNTPC Paper No. A/HSK/56)

Presentation and Question Sessions

156. 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 public vehicle park (private car and light goods vehicle) 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) 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 applied use could be tolerated for a period of three years based on the assessments set out in paragraph 11 of the Paper. Whilst the development

was not in line with the planning intention of the “Open Space” zone, 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 jeopardize the long-term development of the site. The applied use was not incompatible with the surrounding environment predominantly occupied by unused land, public vehicle park and logistics centre uses. Relevant approval conditions had been recommended to address the concerns on the possible environmental nuisances and the technical requirements of the relevant government departments. Previous application for the applied use at the site had been approved by the Committee. Approval of the application was in line with the Committee’s previous decision.

157. Members had no question on the application.

Deliberation Session

158. After deliberation, the Committee decided to approve the application on a temporary basis for a period of 3 years until 6.4.2021, on the terms of the application as submitted to the Town Planning Board (TPB) and subject to the following conditions:

- “(a) no operation from 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 vehicles without valid licenses issued under the Road Traffic Ordinance is allowed to be parked/stored on the site during the planning approval period;
- (c) no medium or heavy goods vehicles (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 or enter/exit the site at any time during the planning approval period;
- (d) a notice shall be posted at a prominent location of the site to indicate that

no medium or heavy goods vehicles (i.e. exceeding 5.5 tonnes), including container trailers/tractors, as defined in the Road Traffic Ordinance, is allowed to be parked/stored on or enter/exit the site at any time during the planning approval period;

- (e) no vehicle is allowed to queue back to or reverse onto/from the public road at any time during the planning approval period;
- (f) the existing drainage facilities on the site shall be maintained at all times during the planning approval period;
- (g) the existing trees and landscape planting on the site shall be maintained at all time during the planning approval period;
- (h) the existing boundary fencing on site shall be maintained at all times during the planning approval period;
- (i) the submission of a condition record of existing drainage facilities within 3 months from the date of planning approval to the satisfaction of the Director of Drainage Services or of the TPB by 6.7.2018;
- (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 6.10.2018;
- (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 6.1.2019;
- (l) if any of the above planning conditions (a), (b), (c), (d), (e), (f), (g) or (h) is not complied with during the approval period, the approval hereby given shall cease to have effect and shall be revoked immediately without further notice;

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

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

Agenda Item 44
Section 16 Application

[Open Meeting (Presentation and Question Sessions Only)]

A/HSK/57 Proposed Temporary Open Storage of Construction Materials and Warehouse for a Period of 3 Years in “Other Specified Uses” annotated “Port Back-up, Storage and Workshop Uses” Zone and an area shown as ‘Road’, Lots 192 S.A, 192 S.B and 193 in D.D. 125, Fung Kong Tsuen, Ha Tsuen, Yuen Long
(RNTPC Paper No. A/HSK/57)

Presentation and Question Sessions

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

- (a) background to the application;
- (b) the proposed temporary open storage of construction materials and warehouse for a period of three years;
- (c) departmental comments – departmental comments were set out in paragraph 10 of the Paper. Concerned government departments had no

objection to or no adverse comment on the application;

- (d) 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 proposed development could be tolerated for a period of three years based on the assessments set out in paragraph 12 of the Paper. The site fell within an area partly zoned “Other Specified Uses” annotated “Port Back-up, Storage and Workshop Uses” and partly shown as ‘Road’. Although the site fell within an area partly shown as ‘Road’, 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 of three years would not jeopardize the long-term development of the site. The proposed use was not incompatible with the surrounding land uses occupied by warehouse and open storage yards and parking yards of vehicles in the vicinity. Although the site fell within Category 4 areas under the Town Planning Board Guidelines No. 13E, where applications would normally be rejected except under exceptional circumstances, the planning circumstances of the area had changed. Part of the site was now intended for port back-up, storage and workshop uses. Relevant approval conditions had been recommended to address the concerns on the possible environmental nuisances and the technical requirements of the relevant government departments. Previous application for the same use at the site and similar applications in the vicinity had been approved by the Committee. Approval of the application was in line with the Committee’s previous decisions.

161. Members had no question on the application.

Deliberation Session

162. After deliberation, the Committee decided to approve the application on a temporary basis for a period of 3 years until 6.4.2021, 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 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 submission of the drainage proposal within 6 months from the date of planning approval to the satisfaction of the Director of Drainage Services or of the TPB by 6.10.2018;
- (f) in relation to (e) above, the implementation of the drainage proposal within 9 months from the date of planning approval to the satisfaction of the Director of Drainage Services or of the TPB by 6.1.2019;
- (g) in relation to (f) above, the implemented drainage facilities shall be maintained at all times during the planning approval period;
- (h) the submission of the tree preservation and landscape proposal within 6 months from the date of planning approval to the satisfaction of the Director of Planning or of the TPB by 6.10.2018;

- (i) in relation to (h) above, the implementation of the tree preservation and landscape proposal within 9 months from the date of planning approval to the satisfaction of the Director of Planning or of the TPB by 6.1.2019;
- (j) the provision of fire extinguisher(s) and the submission of a valid fire certificate (FS251) within 6 weeks from the date of the planning approval to the satisfaction of the Director of Fire Services or of the TPB by 18.5.2018;
- (k) 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 6.10.2018;
- (l) in relation to (k) 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 6.1.2019;
- (m) if any of the above planning conditions (a), (b), (c), (d) or (g) is not complied with during the approval period, the approval hereby given shall cease to have effect and shall be revoked immediately without further notice;
- (n) if any of the above planning conditions (e), (f), (h), (i), (j), (k) or (l) is not complied with by the specified date, the approval hereby given shall cease to have effect and shall on the same date be revoked without further notice; and
- (o) upon expiry of the planning permission, the reinstatement of the site to an amenity area to the satisfaction of the Director of Planning or of the TPB.”

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

Agenda Item 45

Section 16 Application

[Open Meeting (Presentation and Question Sessions Only)]

A/HSK/58 Proposed Temporary Shop and Services (Convenient Store and Real Estate Agency) for a Period of 3 Years in “Village Type Development” Zone, Lot 1046 RP (Part) in D.D. 125 and Adjoining Government Land, Ha Tsuen, Yuen Long
(RNTPC Paper No. A/HSK/58)

Presentation and Question Sessions

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

- (a) background to the application;
- (b) the proposed temporary shop and services (convenient store and real estate agency) for a period of three years;
- (c) departmental comments – departmental comments were set out in paragraph 9 of the Paper. Concerned government departments had no objection to or no adverse comment on the application;
- (d) during the first three weeks of the statutory publication period, three public comments were received including one Yuen Long District Council member supporting and two individuals objecting to the application. Major grounds were set out in paragraph 10 of the Paper; and
- (e) the Planning Department (PlanD)’s views – PlanD considered that the proposed development 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 entirely in line with the planning intention of the “Village Type Development” zone, it could provide convenient store and

real estate agency service to meet any such demand in the area and no Small House application had been received at the Site. Approval of the application on a temporary basis of three years would not jeopardize the long-term development of the area. The proposed temporary use was not incompatible with the existing land use for the area, which was predominately occupied by village houses and residential developments. Relevant approval conditions had been recommended to address the concerns on the possible environmental nuisances and the technical requirements of the relevant government departments. Previous applications for the similar uses at the site and similar applications in the vicinity had been approved by the Committee. Approval of the application was in line with the Committee's previous decisions. Regarding the adverse public comments, the comments of government departments and planning assessments above were relevant.

165. Members had no question on the application.

Deliberation Session

166. After deliberation, the Committee decided to approve the application on a temporary basis for a period of 3 years until 6.4.2021, 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 8:00 a.m., as proposed by the applicant, is allowed on the site during the planning approval period;
- (b) no vehicle is allowed to queue back to or reverse onto/from the public road at all times during the planning approval period;
- (c) the existing drainage facilities on the site shall be maintained at all times during the planning approval period;
- (d) the submission of a condition record of existing drainage facilities within 3 months from the date of planning approval to the satisfaction of the

Director of Drainage Services or of the TPB by 6.7.2018;

- (e) the existing landscape planting on the site shall be maintained at all time during the planning approval period;
- (f) the submission of a fire service installations proposal within 6 months from the date of planning approval to the satisfaction of the Director of Fire Services or of the TPB by 6.10.2018;
- (g) in relation to (f) above, the implementation of the fire service installations proposal within 9 months from the date of planning approval to the satisfaction of the Director of Fire Services or of the TPB by 6.1.2019;
- (h) if any of the above planning conditions (a), (b), (c) or (e) 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;
- (i) if any of the above planning conditions (d), (f) or (g) is not complied with by the specified date, the approval hereby given shall cease to have effect and shall on the same date be revoked without further notice; and
- (j) upon expiry of the planning permission, the reinstatement of the site to an amenity area to the satisfaction of the Director of Planning or of the TPB.”

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

Agenda Item 46

Section 16 Application

[Open Meeting]

A/YL-HTF/1087 Proposed Temporary Open Storage of Container for a Period of 3
Years in “Agriculture” Zone, Lot 384 RP in D.D. 128, Deep Bay Road,
Yuen Long
(RNTPC Paper No. A/YL-HTF/1087)

168. The Committee noted that the applicant’s representative requested on 28.3.2018 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 that the applicant requested deferment of the application.

169. 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, no further deferment would be granted unless under very special circumstances.

Agenda Item 47

Section 16 Application

[Open Meeting (Presentation and Question Sessions Only)]

A/YL-LFS/304 Proposed Place of Recreation, Sports or Culture and Shop and Services (including Barbecue Spot, Refreshment Kiosk, Hobby Farming and Children Playground and Ancillary Public Car Park) in “Green Belt” and “Open Space (1)” Zones, Lots 1601 (Part), 1604, 1605, 1606, 1607, 1608, 1609, 1610 S.A, 1610 S.B, 1610 S.C, 1611, 1612, 1613 (Part), 1615 and 1616 (Part) in D.D. 129 and Adjoining Government Land, Lau Fau Shan, Yuen Long
(RNTPC Paper No. A/YL-LFS/304A)

Presentation and Question Sessions

170. 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 and shop and services (including barbecue spot, refreshment kiosk, hobby farming and children playground and ancillary public car park);
- (c) departmental comments – departmental comments were set out in paragraph 10 of the Paper. The Chief Town Planner/Urban Design and Landscape, Planning Department (CTP/UD&L, PlanD) had reservation on the application from landscape planning perspective as the majority of the existing fish ponds within the site had been filled around 2004 and the site was hard paved with concrete and used as open storage of vehicles in 2012. Significant adverse landscape impact had taken place. Other concerned departments had no objection to or no adverse comment on the application;

- (d) during the first three weeks of the statutory publication period, one public comment was received from an individual objecting to the application. Major objection grounds were set out in paragraph 11 of the Paper; and

- (e) PlanD's views – PlanD had no objection to the proposed use on a temporary basis for a period of three years, instead of on a permanent basis, based on the assessments set out in paragraph 12 of the Paper. The proposed use was not in conflict with the planning intention of the “Green Belt” (“GB”) zone, and not incompatible with the characters and land uses surrounding areas. It was generally in line with the Town Planning Board Guidelines No. 10 in that the design and layout of the proposed development was compatible with the surrounding areas, not overstraining the capacity of existing and planned infrastructure, and not adversely affect existing trees or natural landscape character. Relevant approval conditions had been recommended to address the concerns of CTP/UD&L, PlanD on the removal of the hard paving and the technical requirements of relevant government departments. Previous applications for the recreational development at the site and similar applications within the same “GB” zone had been approved by the Committee. As advised by the Director of Environmental Protection, the proposed development, if without proper mitigation measures in place, might create environmental nuisances to the residents in the surrounding areas, and it was necessary to ensure the implementation of the environmental mitigation measures proposed by the applicant and to monitor the effectiveness of such measures. As such, it was considered that a temporary approval for three years, instead of on a permanent basis as sought, should be granted. Regarding the adverse public comment, the comments of government departments and planning assessments above were relevant.

171. Members had no question on the application.

Deliberation Session

172. After deliberation, the Committee decided to approve the application on a temporary basis for a period of 3 years until 6.4.2021, on the terms of the application as submitted to the Town Planning Board (TPB) and subject to the following conditions:

- “(a) no operation between 11:00 p.m. and 11:00 a.m., as proposed by the applicant, is allowed on the site during the planning approval period;
- (b) no use of public announcement system, 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) removal of the existing hard-paving on the site, except the refreshment kiosk, before operation of the proposed use, as proposed by the applicant;
- (e) the provision of fencing of the site within 6 months from the date of planning approval to the satisfaction of the Director of Planning or of the TPB by 6.10.2018;
- (f) the submission of a revised drainage proposal within 6 months from the date of planning approval to the satisfaction of the Director of Drainage Services or of the TPB by 6.10.2018;
- (g) in relation to (f) above, the implementation of the revised 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 6.1.2019;
- (h) in relation to (g) above, the implemented drainage facilities on the site shall be maintained at all times during the planning approval period;

- (i) the submission of a fire service installations proposal within 6 months from the date of planning approval to the satisfaction of the Director of Fire Services or of the TPB by 6.10.2018;
- (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 6.1.2019;
- (k) the submission of a revised tree preservation and landscape proposal within 6 months from the date of planning approval to the satisfaction of the Director of Planning or of the TPB by 6.10.2018;
- (l) in relation to (k) above, the implementation of the revised 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 6.1.2019;
- (m) if any of the above planning conditions (a), (b), (c) or (h) is not complied with during the approval period, the approval hereby given shall cease to have effect and shall be revoked immediately without further notice;
- (n) if the above planning condition (d) is not complied with before operation of the proposed use, 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 (e), (f), (g), (i), (j), (k) or (l), is not complied with by the specified date, the approval hereby given shall cease to have effect and shall on the same date be revoked without further notice;
and
- (p) upon expiry of the planning permission, the reinstatement of the site to an amenity area to the satisfaction of the Director of Planning or of the TPB.”

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

Agenda Items 48 and 49

Section 16 Applications

[Open Meeting (Presentation and Question Sessions Only)]

A/YL-LFS/309 Temporary Public Vehicle Park (Private Car and Light Goods Vehicle) for a Period of 3 Years in “Village Type Development” Zone, Lots 2379 S.D (Part), 2473 S.B (Part), 2473 S.C, 2473 S.D, 2473 S.E, 2473 S.F, 2473 S.G, 2473 S.H, 2473 RP, 2475 S.B (Part), 2475 S.C, 2475 S.D (Part), 2475 S.E, 2475 S.F, 2475 S.G, 2475 S.H, 2475 S.I, 2475 RP (Part), 2478 S.A (Part), 2478 S.B (Part), 2478 S.C (Part), 2478 S.D, 2478 S.E (Part), 2478 S.F, 2478 S.G, 2478 S.H, 2479 S.A (Part), 2479 RP (Part) and 2480 RP (Part) in D.D. 129 and Adjoining Government Land, San Hing Tsuen, Yuen Long
(RNTPC Paper No. A/YL-LFS/309)

A/YL-LFS/310 Proposed Temporary Public Vehicle Park for Private Cars and Light Goods Vehicles for a Period of 3 Years in “Village Type Development” Zone, Lots 2522 RP (Part), 2523 S.A (Part), 2526 (Part), 2528 S.A ss.1, 2528 S.A ss.2, 2528 S.A ss.3, 2528 S.A ss.4, 2528 S.A ss.5, 2528 S.A RP, 2528 S.B (Part), 2920 S.A (Part), 2920 S.D (Part) and 2922 (Part) in D.D. 129, San Hing Tsuen, Yuen Long
(RNTPC Paper No. A/YL-LFS/310)

174. The Secretary reported that the two s.16 applications for temporary vehicle park for private cars and light goods vehicles were similar in nature and the application sites were located in close proximity to each other and within the same “Village Type Development” (“V”) zone, they could be considered together. The Secretary also reported that a Yuen Long District Council (YLDC) member submitted a letter on 23.3.2018 to express his general concern on the temporary vehicle parks with small number of parking spaces proposed at large application sites, paving the way for providing more parking spaces upon approval. In relation to the four planning applications mentioned in his letter, his comments for the first three applications (No. A/YL-LFS/309, A/YL-LFS/310 and A/YL-TYST/883) were submitted out of time and should be treated as not having been made; while that for the last one (No. A/YL-TYST/884) was received within the statutory publication period and would be treated as public comment received. The letter was tabled at the meeting for Members’

information.

Presentation and Question Sessions

175. Mr Vincent T.K. Lai, STP/TMYLW presented the applications and covered the following aspects as detailed in the Papers:

- (a) background to the applications;
- (b) the temporary public vehicle park for private cars and light goods vehicles for a period of three years at each of the sites;
- (c) departmental comments – departmental comments were set out in paragraph 9 of each of the Papers. Concerned departments had no objection to or no adverse comment on the applications;
- (d) during the first three weeks of the statutory publication period, one public comment was received from an individual objecting to application No. A/YL-LFS/309 and two public comments were received from an individual and a villager objecting to the application No. A/YL-LFS/310. Major objection grounds were set out in paragraph 10 of the respective Papers; and
- (e) the Planning Department (PlanD)'s views – PlanD had no objection to the applications on a temporary basis for a period of three years based on the assessments set out in paragraph 12 of each of the Papers. Whilst the temporary vehicle parks were not entirely in line with the planning intention of the “Village Type Development (“V”) zone, the uses could provide parking facilities to meet any such demand in the area. Whilst there were 14 and five Small House applications under processing on the sites under application No. A/YL-LFS/309 and 310 respectively, the District Lands Officer/Yuen Long, Lands Department advised that they were still at the preliminary stage. Approval of the applications on a temporary basis for a period of three years would not frustrate the long term

planning intention of the “V” zone. The temporary vehicle parks were considered not incompatible with the surrounding land uses which mainly comprised rural residential dwellings/structures. Relevant approval conditions had been recommended to address the concerns on the possible environmental nuisances and the technical requirements of the relevant government departments. Previous applications for temporary vehicle park at the site and similar applications within the same “V” zone had been approved by the Committee. Regarding the adverse public comments, the comments of government departments and planning assessments above were relevant.

176. Members had no question on the applications.

Deliberation Session

177. A Member agreed with the concerns raised by the YLDC member and noted that a traffic impact assessment was conducted based on the number of car parking spaces proposed. The Chairman said that while the site area might have an implication on the number of parking spaces that could be provided, the site configuration would also be considered as sufficient manoeuvring spaces would be required at the site.

178. Members noted that approval conditions on restriction of the operation hours and types of vehicles at the site would generally be imposed for this kind of application. The Chairman said that approval condition on the car parking layout could be imposed, if necessary. Mr Ricky W.K. Ho, CTE/NTE, Transport Department supplemented that the number of car parking spaces permitted on the site would be based on the proposal approved under the planning application.

179. After deliberation, the Committee decided to approve the applications on a temporary basis for a period of 3 years until 6.4.2021, on the terms of the applications as submitted to the Town Planning Board (TPB) and subject to the following conditions:

For Application No. A/YL-LFS/309

- “(a) no operation from 11:00 p.m. to 7:00 a.m., as proposed by the applicant, is allowed on the site during the planning approval period;
- (b) no vehicles without valid licenses issued under the Road Traffic Ordinance is allowed to be parked/stored on the site during the planning approval period;
- (c) no medium and heavy goods vehicles exceeding 5.5 tonnes, including container tractors/trailers, as defined in the Road Traffic Ordinance, as proposed by the applicant, is allowed to be parked/stored on or enter/exit the site at any time during the planning approval period;
- (d) a notice shall be posted at a prominent location of the site to remind drivers on pedestrian safety on the access road to the site, as proposed by the applicant, at any time during the planning approval period;
- (e) a notice shall 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, 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 cutting, dismantling, cleaning, repairing, compacting, vehicle repair and workshop activity is allowed on site at any time during the planning approval period;
- (g) no vehicle is allowed to queue back to or reverse onto/from public roads at any time during the planning approval period;
- (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 6.10.2018;

- (i) in relation to (h) above, the implementation of the revised 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 6.1.2019;
- (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 submission of a run-in/out proposal within 6 months from the date of planning approval to the satisfaction of the Director of Highways or of the TPB by 6.10.2018;
- (l) in relation to (k) above, the implementation of the run-in/out proposal within 9 months from the date of planning approval to the satisfaction of the Director of Highways or of the TPB by 6.1.2019;
- (m) the submission of a tree preservation and landscape proposal within 6 months from the date of planning approval to the satisfaction of the Director of Planning or of the TPB by 6.10.2018;
- (n) relation to (m) above, the implementation of the tree preservation and landscape proposal within 9 months from the date of planning approval to the satisfaction of the Director of Planning or of the TPB by 6.1.2019;
- (o) 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 6.10.2018;
- (p) in relation to (o) 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 6.1.2019;
- (q) the provision of fencing of the site within 6 months from the date of planning approval to the satisfaction of the Director of Planning or of the

TPB by 6.10.2018;

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

For Application No. A/YL-LFS/310

- “(a) no operation from 11:00 p.m. to 7:00 a.m., as proposed by the applicant, is allowed on the site during the planning approval period;
- (b) no vehicles without valid licenses issued under the Road Traffic Ordinance is allowed to be parked/stored on the site during the planning approval period;
- (c) no medium and heavy goods vehicles exceeding 5.5 tonnes, including container tractors/trailers, as defined in the Road Traffic Ordinance, as proposed by the applicant, is allowed to be parked/stored on or enter/exit the site at any time during the planning approval period;
- (d) a notice shall be posted at a prominent location of the site to remind drivers on pedestrian safety on the access road to the site, as proposed by the applicant, at any time during the planning approval period;

- (e) a notice shall 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, 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 cutting, dismantling, cleaning, repairing, compacting, vehicle repair and workshop activity is allowed on site at any time during the planning approval period;
- (g) no vehicle is allowed to queue back to or reverse onto/from public roads at any time during the planning approval period;
- (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 6.10.2018;
- (i) in relation to (h) above, the implementation of the revised 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 6.1.2019;
- (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 submission of a tree preservation and landscape proposal within 6 months from the date of planning approval to the satisfaction of the Director of Planning or of the TPB by 6.10.2018;
- (l) relation to (k) above, the implementation of the tree preservation and landscape proposal within 9 months from the date of planning approval to the satisfaction of the Director of Planning or of the TPB by 6.1.2019;
- (m) the submission of a fire service installations proposal within 6 months from the date of planning approval to the satisfaction of the Director of Fire

Services or of the TPB by 6.10.2018;

- (n) in relation to (m) above, the implementation of the fire service installations proposal within 9 months from the date of planning approval to the satisfaction of the Director of Fire Services or of the TPB by 6.1.2019;
- (o) the provision of fencing of the site within 6 months from the date of planning approval to the satisfaction of the Director of Planning or of the TPB by 6.10.2018;
- (p) if any of the above planning conditions (a), (b), (c), (d), (e), (f), (g) or (j) is not complied with during the approval period, the approval hereby given shall cease to have effect and shall be revoked immediately without further notice;
- (q) if any of the above planning conditions (h), (i), (k), (l), (m), (n) or (o) is not complied with by the specified date, the approval hereby given shall cease to have effect and shall on the same date be revoked without further notice; and
- (r) upon expiry of the planning permission, the reinstatement of the site to an amenity area to the satisfaction of the Director of Planning or of the TPB.”

180. The Committee also agreed to advise the applicants to note the advisory clauses as set out at Appendix IV of the respective Papers.

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

[Mr Ivan C.S. Fu left the meeting at this point.]

Agenda Item 50

Any Other Business

Section 16A Application

[Open Meeting]

A/YL-PH/748-1 Application for Extension of Time for Compliance with Planning Conditions, Lots 854 (Part) and 856 (Part) in D.D. 111 and adjoining Government land, Chung Yan Pei, Pat Heung, Yuen Long

181. The Committee noted that an application for extension of time for compliance with approval condition (h) for three months to 28.6.2018 was received by the Town Planning Board on 20.3.2018, and there was only seven working days before the expiry of the specified time limit for the approval condition (h). It was recommended not to consider the application as the deadline for compliance with approval condition (h) had already expired on 29.3.2018, and the planning approval for the subject application had ceased to have effect and had on the same date been revoked.

182. After deliberation, the Committee agreed not to consider the section 16A application as the planning permission was no longer valid at the time of consideration.

183. There being no other business, the meeting closed at 5:35 p.m..