

TOWN PLANNING BOARD

Minutes of 612th Meeting of the Rural and New Town Planning Committee held at 2:30 p.m. on 5.10.2018

Present

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

Mr Stephen L.H. Liu

Miss Winnie W.M. Ng

Mr L.T. Kwok

Mr K.W. Leung

Chief Traffic Engineer/New Territories West,
Transport Department
Mr Patrick K.H. Ho

Chief Engineer (Works), Home Affairs Department
Mr Paul Y.K. Au

Principal Environmental Protection Officer (Strategic Assessment),
Environmental Protection Department
Mr Terence S.W. Tsang

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

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

Secretary

Absent with Apologies

Dr Lawrence K.C. Li

Dr Jeanne C.Y. Ng

Mr Ricky W.Y. Yu

In Attendance

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

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

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

Agenda Item 1

Confirmation of the Draft Minutes of the 611th RNTPC Meeting held on 21.9.2018

[Open Meeting]

1. The draft minutes of the 611th RNTPC meeting held on 21.9.2018 were confirmed without amendments.

Agenda Item 2

Matters Arising

[Open Meeting]

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

Sha Tin, Tai Po and North District

Agenda Item 3

Section 16 Application

[Open Meeting]

A/NE-HH/2 Proposed Temporary Excavation of Land (for Bioarchaeological Research) for a Period of 2 Years in “Conservation Area” Zone, Government Land Covering Hoi Ha Lime Kilns in D.D. 283, Sai Kung (RNTPC Paper No. A/NE-HH/2A)

3. The Secretary reported that the application was submitted by the Swire Institute of Marine Science of the University of Hong Kong (HKU). The following Members had declared interests on the item:

- Dr C.H. Hau - being an Honorary Associate Professor and Principal Lecturer of the School of Biological Sciences of HKU; and

- Mr K. K. Cheung - his firm having current business dealings with HKU.

4. The Committee noted that the applicant had requested deferment of consideration of the application and Mr K. K. Cheung had not yet arrived to join the meeting. As Dr C.H. Hau had no involvement in the application, the Committee agreed that he could stay in the meeting.

5. The Committee noted that the applicant’s representative requested on 19.9.2018 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 Antiquities and Monuments Office (AMO). It was the second time that the applicant requested deferment of the application. Since the last deferment, the applicant had held a meeting with AMO and gathered information for the Archaeological Impact Assessment.

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 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 4

Section 16 Application

[Open Meeting]

A/NE-LK/113 Proposed Temporary Animal Boarding Establishment for a Period of 3 Years in "Recreation" and "Agriculture" Zones, Lots 1313 RP (Part) and 1315 RP in D.D. 39, Wo Hang
(RNTPC Paper No. A/NE-LK/113)

7. The Committee noted that the applicant's representative requested on 27.9.2018 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 submitted a revised landscape proposal and layout plan, and responses to address department comments on the environmental, transport and landscape aspects.

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

could be processed within a shorter time, the application could be submitted to an earlier meeting for the Committee's consideration. The Committee also agreed to advise the applicant that 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.

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

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

Agenda Item 5

Section 16 Application

[Open Meeting (Presentation and Question Sessions Only)]

A/NE-LYT/665 Proposed House (New Territories Exempted House - Small House) in
"Agriculture" Zone, Lot 1603 S.A in D.D. 76, Kan Tau Tsuen, Fanling
(RNTPC Paper No. A/NE-LYT/665A)

Presentation and Question Sessions

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

- (a) background to the application;
- (b) the proposed house (New Territories Exempted House (NTEH) - Small House);
- (c) departmental comments – departmental comments were set out in paragraph 9 and Appendix V of the Paper. The Director of Agriculture, Fisheries and Conservation (DAFC) did not support the application as the site possessed potential for agricultural rehabilitation and there were active

agricultural activities in the vicinity. The Commissioner for Transport had reservation on the application and advised that Small House development should be confined within the “Village Type Development” (“V”) zone as far as possible. However, she considered that the application involving development of one Small House could be tolerated. The District Officer (North) of the Home Affairs Department conveyed that the Indigenous Inhabitant Representative and the Resident Representative of Kan Tau Tsuen supported the application and the Chairman of Fanling District Rural Committee (FDRC) had no comment on the application. Other concerned government departments had no objection to or no adverse comment on the application;

- (d) during the first three weeks of the statutory publication period, five public comments were received, with three from a North District Council member, the Chairmen of Sheung Shui District Rural Committee and FDRC indicating no comment on the application, and the remaining two comments from Designing Hong Kong Limited and an individual 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. Though the proposed development was not in line with the planning intention of the “Agriculture” zone and DAFC did not support the application, the proposed development was not incompatible with the surrounding areas which were dominated by active/fallow agricultural land, village houses, temporary structure and vacant/unused land. Regarding the Interim Criteria for Consideration of Application for NTEH/Small House in New Territories (Interim Criteria), while more than 50% of the footprint of the proposed Small House fell within the village ‘environs’ (‘VE’) of Kan Tau Tsuen and land available within the “V” zone was insufficient to fully meet the future Small House demand, it was capable to meet the 74 outstanding Small House applications. Notwithstanding the above, the site was part of the subject of a previous application (No.

A/NE-LYT/545) for three Small Houses approved by the Committee in 2014 and subsequently lapsed in August 2018. Two of the three Small Houses under that application were also the subject of two applications (No. A/NE-LYT/666 and A/NE-LYT/667), each for the development of a Small House approved by the Committee on 6.7.2018 mainly on the ground that they were the subject of previous approval submitted by the same applicants. In this regard, sympathetic consideration might be given to the subject application. Similar applications for Small House developments in the vicinity of the site were 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.

[Mr Peter K.T. Yuen arrived to join the meeting during the presentation.]

10. In response to a Member's question on the relation of the previous application and the subject application, and whether the footprint of the proposed Small House fell within 'VE', Mr Tim T.Y. Fung, STP/STN, with reference to Plan A-2a of the Paper, said that the current application was the subject of a previous application No. A/NE-LYT/545 for three Small Houses. As the applicant passed away earlier, new applications for the three concerned Small Houses were submitted to the Committee separately, with two of the Small Houses under applications No. A/NE-LYT/666 and A/NE-LYT/667 were approved by the Committee in July 2018. For the subject application, it was noted that the development parameters and site layout in relation to the site were the same as those under the previous application No. A/NE-LYT/545 but the applicant was different from that of the previously approved application.

Deliberation Session

11. After deliberation, the Committee decided to approve the application, on the terms of the application as submitted to the Town Planning Board (TPB). The permission should be valid until 5.10.2022, and after the said date, the permission should cease to have effect unless before the said date, the development permitted was commenced or the

permission was renewed. The permission was subject to the following conditions:

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

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

Agenda Item 6

Section 16 Application

[Open Meeting (Presentation and Question Sessions Only)]

A/NE-LYT/673 Proposed House (New Territories Exempted House - Small House) in
“Agriculture” Zone, Lot 1773 S.B ss.3 in D.D. 76, Leng Tsui Tsuen,
Fanling
(RNTPC Paper No. A/NE-LYT/673)

Presentation and Question Sessions

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

- (a) background to the application;
- (b) the proposed house (New Territories Exempted House (NTEH) - Small House);
- (c) departmental comments – departmental comments were set out in paragraph 9 and Appendix V of the Paper. The Director of Agriculture, Fisheries and Conservation (DAFC) did not support the application as the

site possessed potential for agricultural rehabilitation. The Commissioner for Transport had reservation on the application and advised that Small House development should be confined within the “Village Type Development” (“V”) zone as far as possible. However, she considered that the application involving development of one Small House could be tolerated. The District Officer (North) of the Home Affairs Department conveyed that the Chairman of Fanling District Rural Committee had no comment on the application, and the Indigenous Inhabitant Representative and the Resident Representative of Leng Tsui objected to the application. 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, ten public comments were received, with one from a North District Council member indicating no comment on the application, and the remaining nine comments from villagers of the Ma Mei Ha Leng Tsui Tsuen, Designing Hong Kong Limited and an individual 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. Though the proposed development was not in line with the planning intention of the “Agriculture” zone and DAFC did not support the application, the proposed development was not incompatible with the surrounding rural setting dominated by village houses, vacant land, active/fallow agricultural land and tree groups. Regarding the Interim Criteria for Consideration of Application for NTEH/Small House in New Territories, while more than 50% of the footprint of the proposed Small House fell within the village ‘environs’ (‘VE’) of Ma Mei Ha Leng Tsui and Leng Pei Tsuen and land available within “V” zone was insufficient to fully meet the future Small House demand, it was capable to meet the 43 outstanding Small House applications. Notwithstanding the above, the site was the subject of a previously approved application (No. A/NE-LYT/540) for Small House development submitted by the same

applicant. The major development parameters including the site area and the layout of the proposed Small House under the current application were the same compared with the previous application. Similar applications for Small House developments in the vicinity of the site were approved by the Committee. There had not been any major change in planning circumstances of the areas since the approval of these similar applications. 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.

[Mr Stephen L.H. Liu arrived to join the meeting during the presentation.]

14. Members had no question on the application.

Deliberation Session

15. 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 5.10.2022, 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 the drainage proposal to the satisfaction of the Director of Drainage Services or of the TPB; and
- (c) the submission and implementation of the landscape proposal to the satisfaction of the Director of Planning or of the TPB.”

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

Agenda Item 7

Section 16 Application

[Open Meeting]

A/NE-LT/649 Proposed House (New Territories Exempted House - Small House) in
“Village Type Development” and “Agriculture” Zones, Lot 1287 S.B
in D.D. 8, Lam Tsuen, Tai Po
(RNTPC Paper No. A/NE-LT/649)

17. The Committee noted that the applicant requested on 2.10.2018 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.

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

Agenda Item 8

Section 16 Application

[Open Meeting]

A/NE-LT/650 Proposed House (New Territories Exempted House - Small House) in
“Village Type Development” and “Agriculture” Zones, Lots 1287 S.A
and 1287 S.D in D.D. 8, Lam Tsuen, Tai Po

(RNTPC Paper No. A/NE-LT/650)

19. The Committee noted that the applicant requested on 2.10.2018 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.

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

Agenda Item 9

Section 16 Application

[Open Meeting (Presentation and Question Sessions Only)]

A/NE-LT/651 Proposed House (New Territories Exempted House - Small House) in
 “Agriculture” and “Village Type Development” Zones, Lot 1282 S.B
 in D.D. 19, Pak Tin Kong Village, Lam Tsuen, Tai Po
 (RNTPC Paper No. A/NE-LT/651)

Presentation and Question Sessions

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

- (a) background to the application;
- (b) the proposed house (New Territories Exempted House (NTEH) - Small House);
- (c) departmental comments – departmental comments were set out in paragraph 9 and Appendix IV of the Paper. The District Lands Officer/Tai Po of the Lands Department and the Chief Engineer/Construction of the Water Supplies Department objected to the application as it did not comply with the Interim Criteria for Consideration of Application for NTEH/Small House in New Territories (Interim Criteria) in that more than 50% of the site and Small House footprint fell outside both the “Village Type Development” (“V”) zone and village ‘environs’ (‘VE’) of Chuen Shui Tseng. The Chief Town Planner/Urban Design & Landscape of the Planning Department (PlanD) had reservation on the application as the proposed development would set an undesirable precedent to similar developments encroaching onto the “Agriculture” (“AGR”) zone. 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, one public comment was received from the Hong Kong Bird Watching Society objecting to the application. Major objection grounds were set out in paragraph 10 of the Paper; and
- (e) PlanD's views – PlanD did not support the application based on the assessments set out in paragraph 11 of the Paper. The proposed Small House development was not in line with the planning intention of “AGR” zone. The application did not comply with the Interim Criteria in that more than 50% of the proposed Small House footprint fell entirely outside the “V” zone and ‘VE’ of Chuen Shui Tseng. While land available within the “V” zone was insufficient to fully meet the future Small House demand, it was capable to meet the 11 outstanding Small House applications. It was 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. There had not been any major change in planning circumstances of the area since the rejection of the previous application. Similar applications falling outside the “V” zone and ‘VE’ were rejected by the Committee. Regarding the public comment, the comments of concerned departments and the planning assessments above were relevant.

22. Members had no question on the application.

Deliberation Session

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

- “(a) the proposed development is not in line with the planning intention of the “Agriculture” zone, which is primarily to retain and safeguard good quality agricultural land/farm/fish ponds for agricultural purposes. It is also intended to retain fallow arable land with good potential for rehabilitation for cultivation and other agricultural purposes. There is no strong

planning justification in the current submission for a departure from the planning intention;

- (b) the proposed development does not comply with the Interim Criteria for Consideration of Application for New Territories Exempted House/Small House in New Territories in that more than 50% of the footprint of the proposed Small House falls outside the “Village Type Development” (“V”) zone and the village ‘environs’ of Chuen Shui Tseng; and
- (c) land is still available within the “V” zone of Chuen Shui Tseng which is primarily intended for Small House development. It is considered more appropriate to concentrate the proposed Small House development within the “V” zone for more orderly development pattern, efficient use of land and provision of infrastructure and services.”

Agenda Item 10

Section 16 Application

[Open Meeting]

A/NE-LT/652 Proposed Excavation of Land for Permitted Agricultural Use (Demonstration Farm) in “Recreation” and “Green Belt” Zones, Lots 335 S.B (Part), 336 S.A, 336 S.B, 336 S.C, 337 S.B, 339, 340, 341, 345 S.A and 346 in D.D. 16, Wo Tong Pui, Tai Po
(RNTPC Paper No. A/NE-LT/652)

24. The Secretary reported that the application was submitted by the City University of Hong Kong (CityU), with Beria Consultant Limited (Beria) as one of the consultants of the applicant. Mr K.K. Cheung had declared an interest on the item as he had past business dealings with CityU and Beria. The Committee noted that the applicant had requested deferral of consideration of the application. As Mr K.K. Cheung had no involvement in the application, the Committee agreed that he could stay in the meeting.

25. The Committee noted that the applicant's representative requested on 24.9.2018 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.

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

Agenda Item 11

Section 16 Application

[Open Meeting]

A/NE-SSH/117 Temporary Place of Recreation, Sports or Culture (Hobby Farm) for a period of 3 years in "Coastal Protection Area" Zone, Lots 572 to 591 in D.D. 209, Kei Ling Ha Lo Wai, Shap Sz Heung
(RNTPC Paper No. A/NE-SSH/117A)

27. The Committee noted that the applicant's representative requested on 19.9.2018 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 a drainage proposal and responses to address departmental comments.

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.

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

Fanling, Sheung Shui and Yuen Long East District

Agenda Item 12

Section 16 Application

[Open Meeting]

A/FSS/270 Proposed House and Social Welfare Facility (Residential Care Home for the Elderly) in "Village Type Development" Zone, Various Lots in D.D. 51, Fanling
(RNTPC Paper No. A/FSS/270A)

29. The Committee noted that the applicant's representative requested on 24.9.2018 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 and Environmental Protection Department. It was the second time that the applicant requested deferment of the application. Since the last deferment, the applicant had

submitted further information to address departmental comments.

30. 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 13

Section 16 Application

[Open Meeting]

A/KTN/46 Proposed Temporary Shop and Services for a Period of 3 Years in
"Village Type Development" Zone, Lot 1391 RP (Part) in D.D. 95, Ho
Sheung Heung, Sheung Shui
(RNTPC Paper No. A/KTN/46A)

31. The Committee noted that the applicant's representative requested on 24.9.2018 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 Lands Department (LandsD). It was the second time that the applicant requested deferment of the application. Since the last deferment, the applicant had received comments from LandsD on lease matters and more time was required to prepare the further information.

32. 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 14

Section 16 Application

[Open Meeting]

A/YL-KTN/604 Proposed Flat, Shop and Services, Eating Place, School and Public Transport Terminus or Station Uses and Minor Relaxation of Plot Ratio and Building Height Restrictions in "Comprehensive Development Area (1)" and "Comprehensive Development Area" Zones, Various Lots in D.D. 107 and Adjoining Government Land, Cheung Chun San Tsuen, Kam Tin, Yuen Long
(RNTPC Paper No. A/YL-KTN/604A)

33. The Secretary reported that the application was submitted by the Bright Strong Limited which was a subsidiary of the Sun Hung Kai Properties Limited (SHK). Llewelyn-Davies Hong Kong Limited (LD), Ronald Lu & Partners (Hong Kong) Limited (RLP) and Urbis Limited (Urbis) were three of the consultants of the applicant. The following Members had declared interests on the item:

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|---------------------|---|---|
| Mr Ivan C.S. Fu | - | having current business dealings with SHK and Urbis; |
| Mr K.K. Cheung | - | his firm having current business dealings with SHK and RLP; |
| Mr Stephen L.H. Liu | - | having past business dealings with SHK, LD and RLP; |

- Miss Winnie W.M. Ng - being a Director of the Kowloon Motor Bus Company (1933) Limited (KMB) and SHK was one of the shareholders of KMB; and
- Mr Ricky W.Y. Yu - his firm having current business dealings with LD.

34. The Committee noted that Mr Ricky W.Y. Yu had tendered an apology for being unable to attend the meeting, Miss Winnie W.M. Ng had not yet arrived at the meeting and the applicant had requested deferral of consideration of the application. As the interest of Mr Ivan C.S. Fu was direct, the Committee agreed that he could stay in the meeting but should refrain from participating in the discussion. As Messrs K.K. Cheung and Stephen L.H. Liu had no involvement in the application, the Committee agreed that they could stay in the meeting.

35. The Committee noted that the applicant's representative requested on 28.9.2018 deferment of the consideration of the application for two months in order to allow time for preparation of further information to address further comments of relevant departments. It was the second time that the applicant requested deferment of the application. Since the last deferment, the applicant had submitted further information to address departmental comments.

36. 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.

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

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

Agenda Item 15

Section 16 Application

[Open Meeting (Presentation and Question Sessions Only)]

A/YL-KTS/796 Proposed Temporary Shop and Services (Real Estate Agency and Car Beauty Product Shop) with Ancillary Staff Canteen for a Period of 3 Years in “Village Type Development” Zone, Lot 390 RP (Part) in D.D.106, Kam Sheung Road, Pat Heung, Yuen Long
(RNTPC Paper No. A/YL-KTS/796)

Presentation and Question Sessions

37. 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 shop and services (real estate agency and car beauty product shop) with ancillary staff canteen 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) 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 proposed use on a temporary basis for a period of three years based on the assessments set out in paragraph 11 of the Paper. Although the proposed use was not in line with the planning intention of the “Village Type Development” (“V”) zone, there was no Small House application approved or under processing at the site. Approval of the application on a temporary basis would not jeopardize the long-term planning intention of the “V” zone. The proposed use was considered not incompatible with the surrounding land uses which were predominated by residential structures/dwellings, open storage yards, parking of vehicles, agricultural land and vacant/unused land. The site was the subject of a previously approved application for similar temporary use submitted by the same applicant. Previous and similar applications were approved by the Committee on similar consideration. 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.

38. A Member asked the following questions:

- (a) noting that the site was currently used for office, whether there was any definition of ‘office’ use; and
- (b) noting that the previous application was approved by the Committee in 2017 and the planning permission would be valid until 2020, the justification for submission of a new planning application before the expiry of the previous planning permission.

39. Ms Ivy C.W. Wong, STP/FSYLE, made the following responses:

- (a) as shown in the site photos, there were office facilities such as tables and set up of a conference room, etc. at the site. In this regard, it was considered that the site was currently used as ‘office’ which was not permitted; and

- (b) the previously approved application (No. A/YL-KTS/735) was for temporary shop and services (real estate agency and pet product retail shop) while the current application submitted by the same applicant was for temporary shop and services (real estate agency and car beauty product shop). The current application was for different shop and services uses with a slightly larger area and involved changes in site layout and number of structures. Therefore, a fresh application was required.

Deliberation Session

40. After deliberation, the Committee decided to approve the application on a temporary basis for a period of 3 years until 5.10.2021, 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 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, as proposed by the applicant, at any time during the planning approval period;
- (c) no vehicle is allowed to queue back to or reverse onto/from public road at any time during the planning approval period;
- (d) the 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 5.4.2019;
- (e) in relation to (d) 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 5.7.2019;

- (f) in relation to (e) above, the implemented drainage facilities on the site shall be maintained at all times during the planning approval period;
- (g) the submission of a landscape proposal within 6 months from the date of planning approval to the satisfaction of the Director of Planning or of the TPB by 5.4.2019;
- (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 of the TPB by 5.7.2019;
- (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 5.4.2019;
- (j) in relation to (i) above, the provision of fire service installations within 9 months from the date of planning approval to the satisfaction of the Director of Fire Services or of the TPB by 5.7.2019;
- (k) if any of the above planning conditions (a), (b), (c) or (f), is not complied with during the planning approval period, the approval hereby given shall cease to have effect and shall be revoked immediately without further notice;
- (l) if any of the above planning conditions (d), (e), (g), (h), (i) or (j) is not complied with by the specified date, the approval hereby given shall cease to have effect and shall on the same date be revoked without further notice;
and
- (m) upon the expiry of the planning permission, the reinstatement of the site to an amenity area to the satisfaction of the Director of Planning or of the TPB.”

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

set out at Appendix V of the Paper.

Agenda Item 16

Section 16 Application

[Open Meeting (Presentation and Question Sessions Only)]

A/YL-PH/791 Proposed Temporary Shop and Services (Second-Hand Motor Vehicles Showroom) for a Period of 3 Years in “Agriculture” Zone, Lots 60 (Part), 61 (Part) and 62 (Part) in D.D. 114, Pat Heung, Yuen Long
(RNTPC Paper No. A/YL-PH/791)

Presentation and Question Sessions

42. 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 shop and services (second-hand motor vehicles showroom) for a period of three years;
- (c) departmental comments – departmental comments were set out in paragraph 9 of the Paper. The Director of Agriculture, Fisheries and Conservation (DAFC) did not support the application as the site had potential for agricultural rehabilitation. The Chief Town Planner/Unban Design and Landscape (CTP/UD&L) of the Planning Department (PlanD) had reservation on the application as approval of the application would set an undesirable precedent to encourage unauthorized removal of vegetation, and cumulative effect would result in degradation of landscape character and cause adverse landscape impact on landscape resources. 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, twenty public comments were received from a Yuen Long District Council member, the Hong Kong Bird Watching Society, Designing Hong Kong Limited, the operator of the nearby plant nursery, local villagers and individuals objecting to the application. Major objection grounds were set out in paragraph 10 of the Paper; and
- (e) PlanD's views – PlanD did not support the application based on the assessments set out in paragraph 11 of the Paper. The proposed use was not in line with the planning intention of the “Agriculture” zone. There was no strong planning justification given in the submission for a departure from the planning intention, even on a temporary basis. There were adverse comments from DAFC and CTP/UD&L of PlanD, and local objections. Although one similar application for proposed shop and services was approved by the Committee, it was subject to different circumstance as the site was located to the further north of the “Village Type Development” zone with a much smaller site area, no active agricultural activities in the vicinity, and no adverse comments from the relevant departments and public. Regarding the adverse public comments, the comments of concerned departments and the planning assessments above were relevant.

43. Members had no question on the application.

Deliberation Session

44. After deliberation, the Committee decided to reject the application. The reason was:

“ the proposed development is not in line with the planning intention of the “Agriculture” zone which is to retain and safeguard good quality agricultural land/farm/fish ponds for agricultural purposes. This zone is also intended to retain fallow arable land with good potential for rehabilitation for cultivation and other agricultural purposes. No strong planning justification has been given

in the submission for a departure from the planning intention, even on a temporary basis.”

Agenda Item 17

Section 16 Application

[Open Meeting (Presentation and Question Sessions Only)]

A/YL-PH/792 Renewal of Planning Approval for Temporary Car Park for Villagers (Excluding Container Vehicle) for a Period of 2 Years in “Village Type Development” Zone, Lots 83 (Part), 85 RP (Part), 86 (Part), 87 S.B (Part), 87 RP (Part) and 92 RP (Part) in D.D. 111 and Adjoining Government Land, Shui Kan Shek, Pat Heung, Yuen Long
(RNTPC Paper No. A/YL-PH/792)

Presentation and Question Sessions

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

- (a) background to the application;
- (b) the renewal of planning approval for temporary car park for villagers (excluding container vehicle) for a period of two years;
- (c) departmental comments – departmental comments were set out in paragraph 10 of the Paper. Concerned departments had no objection to or no adverse comment on the application;
- (d) during the first three weeks of the statutory publication period, one public comment was received from an individual 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 had no objection to the applied use on a temporary basis for a period of two years based on the assessments set out in paragraph 12 of the Paper. Although the applied use was not entirely in line with the planning intention of the “Village Type Development” (“V”) zone, there was no Small House application approved or under processing at the site. Approval of the application on a temporary basis would not jeopardise the long-term planning intention of the “V” zone. The applied temporary car park was considered not incompatible with the surrounding land uses and was to serve the local villagers. Relevant approval conditions had been recommended to address the technical requirements of relevant government departments. The application was in line with the Town Planning Board Guidelines No. 34B in that previous approvals for the same applied use were granted and all approval conditions of the last approval had been complied with. The development parameters of the current application were the same as those of the last application and there was no major change in planning circumstances since the last approval. Favourable consideration could be given to the current renewal application. Regarding the adverse public comment, the comments of government departments and planning assessments above were relevant.

46. A Member asked the following questions:

- (a) information on whether there was any Small House application at the site, the Small House demand, and the land available to meet such demand within the concerned “V” zone, and the number of Small Houses that could be built at the site; and
- (b) whether the applicant was the land owner of the site and the land owner(s) were notified about the subject application.

47. Ms Ivy C.W. Wong, STP/FSYLE, made the following responses:

- (a) there was no Small House application approved or under processing within the site and in the vicinity. As the current application was for temporary

use, the relevant information on the Small House demand, land availability and the number of Small Houses that could be built within the “V” zone was not included in the Paper and she did not have the information at hand; and

- (b) the applicant was not the land owner but had complied with the requirements as set out in the Town Planning Board Guidelines on “Satisfying the Owner’s Consent/Notification” Requirements by posting site notice and sending notification letter to the Pat Heung Rural Committee by registered mail.

Deliberation Session

48. After deliberation, the Committee decided to approve the application on a temporary basis for a period of 2 years from 1.11.2018 until 31.10.2020, on the terms of the application as submitted to the Town Planning Board (TPB) and subject to the following conditions:

- “(a) no vehicles without valid licences issued under the Road Traffic (Registration and Licensing of Vehicles) Regulations are allowed to be parked/stored on the site at any time during the planning approval period;
- (b) the implementation of the car park layout plan for the use of the local villagers only, as proposed by the applicant, at all times during the planning approval period;
- (c) no more than 15 car parking spaces shall be provided on the site, as proposed by the applicant, at any time during the planning approval period;
- (d) no medium or heavy goods vehicles exceeding 5.5 tonnes, including container tractors/trailers, as defined in the Road Traffic Ordinance are allowed to be parked/stored on or enter/exit the site at any time during the planning approval period;

- (e) a notice should be posted at a prominent location of the site to indicate that no medium or heavy goods vehicles exceeding 5.5 tonnes, including container tractors/trailers, as defined in the Road Traffic Ordinance, are allowed to be parked/stored on or enter/exit the site at all times during the planning approval period;
- (f) a notice should be posted at a prominent location of the site to indicate the set of rules for using the development, as proposed by the applicant, at all times during the planning approval period;
- (g) a vehicular access of 4.5m in width within the site, as proposed by the applicant, shall be maintained at all times during the planning approval period;
- (h) no vehicle is allowed to queue back to or reverse onto/from public road at any time during the planning approval period;
- (i) the mitigation measures (including the dimming of lights after 11:30 p.m. within the site and posting of notice and rules at prominent location of the site forbidding honking and engine noise when parking at the site) implemented under the previous approval to minimize any possible nuisance of noise and artificial lighting on the site to the residents nearby, as proposed by the applicant, shall be maintained at all times during the planning approval period;
- (j) all trees and vegetation within the site shall be maintained at all times during the planning approval period;
- (k) the existing drainage facilities on the site shall be maintained at all times during the planning approval period;
- (l) the submission of records of the existing drainage facilities on the site within 3 months from the date of commencement of the renewed planning approval to the satisfaction of the Director of Drainage Services or of the

TPB by 1.2.2019;

- (m) the implementation of the accepted fire service installations proposal within 6 months from the date of commencement of the renewed planning approval to the satisfaction of the Director of Fire Services or of the TPB by 1.5.2019;
- (n) if any of the above planning conditions (a), (b), (c), (d), (e), (f), (g), (h), (i), (j) or (k) is not complied with during the planning approval period, the approval hereby given shall cease to have effect and shall be revoked immediately without further notice;
- (o) if any of the above planning conditions (l) or (m) is not complied with by the specified date, the approval hereby given shall cease to have effect and shall on the same date be revoked without further notice; and
- (p) upon expiry of the planning permission, the reinstatement of the site to an amenity area to the satisfaction of the Director of Planning or of the TPB.”

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

Agenda Item 18

Section 16 Application

[Open Meeting]

A/YL-SK/243 Proposed Temporary Place of Recreation, Sports, or Culture (Motor Museum) and Eating Place (Cafe) for a Period of 3 Years in “Village Type Development” Zone, Government Land in D.D. 114, Shek Kong, Yuen Long

(RNTPC Paper No. A/YL-SK/243)

50. The Committee noted that the applicant requested on 19.9.2018 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.

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

Agenda Item 19

Section 16 Application

[Open Meeting]

A/YL-MP/274 Proposed Temporary Shop and Services (Electronic Goods Showroom)
for a Period of 3 Years in “Recreation” Zone, Lot 2972 (Part) in D.D.
104, Mai Po, Yuen Long
(RNTPC Paper No. A/YL-MP/274)

52. The Secretary reported that the application site was located at Mai Po. Mr K.W. Leung had declared an interest on the item as he owned a property at the Fairview Park. The Committee noted that the applicant had requested deferral of consideration of the application. The Committee agreed that Mr K.W. Leung could stay in the meeting as his property had no direct view of the application site.

53. The Committee noted that the applicant’s representative requested on 19.9.2018 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

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

Agenda Item 20

Section 16 Application

[Open Meeting (Presentation and Question Sessions Only)]

A/YL-ST/530 Temporary Public Car Park with Ancillary Office for a Period of 3 Years in “Undetermined” Zone, Lots 244 S.B RP (Part), 252 RP (Part), 253 (Part), 254 (Part), 258 (Part), 266 (Part) and 270 in D.D. 99 and Adjoining Government Land, San Tin, Yuen Long
(RNTPC Paper No. A/YL-ST/530)

Presentation and Question Sessions

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

- (a) background to the application;
- (b) the temporary public car park with ancillary office for a period of three years;
- (c) departmental comments – departmental comments were set out in paragraph 10 of the Paper. Concerned departments had no objection to or no adverse comment on the application;
- (d) 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 applied use on a temporary basis for a period of three years based on the assessments set out in paragraph 12 of the Paper. The applied use was considered not incompatible with the surrounding land uses which were mostly vehicle parks, open storage yards and vehicle repair workshops. The application was in line with the Town Planning Board Guidelines No. 13E in that the site fell within Category 1 areas, and the site was located in

the vicinity of the cross-boundary bus terminus in San Tin and the Lok Ma Chau Control Point. The applied use could satisfy some of the parking demand of local residents and cross-boundary travellers. The site fell within the Wetland Buffer Area of the Town Planning Board Guidelines No. 12C which specified that the requirement of Ecological Impact Assessment was exempted for temporary use. Concerned government departments had no objection to or no adverse comment on the application from environmental, traffic, fire safety, drainage and landscape aspects. Relevant approval conditions had been recommended to address the technical requirements of relevant government departments. Previous applications for the similar uses at the site and similar applications for temporary public vehicle park within the same “Undetermined” zone had been approved by the Committee. Approval of the application was in line with the Committee’s previous decisions.

56. Noting that a portion of government land was included in the site, a Member asked whether a fee would be charged for using the government land for the applied use. In response, Ms Emily P.W. Tong, STP/FSYLE, said that the ingress/egress point of the site encroached onto government land and the Lands Department (LandsD) would consider if a fee would be levied on using the government land as vehicular access to the site. Mr Edwin W.K. Chan, Assistant Director/Regional 3 of LandsD, supplemented that in general a fee would be charged for using a portion of government land exclusively for non-public purpose.

Deliberation Session

57. After deliberation, the Committee decided to approve the application on a temporary basis for a period of 3 years until 5.10.2021, on the terms of the application as submitted to the Town Planning Board (TPB) and subject to the following conditions:

- “(a) no vehicle (excluding private car) is allowed to access the site at all times during the planning approval period;
- (b) a notice should be posted at a prominent location of the site to indicate that only private cars as defined in the Road Traffic Ordinance are allowed to be

parked on the site at any time during the planning approval period;

- (c) no vehicle is allowed to queue back to or reverse onto/from the site at any time during the planning approval period;
- (d) the paving and boundary fencing on the site shall be maintained at all times during the planning approval period;
- (e) the maintenance of all landscape planting within the site to healthy conditions at all times during the planning approval period;
- (f) the submission of a drainage proposal within 6 months from the date of planning approval to the satisfaction of the Director of Drainage Services or of the TPB by 5.4.2019;
- (g) in relation to (f) above, the implementation of the drainage proposal within 9 months from the date of planning approval to the satisfaction of the Director of Drainage Services or of the TPB by 5.7.2019;
- (h) 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 to the TPB by 5.4.2019;
- (i) in relation to (h) above, the implementation of the fire service installations proposal within 9 months from the date of planning approval to the satisfaction of the Director of Fire Services or to the TPB by 5.7.2019;
- (j) 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;
- (k) if any of the above planning conditions (f), (g), (h) or (i) is not complied with by the specified date, the approval hereby given shall cease to have

effect and shall be revoked immediately 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.”

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

Agenda Item 21

Section 16 Application

[Open Meeting (Presentation and Question Sessions Only)]

A/YL-ST/531 Proposed Temporary Parking of Private Cars for a Period of 3 Years in “Village Type Development” Zone, Lots 733 S.D RP (Part), 733 S.D ss.1 (Part), 733 S.D ss.7 (Part) and 733 S.D ss.9 (Part) in D.D. 99, San Tin, Yuen Long
(RNTPC Paper No. A/YL-ST/531)

Presentation and Question Sessions

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

- (a) background to the application;
- (b) the proposed temporary parking of private cars for a period of three year;
- (c) departmental comments – departmental comments were set out in paragraph 10 of the Paper. Concerned departments had no objection to or no adverse comment on the application;

- (d) during the first three weeks of the statutory publication period, two public comments were received from the Village Representative of San Tin Yan Sau Wai Tsuen and an individual objecting to the application. Major grounds were set out in paragraph 11 of the Paper; and

- (e) the Planning Department (PlanD)'s views – PlanD had no objection to the proposed use on a temporary basis for a period of three years based on the assessments set out in paragraph 12 of the Paper. Although the planning intention of the “Village Type Development” (“V”) zone was primarily for development of Small Houses by indigenous villagers, there was no Small House application approved or under processing at the site. Approval of the application on a temporary basis would not jeopardise the long-term planning intention of the “V” zone. The proposed use was considered not incompatible with the surrounding land uses which were rural in character predominated by village houses, tree groups, a drainage channel, vehicle park and temporary structures. The site fell within the Wetland Buffer Area of the Town Planning Board Guidelines No. 12C which specified that the requirement of Ecological Impact Assessment was exempted for temporary use. Concerned government departments had no objection to or no adverse comment on the application from environmental, traffic, fire safety, drainage and landscape aspects. Relevant approval conditions had been recommended to address the technical requirements of relevant government departments. Similar applications for public vehicle park within the same “V” zone 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.

60. A Member asked whether the applicant submitted the subject application for temporary vehicle park on behalf of the village or in individual capacity. In response, Ms Emily P.W. Tong, STP/FSYLE, said that the applicant was one of the two land owners of the site and the vehicle park would serve the residents of Tung Chan Wai.

Deliberation Session

61. After deliberation, the Committee decided to approve the application on a temporary basis for a period of 3 years until 5.10.2021, on the terms of the application as submitted to the Town Planning Board (TPB) and subject to the following conditions:

- “(a) no vehicle other than private car is allowed to access the site at all times during the planning approval period;
- (b) a notice should be posted at a prominent location of the site to indicate that only private cars as defined in the Road Traffic Ordinance are allowed to be parked on the site at any time during the planning approval period;
- (c) no vehicle is allowed to queue back to public road (Tung Wing On Road) or reverse onto/from the site at any time during the planning approval period;
- (d) the paving on the site shall be maintained at all times during the planning approval period;
- (e) 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 5.4.2019;
- (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 5.7.2019;
- (g) 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 5.4.2019;
- (h) in relation to (g) 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 5.7.2019;

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

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

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

Tuen Mun and Yuen Long West District

Agenda Item 22

Section 16 Application

[Open Meeting]

A/TM/524 Temporary Eating Place for a Period of 6 Years in “Village Type Development” Zone, Lots 307 RP (Part), 308 RP (Part), 309 (Part), 310 and 311 (Part) in D.D.375, So Kwun Wat, Tuen Mun
(RNTPC Paper No. A/TM/524A)

63. The Committee noted that the applicant’s representative requested on 18.9.2018 deferment of the consideration of the application for two months in order to allow time for preparation of further information to support the planning application and address departmental comments. It was the second time the applicant requested deferment of the application. Since the last deferment, the applicant had submitted further information including a revised layout plan, drainage proposal, sewerage impact assessment and responses to address departmental comments.

64. After deliberation, the Committee decided to defer a decision on the application as requested by the applicant pending the submission of further information from the applicant. The Committee agreed that the application should be submitted for its consideration within two months from the date of receipt of further information from the applicant. If the further information submitted by the applicant was not substantial and could be processed within a shorter time, the application could be submitted to an earlier meeting for the Committee’s consideration. The Committee also agreed to advise the applicant that two months were allowed for preparation of 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 23

Section 16 Application

[Open Meeting]

A/TM/531 Proposed Columbarium in “Government, Institution or Community”
Zone, Lots 813 R.P. and 814 R.P. in D.D. 131 and Adjoining
Government Land, Tuen Mun
(RNTPC Paper No. A/TM/531)

65. The Secretary reported that the application was for columbarium use. Landes Limited (Landes) and Arthur Yung and Associates Company Limited (AYA) were two of the consultants of the applicant. The following Members had declared interests on the item:

- | | | |
|--|---|--|
| Mr H.W. Cheung (<i>The Vice-chairman</i>) | - | being a member of the Private Columbaria Licensing Board; |
| Mr Ivan C.S. Fu | - | being a member of the Private Columbaria Appeal Board, and having current business dealings with Landes; and |
| Mr K.K. Cheung | - | his firm having current business dealings with AYA. |

66. The Committee noted that the applicant had requested deferment of consideration of the application. As the interest of Mr H.W. Cheung was indirect, and Messrs Ivan C.S. Fu and K.K. Cheung had no involvement in the application, the Committee agreed that they could stay in the meeting.

67. The Committee noted that the applicant’s representative requested on 19.9.2018 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.

68. After deliberation, the Committee decided to defer a decision on the application as requested by the applicant pending the submission of further information from the applicant. The Committee agreed that the application should be submitted for its

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

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

Agenda Item 24

Section 16 Application

[Open Meeting (Presentation and Question Sessions Only)]

A/HSK/96 Renewal of Planning Approval for Temporary Open Storage of Construction Materials and Machineries and Storage of Tools and Parts with Ancillary Site Office for a Period of 3 Years in "Commercial (1)", "Open Space" and "Open Space (1)" Zones and an area shown as 'Road', Lots 1630 RP (Part), 1631 RP (Part), 1633 RP (Part), 1634, 1635 S.A RP, 1635 RP, 1636 RP (Part), 1712 RP (Part), 3206 RP, 3225 RP, 3226 RP, 3228 RP, 3230, 3231, 3232, 3233, 3234, 3235, 3236 RP (Part), 3237 (Part), 3239 (Part), 3240, 3241 (Part), 3244 (Part), 3246 (Part), 3247 (Part), 3339 (Part), 3340, 3341, 3342, 3343, 3344, 3345, 3346, 3347, 3348, 3349, 3350, 3351 RP, 3352 RP, 3370, 3371, 3372, 3373, 3374, 3375 and 3376 (Part) in D.D. 124, Ping Shan, Yuen Long
(RNTPC Paper No. A/HSK/96)

69. The Secretary reported that the application was submitted by the Team Harvest Limited which was a subsidiary of the Sun Hung Kai Properties Limited (SHK). The following Members had declared interests on the item:

- Mr Ivan C.S. Fu - having current business dealings with SHK;
- Mr K.K. Cheung - his firm having current business dealings with SHK;
- Mr Stephen L.H. Liu - having past business dealings with SHK; and
- Miss Winnie W.M. Ng - being a Director of the Kowloon Motor Bus Company (1933) Limited (KMB) and SHK was one of the shareholders of KMB.

70. The Committee noted that as the interests of Mr Ivan C.S. Fu and Miss Winnie W.M. Ng were direct, the Committee agreed that they should leave the meeting temporarily for the item. As Messrs K.K. Cheung and Stephen L.H. Liu had no involvement in the application, the Committee agreed that they could stay in the meeting.

[Mr Ivan C.S. Fu and Miss Winnie W.M. Ng left the meeting temporarily at this point.]

Presentation and Question Sessions

71. 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 renewal of planning approval for temporary open storage of construction materials and machineries and storage of tools and parts with ancillary site 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. 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 had no objection to the applied use on a temporary basis 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 intentions of the “Commercial (1)”, “Open Space” and “Open Space (1)” zones, the implementation programme for this part of the Hung Shui Kiu New Development Area (HSK NDA) 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 areas predominantly occupied by open storage yards, vehicle parks and vacant land. The application was in line with the Town Planning Board Guidelines No. 34B in that there had been no major change in planning circumstances since the last approval and all approval conditions of the previous approval had been complied with. The application was in line with the Town Planning Board Guidelines No. 13E in that the site fell within Category 2 areas 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. Previous applications for similar open storage uses 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.

72. Members asked the following questions:

- (a) the development programme of HSK NDA and the subject site; and

- (b) noting that a portion of an open storage yard to the southwest of the site was not included in the subject application, whether that open storage yard was currently in operation.

73. Ms Stella Y. Ng, STP/TMYLW made the following responses:

- (a) the development of HSK NDA and relevant site formation and infrastructure works would be implemented in five stages, i.e. Advance Works and Stages 1 to 4. The site fell within Stage 2 Works and it was envisaged that clearance of the site would not be arranged before the first population intake of the HSK NDA expected in 2024; and
- (b) the subject application included four open storage yards. The concerned open storage yard was in operation and was covered by a valid planning application (No. A/HSK/21) approved in 2017 and would be merged with the southern portion of the site in its operation.

Deliberation Session

74. After deliberation, the Committee decided to approve the application on a temporary basis for a period of 3 years from 10.10.2018 until 9.10.2021, 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. from Mondays to Saturdays, 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, repairing or other workshop activity is allowed at the site at any time during the planning approval period;
- (d) no vehicle is allowed to queue back to or reverse onto/from public road at any time during the planning approval period;

- (e) the provision of waterworks reserve within 1.5m from the centreline on both sides of the existing water mains within the site at all times during the planning approval period;
- (f) all existing screen planting including trees and shrubs within the site shall be maintained in good condition at all times during the planning approval period;
- (g) the existing boundary fencing shall be maintained at all times during the planning approval period;
- (h) the existing drainage facilities shall be maintained at all times during the planning approval period;
- (i) the submission of condition record of the existing drainage facilities within 3 months from the date of commencement of the renewal planning approval to the satisfaction of the Director of Drainage Services or of the TPB by 10.1.2019;
- (j) the provision of fire extinguisher(s) and the submission of a valid fire certificate (FS 251) within 6 weeks from the date of commencement of the renewal planning approval to the satisfaction of the Director of Fire Services or of the TPB by 21.11.2018;
- (k) the submission of a fire service installations proposal within 6 months from the date of commencement of the renewal planning approval to the satisfaction of the Director of Fire Services or of the TPB by 10.4.2019;
- (l) in relation to (k) above, the implementation of the fire service installations proposal within 9 months from the date of commencement of the renewal planning approval to the satisfaction of the Director of Fire Services or of the TPB by 10.7.2019;

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

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

[Mr Ivan C.S. Fu and Miss Winnie W.M. Ng returned to join the meeting at this point.]

Agenda Item 25

Section 16 Application

[Open Meeting (Presentation and Question Sessions Only)]

A/TM-LTY Y/354 Proposed Temporary Shop and Services (Model Toy Shop) for a Period of 3 Years in “Residential (Group C)” and “Village Type Development” Zones, Lot 1167 RP in D.D. 130 near Wong Kong Wai Road, Castle Peak Road, Lam Tei, Tuen Mun
(RNTPC Paper No. A/TM-LTY Y/354A)

Presentation and Question Sessions

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

- (a) background to the application;
- (b) the proposed temporary shop and services (model toy shop) 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 did not support the application 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 “Residential (Group C)” (“R(C)”) and “Village Type Development” (“V”) zones. There was no strong planning justification for a departure from the planning intentions, even on a temporary basis. The applicant stated that the proposed model toy shop would provide an area to serve the

children during evenings and holidays. Given its close proximity to an open storage yard, the proposed use was considered incompatible with the surrounding land uses. Although the applicant claimed that the access leading to Wong Kong Wai Road via the adjoining private lot for ingress/egress would be solely used by the proposed shop, there was no guarantee that the operator of the open storage yard at the adjoining private lot would stop using the proposed access of the site posing road safety concern. Similar applications for temporary shop and services within the same “V” zone had been approved by the Committee while there was no similar application within the same “R(C)” zone.

77. Members had no question on the application.

Deliberation Session

78. Noting that the proposed model toy shop was intended to serve the children and there were safety concerns, a Member did not support the application and considered that land use incompatibility could also be a rejection reason as the site was surrounded by open storage yards. The Committee noted that the two open storage yards to the north and northeast of the site were considered as ‘existing use’ which was tolerated under the Town Planning Ordinance. Another Member considered that such rejection reason might be interpreted as encouraging open storage uses in the subject “R(C)” zone.

79. Although the applicant had sought owner’s consent for using the adjoining private lot leading to Wong Kong Wai Road for the ingress/egress of the proposed shop, Members generally considered that there was no guarantee from the operator of the open storage yard to continue doing so during the whole validity period of the planning permission.

80. A Member observed that the subject “R(C)” zone was not developed for residential use and the land in the rural area was generally not well utilized. The same Member suggested that the figures on applications for non-domestic uses on residential zones could be prepared for reference when processing similar applications in the future. Another Member agreed that such information might be useful in view of the shortage of land in Hong

Kong. The Chairman remarked that land ownership in the New Territories was complicated, which might be one of the main reasons for the long development process.

81. After deliberation, the Committee decided to reject the application. The reason was:

“the development is not in line with the planning intention of the “Residential (Group C)” (“R(C)”) zone. The “R(C)” zone is intended primarily for low-rise, low-density residential developments. There is no strong planning justification in the current submission for a departure from such planning intention, even on a temporary basis.”

Agenda Item 26

Section 16 Application

[Open Meeting (Presentation and Question Sessions Only)]

A/HSK/97 Temporary Shop and Services (Real Estate Agency and Interior Design Sample Showroom) for a Period of 3 Years in “Village Type Development” Zone, Lots 1743 S.G (Part), 1743 S.H (Part) and 1743 S.I (Part) in D.D. 125, San Uk Tsuen, Yuen Long
(RNTPC Paper No. A/HSK/97)

Presentation and Question Sessions

82. 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 shop and services (real estate agency and interior design sample showroom) for a period of three years;

- (c) departmental comments – departmental comments were set out in paragraph 9 of the Paper. Concerned government departments had no objection to or no adverse comment on the application;
- (d) during the first three weeks of 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 had no objection to the applied use on a temporary basis for a period of three years based on the assessments set out in paragraph 11 of the Paper. Although the temporary shop and service was not entirely in line with the planning intention of the “Village Type Development” (“V”) zone, the Small House application received at the site was still in preliminary stage and the applied use was small in scale and was to serve the local residents in the neighbourhood. Approval of the application on a temporary basis would not jeopardize the long-term development of the area. The applied use was not incompatible with the surrounding land uses which were mainly residential dwellings. Relevant approval conditions had been recommended to address the technical requirements of the relevant government departments. A previous application for the same applied use at the site and similar applications for shop and services in the same “V” zone 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 the approval condition, 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.

83. Members had no question on the application.

Deliberation Session

84. After deliberation, the Committee decided to approve the application on a temporary basis for a period of 3 years until 5.10.2021, on the terms of the application as submitted to the Town Planning Board (TPB) and subject to the following conditions:

- “(a) no operation between 8:00 p.m. and 9:00 a.m., as proposed by the applicant, is allowed on the site during the planning approval period;
- (b) the existing trees and landscape planting on the site shall be maintained at all time during the planning approval period;
- (c) the implementation of the accepted drainage proposal within 6 months from the date of planning approval to the satisfaction of the Director of Drainage Services or of the TPB by 5.4.2019;
- (d) the implemented drainage facilities on the site shall be maintained at all times during the planning approval period;
- (e) the submission of a fire service installations proposal within 3 months from the date of planning approval to the satisfaction of the Director of Fire Services or of the TPB by 5.1.2019;
- (f) in relation to (e) above, the implementation of the fire service installations proposal within 6 months from the date of planning approval to the satisfaction of the Director of Fire Services or of the TPB by 5.4.2019;
- (g) if any of the above planning conditions (a), (b) or (d) 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;
- (h) if any of the above planning conditions (c), (e) or (f) is not complied with by the specified date, the approval hereby given shall cease to have effect and shall on the same date be revoked without further notice; and

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

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

Agenda Item 27

Section 16 Application

[Open Meeting (Presentation and Question Sessions Only)]

A/YL-LFS/327 Temporary Private Vehicle Park for Private Cars for a Period of 3 Years in “Village Type Development” Zone, Lots 2632, 2634 (Part), 2796 (Part), 2797 (Part) and 2798 (Part) in D.D. 129, Sha Kong Wai, Yuen Long
(RNTPC Paper No. A/YL-LFS/327)

Presentation and Question Sessions

86. 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 private vehicle park for private cars for a period of three years;
- (c) departmental comments – departmental comments were set out in paragraph 9 of the Paper. 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 for the reasons of inefficient use of land; and

- (e) the Planning Department (PlanD)'s views – PlanD had no objection to the applied use on a temporary basis for a period of three years based on the assessments set out in paragraph 11 of the Paper. Although the temporary use was not entirely in line with the planning intention of the “Village Type Development” (“V”) zone, there was no Small House application had been approved or under process on the site. Approval of the application on a temporary basis would not jeopardize the long-term development of the area. The applied use was not incompatible with the surrounding land uses which were mainly residential dwellings and vacant land. Relevant approval conditions had been recommended to address the technical requirements of the relevant government departments. Similar applications for public vehicle park in the same “V” zone had been approved by the Committee. Approval of the application was in line with the Committee's previous decisions. Regarding the adverse public comment, the comments of government departments and planning assessments above were relevant.

87. In response to a Member's enquiry on the enforcement action related to the current application, Mr Vincent T.K. Lai, STP/TMYLW, said that the site was the subject of an active enforcement case and the alleged unauthorised development (UD) was filling of pond and filling of land. The Chief Town Planner/Central Enforcement and Prosecution of PlanD advised that recent site inspection revealed that the UD had discontinued. If the site was used for private vehicle park without planning permission, planning enforcement action would be taken subject to sufficient evidence collected.

Deliberation Session

88. A Member expressed concern about granting planning permission at the site for the applied use while the enforcement action had not yet been completed. The Chairman said that for cases subject to enforcement action, the Committee would take into account the original state instead of the “destroyed” state of the site when considering the application. Even if a planning application was approved at the site, enforcement action could be taken as appropriate by the Planning Authority. The Committee noted that enforcement action and

consideration of a planning application should be handled separately.

89. After deliberation, the Committee decided to approve the application on a temporary basis for a period of 3 years until 5.10.2021, 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, as proposed by the applicant, is allowed to be parked/stored on the site during the planning approval period;
- (c) except private car, no light, 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) no vehicle is allowed to queue back to or reverse onto/from public roads at any time during the planning approval period;
- (e) 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 5.4.2019;
- (f) in relation to (e) 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 5.7.2019;
- (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 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 5.4.2019;

- (i) in relation to (h) above, the implementation of the fire service installations proposal within 9 months from the date of planning approval to the satisfaction of the Director of Fire Services or of the TPB by 5.7.2019;
- (j) 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 5.4.2019;
- (k) 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;
- (l) if any of the above planning conditions (e), (f), (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 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.”

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

Agenda Item 28
Section 16 Application

[Open Meeting (Presentation and Question Sessions Only)]

A/YL-TT/442 Proposed Houses in “Residential (Group D)” Zone, Lot 4117 in D.D.
116, Tai Tong, Yuen Long
(RNTPC Paper No. A/YL-TT/442)

Presentation and Question Sessions

91. Ms Bonnie K.C. Lee, STP/TMYLW, presented the application and covered the following aspects as detailed in the Paper:

- (a) background to the application;
- (b) the proposed houses;
- (c) departmental comments – departmental comments were set out in paragraph 9 of the Paper. Concerned departments had no objection to or no adverse comment on the application;
- (d) during the first three weeks of the statutory publication period, two public comments were received from a Yuen Long District Council member and a resident of Tai Kei Leng Tsuen objecting to the application. Major objection grounds were set out in paragraph 10 of the Paper; and
- (e) the Planning Department (PlanD)’s views – PlanD had no objection to the application based on the assessments set out in paragraph 11 of the Paper. The proposed development was in line with the planning intention of “Residential (Group D)” (“R(D)”) zone which was for low-rise and low-density residential developments. The development intensity of the proposed development with a plot ratio (PR) of 0.395, site coverage of 19.77% and building height (BH) of not exceeding 6.8m (2 storeys) conformed with the development restrictions stipulated in the Notes of “R(D)” zone and it was considered not incompatible with the surrounding

area which was rural in character predominated by residential structures. Concerned government departments had no objection to or no adverse comment on the application from environmental, traffic, fire safety, drainage and landscape aspects. Relevant approval conditions had been recommended to address the technical requirements of relevant government departments. Similar applications for proposed New Territories Exempted Houses (NTEH)/houses within the same “R(D)” zone 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.

92. In response to a Member’s enquiry on the planning intention of the “R(D)” zone and the requirement for application for proposed houses in “R(D)” zone, Ms Bonnie K.C. Lee, STP/TMYLW, said that the planning intention of “R(D)” zone was primarily for improvement and upgrading of existing temporary structures in the rural areas through redevelopment of existing temporary structures into permanent buildings. It was also intended for low-rise and low-density residential developments. According to the Notes of the subject “R(D)” zone, ‘House (not elsewhere specified)’ was a Column 2 use which required planning permission from the Town Planning Board.

93. The Secretary supplemented that in-situ redevelopment of an existing house in “R(D)” zone did not require planning permission while new house development would require planning permission and it would be subject to a maximum PR of 0.4 and a maximum BH of 3 storeys (9m).

Deliberation Session

94. In response to Members’ enquiry, the Chairman said that in general, as there was insufficient provision of infrastructure in the “R(D)” zone, planning permission for new development was required. The “R(D)” zone was intended for improvement and upgrading of existing temporary structures through redevelopment and it would also encourage using proper building materials to improve the living environment. The “Residential (Group E)” and “Industrial (Group D)” zones had similar planning intention to phase out the existing

informal industrial uses.

95. 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 5.10.2022, and after the said date, the permission should cease to have effect unless before the said date, the development permitted was commenced or the permission was renewed. The permission was subject to the following conditions:

- “(a) the submission and implementation of the drainage proposal to the satisfaction of the Director of Drainage Services or of the TPB; and
- (b) the submission and implementation of the fire service installations proposal to the satisfaction of the Director of Fire Services or of the TPB.”

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

Agenda Item 29

Section 16 Application

[Open Meeting (Presentation and Question Sessions Only)]

A/YL-TT/443 Temporary Private Storage of Vehicle (Private Car, Motorcycle and Bicycle only) and Vehicle Part with Subsidiary Office and Rest Room for a Period of 3 Years in “Agriculture” Zone, Lot 992 S.B (Part) in D.D. 116, Kong Tau San Tsuen, Yuen Long
(RNTPC Paper No. A/YL-TT/443)

Presentation and Question Sessions

97. Ms Bonnie K.C. Lee, STP/TMYLW, presented the application and covered the following aspects as detailed in the Paper:

- (a) background to the application;

- (b) the temporary private storage of vehicle (private car, motorcycle and bicycle only) and vehicle part with subsidiary office and 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 Agriculture, Fisheries and Conservation (DAFC) did not support the application as the site possessed potential for agricultural rehabilitation such as greenhouse cultivation or plant nursery. 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, with one from the Chairman of Yuen Long District Council indicating no comment on the application and another one from an individual 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 applied use on a temporary basis for a period of three years based on the assessments set out in paragraph 11 of the Paper. Although the applied use was not in line with the planning intention of the “Agriculture” (“AGR”) zone, the site was located at the fringe of the “AGR” zone with previous planning approval. Approval of the application on a temporary basis would not jeopardise the long-term planning intention of the “AGR” zone. The applied development was considered not incompatible with the surrounding rural environment predominated by residential dwellings intermixed with vacant land, fallow agricultural land, open storage/storage yards, and vehicle parks and repair workshop. There was no adverse comment from concerned departments, except DAFC. Relevant approval conditions had been recommended to address the potential environmental nuisances and the technical requirements of the relevant government departments. Although one of the previous applications for temporary car park use prior to the completion of the Yuen Long Bypass Floodway was rejected, there

had been a change in the access arrangements in the vicinity with the completion of the Yuen Long Bypass Floodway. Regarding the adverse public comment, the comments of government departments and planning assessments above were relevant.

98. Some Members asked the following questions:

- (a) how long the on-site warehouse structures had been in existence; and
- (b) noting that the site was currently occupied for the applied use without a valid planning permission, whether enforcement action had been taken.

99. Ms Bonnie K.C. Lee, STP/TMYLW made the following responses:

- (a) according to the aerial photos, some structures had been in existence on the site since 2013; and
- (b) the current use at the site was under investigation by the Central Enforcement and Prosecution Section of PlanD. Should there be sufficient evidence to prove that the current use on the site constituted an unauthorized development under the Town Planning Ordinance, enforcement action would be taken.

Deliberation Session

100. A Member noted that the current use was under investigation stage and there were other suspected unauthorized developments in the surrounding areas, and considered that if the application was approved, it would be more difficult to take any enforcement action. Another Member suggested that, on the other hand, it might be the opportunity to regularize the applied use at the site with a view to improving the environment through imposition of approval conditions. The Chairman said that enforcement action and consideration of a planning application should be handled separately. The Committee should focus on the technical feasibility when considering the planning application.

101. Some Members did not support the application as site photos showed that the scale of storage of vehicles with several structures erected on the site was significant. The applied use was considered not compatible with the surrounding residential dwellings and approval of the application would set an undesirable precedent.

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

- “(a) the applied 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, even on a temporary basis; and
- (b) the approval of the application, even on a temporary basis, would set an undesirable precedent for similar applications within the “AGR” zone. The cumulative effect of approving such application would result in general degradation of the rural environment of the area.”

Agenda Item 30

Section 16 Application

[Open Meeting (Presentation and Question Sessions Only)]

A/YL-TYST/895 Temporary Warehouse and Open Storage for Storage of Recyclable Materials (Plastic and Metal) with Ancillary Workshop for a Period of 3 Years in “Undetermined” Zone, Lots 2704 S.A & S.B (Part), 2707, 2708, 2709, 2710 and 2711 in D.D. 120, Lots 1638, 1639 (Part), 1640 (Part), 1668 (Part), 1669 (Part), 1671, 1672, 1673 (Part), 1674 (Part) and 1676 S.A&B (Part) in D.D. 121 and Adjoining Government Land, Shan Ha Tsuen, Yuen Long
(RNTPC Paper No. A/YL-TYST/895A)

Presentation and Question Sessions

103. Ms Bonnie K.C. Lee, STP/TMYLW, presented the application and covered the following aspects as detailed in the Paper:

- (a) background to the application;
- (b) the temporary warehouse and open storage for storage of recyclable materials (plastic and metal) with ancillary workshop for a period of three years;
- (c) departmental comments – departmental comments were set out in paragraph 10 of the Paper. The Director of Environmental Protection (DEP) did not support the application as there were sensitive 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) 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 applied use on a temporary basis for a period of three years based on the assessments set out in paragraph 12 of the Paper. The applied use was not in conflict with the planning intention of the “Undetermined” (“U”) 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 of PlanD and the Project Manager (New Territories West) of the Civil Engineering and Development Department had no objection to the application. Approval of the application on a temporary basis would not jeopardize the long-term development of the site. The applied use was also not incompatible with the surrounding uses in the subject “U” zone comprising similar open storage uses. The application

was in line with the Town Planning Board Guidelines No. 13E in that the site fell within Category 1 areas. Though DEP did not support the application and there had been three substantiated air nuisance complaints and four substantiated noise complaints covering the site since May 2015, the air pollution complaints were not actionable, and the noise pollution complaints were still under investigation and would be subject to the requirements under the Noise Control Ordinance. Relevant approval conditions had been recommended to address the potential environmental nuisances and technical requirements of concerned government departments. Previous applications for the similar uses and similar applications for open storage/warehouse uses 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.

104. Some Members asked the following questions:

- (a) whether the site fell within an area under planning studies; and
- (b) if the application was approved, any approval condition would be imposed to address the noise nuisance issues.

105. Ms Bonnie K.C. Lee, STP/TMYLW, made the following responses:

- (a) the site fell within the boundary of Yuen Long South (YLS) Development and the YLS Study was still on-going and to would be completed in 2019; and
- (b) the noise nuisance complaints received by DEP would be handled under the Noise Control Ordinance. Should the planning application be approved, the applicant would be advised to follow the relevant mitigation measures and requirements set out in the "Code of Practice on Handling Environmental Aspects of Temporary Uses and Open Storage Sites" in order to minimize any potential environmental impact. Other approval conditions were also imposed to restrict the operation hours and workshop

activities on the site.

Deliberation Session

106. A Member doubted whether it was appropriate to approve the temporary use at the site in view that the YLS Study was on-going and compensation and relocation arrangement of the brownfield sites would be an issue during the implementation stage of the YLS development. However, some Members said that the site was the subject of previous approved applications and similar port back-up uses had been in existence in the subject “U” zone of Tong Yan San Tsuen for a while. As the planning process of YLS would be long, approval of the application on a temporary basis would not jeopardize the long-term development of the site, and relevant approval conditions could be imposed to monitor the temporary use.

107. The Chairman said that the Government was looking into the brownfield issues in the New Territories through some on-going studies. The clearance of the site would not be arranged before the first population intake of the YLS Development expected in 2027.

108. After deliberation, the Committee decided to approve the application on a temporary basis for a period of 3 years until 5.10.2021, on the terms of the application as submitted to the Town Planning Board (TPB) and subject to the following conditions:

- “(a) no operation between 7:00 p.m. and 7:00 a.m., as proposed by the applicant, is allowed on the site during the planning approval period;
- (b) no operation on Sundays and public holidays, as proposed by the applicant, is allowed on the site during the planning approval period;
- (c) no workshop activities, except classification and packaging of recyclable materials, as proposed by the applicant, are allowed on the site at any time during the planning approval period;
- (d) no storage or handling (including loading and unloading) of used electrical appliances, computer/electronic parts (including cathode-ray tubes) or any

other types of electronic waste, as proposed by the applicant, is allowed on the site at any time during the planning approval period;

- (e) no heavy goods vehicle exceeding 24 tonnes, including container tractor/trailer, as defined in the Road Traffic Ordinance is allowed to be parked/stored on or enter/exit the site, as proposed by the applicant, at any time during the planning approval period;
- (f) no vehicle is allowed to queue back to or reverse onto/from public road at any time during the planning approval period;
- (g) the existing boundary fence on the site shall be maintained at all times during the planning approval period;
- (h) the existing trees and landscape planting on the site shall be maintained at all times during the planning approval period;
- (i) the existing drainage facilities on the site shall be maintained at all times during the planning approval period;
- (j) the submission of a condition record of the existing drainage facilities on the site within 3 months from the date of planning approval to the satisfaction of the Director of Drainage Services or of the TPB by 5.1.2019;
- (k) the provision of fire extinguisher(s) with valid fire certificate (FS 251) within 6 weeks from the date of planning approval to the satisfaction of the Director of Fire Services or of the TPB by 16.11.2018;
- (l) the implementation of the accepted fire service installations proposal within 6 months from the date of planning approval to the satisfaction of the Director of Fire Services or of the TPB by 5.4.2019;
- (m) if any of the above planning conditions (a), (b), (c), (d), (e), (f), (g), (h) or (i) is not complied with during the planning approval period, the approval

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

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

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

Agenda Item 31

Section 16 Application

[Open Meeting]

A/YL-TYST/898 Temporary Open Storage of Construction Material with Ancillary Office for a Period of 3 Years in “Undetermined” Zone, Lot 1195 in D.D. 119, Tong Yan San Tsuen, Yuen Long
(RNTPC Paper No. A/YL-TYST/898A)

110. The Committee noted that the applicant’s representative requested on 21.9.2018 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 Drainage Services Department and Fire Services Department. 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 landscape proposal and responses to address departmental comments.

111. 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 32

Section 16 Application

[Open Meeting (Presentation and Question Sessions Only)]

A/YL-TYST/918 Proposed Temporary Shop and Services (Retail Shop for Furniture and Cleaning Equipment) for a Period of 3 Years in "Residential (Group D)", "Residential (Group B) 1" and "Government, Institution or Community" Zones, Lot 2611 S.A (Part) in D.D. 124 and Adjoining Government Land, Tan Kwai Tsuen, Yuen Long
(RNTPC Paper No. A/YL-TYST/918)

Presentation and Question Sessions

112. Ms Bonnie K.C. Lee, 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 (retail shop for furniture and cleaning equipment) 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, four public comments were received from individuals, with one expressing concern on the application, and another three comments objecting to the application. Major views and grounds were set out in paragraph 10 of the Paper; and
- (e) the Planning Department (PlanD)'s views – PlanD had no objection to the proposed use on a temporary basis for a period of three years based on the assessments set out in paragraph 11 of the Paper. Although the temporary use was not entirely in line with the planning intention of the “Residential (Group D)” (“R(D)”) zone, there was no known programme for long-term development of the site. Approval of the application on a temporary basis would not jeopardize the long-term development of the area. The proposed use and the development scale was not incompatible with the surrounding uses which were predominantly residential uses intermixed with a church, a kindergarten, a village office, parking of vehicles, vacant land/structures and unused land. Concerned government departments had no objection to or no adverse comment on the application from environmental, traffic, fire safety, drainage and landscape aspects. Relevant approval conditions had been recommended to address the potential environmental nuisances and the technical requirements of the relevant government departments. Similar applications for shop and services use in the same “R(D)” zone 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.

113. Some Members asked the following questions:

- (a) noting that there was a church and kindergarten near the site, whether there would be any conflict in land use terms;
- (b) whether there was any previous application for similar use at the site; and

- (c) whether the large structure on site was an unauthorized development under the Town Planning Ordinance.

114. Ms Bonnie K.C. Lee, STP/TMYLW, made the following responses:

- (a) the site for shop and services use would be accessible from Shui Fu Road while the church and kindergarten were accessible from a different access point at Tan Kwai Tsuen Road;
- (b) the site was subject to a previous application No. A/YL-TYST/701 submitted by a different applicant for proposed temporary warehouse for storage of construction material, which was rejected by the Committee mainly on the ground that the development was not compatible with the surrounding areas; and
- (c) the site was not subject to any planning enforcement action and according to the site photos, the site was occupied by a vacant warehouse.

Deliberation Session

115. In view of the close proximity to the church and kindergarten and the previous rejected application for warehouse use, some Members considered that the proposed use in the same warehouse structure was incompatible with the surrounding areas, and the size of the structure was very large which might cause safety concern.

116. The Committee noted that although there were ten similar applications for shop and services with nine for real estate agency and/or eating place and one for retail shop for electrical appliances approved by the Committee in the subject “R(D)” zone, the current application was much larger in scale than the approved similar applications in the same zone.

117. Noting that the structure was of the same scale as that under the previous rejected application, Members in general did not support the application as it was not compatible with the nearby church and kindergarten, and approval of the application would set an undesirable

precedent.

118. After deliberation, the Committee decided to reject the application. The reason was:

“ the development is not in line with the planning intention of the “Residential (Group D)” zone which is primarily for improvement and upgrading of existing temporary structures within the rural areas through redevelopment of existing temporary structures into permanent buildings. No strong planning justification has been given in the submission to justify a departure from the planning intentions, even on a temporary basis.”

Agenda Item 33

Section 16 Application

[Open Meeting (Presentation and Question Sessions Only)]

A/YL-TYST/919 Renewal of Planning Approval for Temporary Open Storage of Construction Materials, Machinery and Scrap Metals (with Ancillary Site Office) for a Period of 3 Years in “Undetermined” and “Village Type Development” Zones, Lots 322 S.A (Part), 323 (Part), 324 (Part) and 1421 (Part) in D.D. 119, Tong Yan San Tsuen, Yuen Long
(RNTPC Paper No. A/YL-TYST/919)

Presentation and Question Sessions

119. Ms Bonnie K.C. Lee, STP/TMYLW, presented the application and covered the following aspects as detailed in the Paper:

- (a) background to the application;
- (b) the renewal of planning approval for temporary open storage of construction materials, machinery and scrap metals (with ancillary site 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. 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 grounds were set out in paragraph 11 of the Paper; and
- (e) the Planning Department (PlanD)’s views – PlanD had no objection to the applied use on a temporary basis for a period of three years based on the assessments set out in paragraph 12 of the Paper. The applied use was not in conflict with the planning intention of the “Undetermined” (“U”) zone which was generally intended for open storage use. The application was in line with the Town Planning Board Guidelines No. 13E in that the majority of site fell within Category 1 areas. 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 of PlanD and the Project Manager (New Territories West) of the Civil Engineering and Development Department had no objection to the application. There was also no Small House application within the portion of “Village Type Development” zone currently. The continuation of the applied use for a further period of three years would not jeopardize the long-term development use of the area. The applied use was not incompatible with the surrounding uses in the subject “U” zone comprising similar uses. The application was in line with the Town Planning Board Guidelines No. 34B in that there had been no major change in planning circumstances since the last approval and the approval conditions had been complied with. 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 address any potential environmental nuisance and the technical requirements of concerned government departments. Previous applications for the similar uses and similar applications in the same “U” zone had been approved by the Committee. Approval of the application was in line with the Committee’s previous decisions. Regarding the adverse public comment, the comments of government departments and planning assessments above were relevant.

120. Members had no question on the application.

Deliberation Session

121. Some Members expressed concern that as there were only several small structures proposed at the site with a large open area, it was considered that the land was not well utilized and approval of such application would worsen the existing brownfield problems. The Vice-chairman said that pending a review of the long-term planning of the area, if the use was considered not incompatible with the surrounding areas, temporary use could be tolerated in order to better utilize the land in the New Territories.

122. The Chairman said that the layout of the applied use was mainly a business decision and the Government was looking into the brownfield issues in the New Territories through some on-going studies.

123. After deliberation, the Committee decided to approve the application on a temporary basis for a period of 3 years from 6.10.2018 to 5.10.2021, 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 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 or other workshop activities, as proposed by the applicant, is allowed on the site at any time during the planning approval period;
- (d) no storage or handling (including loading and unloading) of used electrical appliances, computer/electronic parts (including cathode-ray tubes) or any other types of electronic waste, as proposed by the applicant, is allowed on the site at any time during the planning approval period;
- (e) no heavy goods vehicles exceeding 24 tonnes, including container tractors/trailers, 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;
- (f) no vehicle is allowed to queue back to or reverse onto/from public road at any time during the planning approval period;
- (g) all existing trees and landscape plantings on the site shall be maintained at all times during the planning approval period;
- (h) the existing drainage facilities on the site shall be maintained at all times during the planning approval period;
- (i) the submission of a condition record of the existing drainage facilities on the site within 3 months from the date of commencement of the renewed planning approval to the satisfaction of the Director of Drainage Services or of the TPB by 6.1.2019;
- (j) the provision of fire extinguisher(s) with valid fire certificate (FS 251) within 6 weeks from the date of commencement of the renewed planning approval to the satisfaction of the Director of Fire Services or of the TPB by 17.11.2018;
- (k) the submission of a fire service installations proposal within 6 months from the date of commencement of the renewed planning approval to the

satisfaction of the Director of Fire Services or of the TPB by 6.4.2019;

- (l) in relation to (k) above, the implementation of the fire service installations proposal within 9 months from the date of commencement of the renewed planning approval to the satisfaction of the Director of Fire Services or of the TPB by 6.7.2019;
- (m) if any of the above planning conditions (a), (b), (c), (d), (e), (f), (g) or (h) is not complied with during the planning approval period, the approval hereby given shall cease to have effect and shall be revoked immediately without further notice;
- (n) if any of the above planning conditions (i), (j), (k) or (l) is not complied with by the specified date, the approval hereby given shall cease to have effect and shall on the same date be revoked without further notice; and
- (o) upon the expiry of the planning permission, the reinstatement of the site to an amenity area to the satisfaction of the Director of Planning or of the TPB.”

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

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

Agenda Item 34

Any Other Business

Section 16A Application

[Open Meeting]

A/YL-HT/1051-6 Application for Extension of Time for Compliance with Planning Conditions, Lot 1089 (Part) in D.D. 125, Sik Kong Wai, Ha Tsuen, Yuen Long

125. The Secretary reported that the application was approved with conditions by the Committee on 7.4.2017. The deadline for compliance with approval condition (h) was 7.10.2018.

126. The Committee noted that an application for extension of time for compliance with approval condition (h) up till 7.1.2019 was received by the Town Planning Board on 27.9.2018, which was only six working days before the expiry of the specified time limit for compliance of the approval condition (h). It was recommended not to consider the application as there was insufficient time to process the application before the expiry of the specified time limit for compliance with approval condition (h).

127. After deliberation, the Committee agreed not to consider the section 16A application as there was insufficient time to process the application before the expiry of the specified time limit for compliance with the condition mentioned above.

128. There being no other business, the meeting closed at 4:40 p.m..