

TOWN PLANNING BOARD

Minutes of 623rd Meeting of the Rural and New Town Planning Committee held at 2:30 p.m. on 22.3.2019

Present

Director of Planning
Ms Jacinta K.C. Woo

Chairperson

Mr H.W. Cheung

Vice-chairperson

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 K.W. Leung

Dr Jeanne C.Y. Ng

Chief Traffic Engineer/New Territories East,
Transport Department
Mr Ken K.K. Yip

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

Principal Environmental Protection Officer (Strategic Assessment),
Environmental Protection Department
Mr K.H. To

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

Deputy Director of Planning/District
Miss Fiona S.Y. Lung

Secretary

Absent with Apologies

Mr Ivan C.S. Fu

Dr Lawrence K.C. Li

Mr L.T. Kwok

Mr Ricky W.Y. Yu

In Attendance

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

Town Planner/Town Planning Board
Mr Gary T.L. Lam

Agenda Item 1

Confirmation of the Draft Minutes of the 622nd RNTPC Meeting held on 8.3.2019

[Open Meeting]

1. The draft minutes of the 622nd RNTPC meeting held on 8.3.2019 were confirmed without amendments.

Agenda Item 2

Matters Arising

[Open Meeting]

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

Fanling, Sheung Shui and Yuen Long East District

Agenda Item 3

Section 12A Application

[Open Meeting]

Y/YL-KTS/5

Application for Amendment to the Approved Kam Tin South Outline Zoning Plan No. S/YL-KTS/15, To Rezone the Application Site from “Agriculture”, “Village Type Development” to “Residential (Group C)”, Lots 1209, 1210, 1211, 1212, 1213, 1214, 1215, 1216, 1447, 1448, 1472, 1476, 1477 S.A, 1478 RP, 1495, 1497, 1500, 1501, 1502 and 1503 in D.D. 106 and Adjoining Government Land, Kam Sheung Road, Kam Tin, Yuen Long
(RNTPC Paper No. Y/YL-KTS/5A)

3. The Secretary reported that Landes Ltd. (Landes) and AECOM Asia Co. Ltd. (AECOM) were two 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 Landes and AECOM; and |
| Dr C.H. Hau | - | having current business dealings with AECOM. |

4. The Committee noted that the applicant had requested deferment of consideration of the application and Mr Ivan C.S. Fu had tendered apologies for being unable to attend 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 requested on 13.3.2019 deferment of consideration of the application for two months so as to allow time for preparation of further information to address departmental comments. It was the second time that the applicant requested deferment of the application. Since the last deferment, the applicant had

submitted further information to address departmental comments.

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

Tuen Mun and Yuen Long West District

Agenda Item 4

Section 12A Application

[Open Meeting]

Y/TM/20 Application for Amendment to the Approved Tuen Mun Outline Zoning Plan No. S/TM/35, To Rezone the Application Site from "Green Belt", "Government, Institution or Community" and an area shown as 'Road' to "Residential (Group A)27", No. 436, Castle Peak Road - Castle Peak Bay, Tuen Mun
(RNTPC Paper No. Y/TM/20B)

7. The Secretary reported that Ove Arup & Partners Hong Kong Ltd. (ARUP) and LWK & Partner (Hong Kong) Ltd. (LWK) were two of the consultants of the applicant. The following Members had declared interests on the item:

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

ARUP;

- Mr Ivan C.S. Fu - having current business dealings with ARUP;
and being a shareholder and a director of LWK;
and
- Mr Stephen L.H. Liu - having past business dealings with LWK.

8. The Committee noted that the applicant had requested deferment of consideration of the application and Mr Ivan C.S. Fu had tendered apologies for being unable to attend the meeting. 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.

9. The Committee noted that the applicant requested on 7.3.2019 deferment of consideration of the application for two months so as to allow time for preparation of further information to address departmental comments. It was the third time that the applicant requested deferment of the application. Since the last deferment, the applicant had submitted further information to address departmental comments.

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

Agenda Item 5

Section 12A Application

[Open Meeting]

Y/YL-HTF/3

Application for Amendment to the Approved Ha Tsuen Fringe Outline Zoning Plan No. S/YL-HTF/12 and Approved Hung Shui Kiu and Ha Tsuen Outline Zoning Plan No. S/HSK/2, to Rezone the Application Site from “Green Belt” and an area shown as ‘Road’ to “Government, Institution or Community” and an area shown as ‘Road’, Lots 1363 RP (Part), 1364 (Part), 1365 (Part), 1366 (Part), 1373, 1374, 1375, 1376, 1377, 1378 (Part), 1393 (Part), 1399 S.A (Part), 1399 S.B (Part) and 1401 (Part) in D.D. 125 and Adjoining Government Land, San Wai, Ha Tsuen, Yuen Long
(RNTPC Paper No. Y/YL-HTF/3A)

11. The Secretary reported that the application was for religious institution with ancillary columbarium. Masterplan Ltd. (Masterplan) and MVA Hong Kong Ltd. (MVA) were two of the consultants of the applicant. The following Members had declared interests on the item:

Mr H.W. Cheung - being a member of the Private Columbaria
(*the Vice-chairperson*) Licensing Board; and

Mr Ivan C.S. Fu - being a member of the Private Columbaria
Appeal Board; and having current business
dealings with Masterplan and MVA.

12. The Committee noted that the applicant had requested deferment of consideration of the application and Mr Ivan C.S. Fu had tendered apologies for being unable to attend the meeting. As Mr H.W. Cheung’s interest was indirect, the Committee agreed that he could stay in the meeting.

13. The Committee noted that a replacement page (Page 2 of the Paper) was issued for rectifying an editorial error of the Paper.

14. The Committee noted that the applicant requested on 7.3.2019 deferment of consideration of the application for two months so as to allow time for preparation of further information to address departmental comments. It was the second time that the applicant requested deferment of the application. Since the last deferment, the applicant had submitted further information to address departmental comments.

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

Sai Kung and Islands District

Agenda Item 6

Section 16 Application

[Open Meeting (Presentation and Question Sessions Only)]

A/SK-CWBN/48 Proposed Comprehensive Development for Residential, Commercial (Hotel, Kindergarten, Eating Place and Shop and Services) and Residential Institution Uses with Minor Relaxation of Plot Ratio, Gross Floor Area and Building Height Restrictions in “Comprehensive Development Area (2)” Zone, Lots 214 RP, 219, 220 S.A, 220 S.B, 220 RP, 224 and 226 in D.D. 229 and Adjoining Government Land, Clear Water Bay, Sai Kung
(RNTPC Paper No. A/SK-CWBN/48C)

16. The following representatives from the Planning Department (PlanD) and the Development Bureau (DEVB) were invited to the meeting at this point:

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| Ms Donna Y.P. Tam | - | District Planning Officer/Sai Kung and Islands (DPO/SKIs), PlanD |
| Mr William W.T. Wong | - | Senior Town Planner/Sai Kung and Islands (STP/SKIs), PlanD |
| Mr Todd T.W. Wan | - | Planning Assistant/Sai Kung and Islands, PlanD |
| Mr José H.S. Yam | - | Commissioner for Heritage (C for H), DEVB |
| Ms Joey C.Y. Lee | - | Assistant Secretary (Heritage Conservation) ³ , Commissioner for Heritage’s Office (CHO), DEVB |
| Mr Samuel S.K. Wong | - | Engineer (Heritage Conservation) Special Duties, CHO, DEVB |
| Ms Fiona Y.C. Tsang | - | Curator (Historical Buildings) ¹ , Antiquities and Monuments Office (AMO), DEVB |

17. The Secretary reported that the application was submitted by Clear Water Bay Land Co. Ltd. (CWBL), Double One Ltd. and Coastline International Ltd. (CIL). ADI Ltd. (ADI), Ronald Lu & Partners (Hong Kong) Ltd. (RLP), AECOM Asia Co. Ltd. (AECOM), LWK Conservation Ltd. which was a subsidiary of LWK & Partner (Hong Kong) Ltd. (LWK), MVA Hong Kong Ltd. (MVA) and Wong & Ouyang (HK) Ltd. (WOY) were six of the consultants of the applicants. The following Members had declared interests on the item:

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|---------------------|---|---|
| Mr Ivan C.S. Fu | - | being a shareholder and director of LWK and having current business dealings with ADI, AECOM and MVA; |
| Mr K.K. Cheung | - | his firm having current business dealings with CWBL, CIL, RLP and WOY; |
| Dr C.H. Hau | - | having current business dealings with AECOM; and |
| Mr Stephen L.H. Liu | - | having past business dealings with LWK and RLP. |

18. Mr Ivan C.S. Fu had tendered apologies for being unable to attend the meeting. As Mr K.K. Cheung, Dr C.H. Hau and Mr Stephen L.H. Liu had no involvement in the application, the Committee agreed that they could stay in the meeting.

Presentation and Question Sessions

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

- (a) background to the application;
- (b) the proposed comprehensive development for residential, commercial (hotel, kindergarten, eating place and shop and services) and residential institution uses with minor relaxation of plot ratio (PR), gross floor area

(GFA) and building height (BH) restrictions;

- (c) departmental comments – departmental comments were set out in paragraph 9 of the Paper. CHO and AMO of DEVB rendered in-principle support from the heritage conservation perspective. It was considered that the “preservation-cum-development” proposal was commensurate with the heritage value of the Shaw Studio Compound and individual graded historic buildings therein. The application allowed the opening up of the Shaw Studio Compound for general public access and appreciation. As an incentive, it was considered justifiable to support the relatively minor relaxation sought in the application in exchange for the preservation of over half of the graded historic buildings in the Studio Compound. Other concerned government departments had no objection to or no adverse comments on the application;
- (d) during the first three weeks of the statutory publication period, ten public comments were received. Nine comments from Incorporated Owners and residents of Silver Bay Garden and some individuals objected to the application, and an individual provided comment on the application. Major views were set out in paragraph 10 of the Paper;
- (e) PlanD’s views – PlanD had no objection to the application based on the assessments set out in paragraph 11 of the Paper. While the current Master Layout Plan would result in some deviations in the design criteria as stipulated in the Planning Brief, the applicants had provided justifications that the changes to the scheme approved in 2014 (2014 approved scheme) were arising mainly from the initiative to preserve the historic buildings therein and facilitate the adoption of the ‘preservation-cum-development’ approach. Key design criteria and technical requirements under the Planning Brief had largely been met. CHO and AMO of DEVB considered that the initiative was in line with the Government’s heritage conservation policy. Relevant government departments had no objection to or no adverse comments on the application. Regarding public comments, the comments of government departments and planning

assessments above were relevant.

[Miss Winnie W.M. Ng joined the meeting at this point.]

Scale and Building Height

20. A Member enquired if there was any proposed building higher than the tallest existing building in the application site. Ms Donna Y.P. Tam, DPO/SKIs, replied that the existing tallest building within the Shaw Studio Compound was the Shaw House which was at 170.1mPD. It would be preserved in-situ under the current development scheme. As for the new buildings to be constructed on the existing man-made platform, the proposed maximum BH would be 191.1 mPD, which was about 20m taller than the Shaw House. The Member further enquired whether the buildings in the development scheme would be the tallest buildings in the vicinity, including those of the Hong Kong University of Science and Technology (HKUST). Ms Donna Y.P. Tam illustrated with a plan showing the BHs of the buildings in the vicinity and replied that the BHs of the proposed buildings on the man-made platform would not exceed that of the existing buildings in the HKUST, the highest of which was at 194.6mPD.

Land use compatibility and traffic impacts

21. In response to a Member's question on the proposed uses, land use compatibility and potential traffic impact of the proposed hotel, Ms Donna Y.P. Tam replied that the application site was intended mainly for residential, commercial and hostel uses. The commercial uses were intended to be provided as a local service centre serving the surrounding area which was predominantly residential in nature. The proposed hotel was a new proposed use in the current scheme. Although the proposed hotel did not exactly align with the original intention, it was considered compatible with the proposed residential, commercial and hostel uses in the proposed development. The proposed hotel would provide 183 guestrooms. As the traffic peak hours for hotel were different from that of the normal peak hours for residential use, it was expected that the proposed hotel would not generate significant traffic impact on the local road network. The Commissioner for Transport (C for T) had no objection to the proposed development. Mitigation measures, such as junction improvement works, were also proposed by the applicants in the Traffic

Impact Assessment (TIA) and C for T had no adverse comment on the TIA.

22. A Member raised concerns on the traffic impact induced by the proposed development and enquired whether the Government had plans to further increase the capacity of the Clear Water Bay Road (CWBR) to cater for the additional traffic flow of the new developments in the area. Ms Donna Y.P. Tam responded that according to the applicants, there would be about 2,500 residents in the proposed residential development and there was no increase in development intensity as compared with the 2014 approved scheme. As for the proposed hostel, 134 rooms would be provided which would accommodate about 200 to 300 residents depending on number of residents to be accommodated within each hostel rooms. Apart from the proposed development, there was only one major development in the area (i.e. the Mount Pavilia) which had already been completed and should have been taken into account in the assessment of the traffic condition in the surrounding area. While there were new public housing sites in Tseung Kwan O, TIAs had been carried out to assess the traffic impact of the proposed developments with mitigation measures identified including the widening of Ying Yip Road. The existing and planned developments in the area had been taken into account in the TIA submitted by the applicants, and C for T had no adverse comment on the TIA and the road improvement works proposed therein, including junction improvement works at junctions of CWBR/Ngan Ying Road and CWBR/Hang Hau Road/Ying Yip Road.

Public consultation

23. In response to a Member's question about the adequacy of public consultation, especially for the proposed hotel and hostel uses, Ms Donna Y.P. Tam responded that the subject case was a section 16 planning application. In accordance with the provisions of the Town Planning Ordinance, the application was made available for public inspection and the public could submit comments to the Board on the application within the first three weeks when the application was published for public inspection. No comment was received from the relevant District Council and District Council members. Public comments received had been detailed in paragraph 10 of the Paper.

Preservation of graded historic buildings

24. A Member enquired whether the remaining seven graded historic buildings would be preserved. Ms Donna Y.P. Tam responded that 11 out of 18 graded historic buildings would be preserved in full or in part under the current scheme, and the remaining seven graded historic buildings would be demolished to make way for the residential development. Mr José H.S. Yam, C for H, DEVB supplemented that given its heritage significance, the Shaw Studio Compound as a whole was accorded Grade 1 status by the Antiquities Advisory Board (AAB). At the same time, the AAB carried out grading assessment on the 23 individual buildings within the Compound, with one building accorded with Grade 1 status, 11 buildings accorded with Grade 2 status, six buildings accorded with Grade 3 status, and the remaining five buildings accorded with Nil Grade status. The Shaw Studio Compound was essentially a one-stop shop with the various stages of the movie production line all encompassed within the site, including living quarters for senior management, producers, directors, movie actors/actresses, and supporting staff, sound stages, administration buildings, to name a few. The previous uses in the Compound hence demonstrated three major functions, namely commercial, industrial and residential. With the present owner undertaking to preserve more than half of the graded historic buildings in the Compound, which were all representative of the various functions mentioned above, CHO and AMO considered that the current proposal had met the objective of preserving historic buildings showcasing the heritage significance of the movie production line. In addition, the applicants had committed to carry out photographic, cartographic and 3D scanning records of the Shaw Studio Compound and the graded historic buildings therein.

25. In response to a Member's question, Mr José H.S. Yam said that since only one graded historic building in the whole of the Shaw Studio Compound would be preserved under the 2014 approved scheme, CHO and AMO had been actively liaising with and persuading the owner to consider preserving the Shaw Studio Compound vide the "preservation-cum-development" approach since 2014. After rounds of discussion, the owner finally agreed to the present "preservation-cum-development" proposal of preserving more than half of the graded historic buildings which had recognised and was commensurate with the heritage value of the Shaw Studio Compound. As some of the preserved buildings were located on the existing man-made platform, the retention of the man-made platform was considered reasonable to ensure the stability and integrity of those buildings.

26. A Member enquired about the current mechanism of grading and preserving historic buildings. Mr José H.S. Yam briefly explained the current regime. He pointed out that the historic building grading system was administrative in nature, which provided an objective basis for determining the heritage value, and hence the preservation need, of historic buildings in Hong Kong. The grading system would not affect the ownership, usage, management and development rights of the owners concerned. In accordance with the established monitoring mechanism, the Buildings Department, Lands Department and Planning Department would notify CHO and AMO of any possible threats which might affect privately-owned sites of archaeological interests, monuments and historic buildings that had been brought to the departments' attention through applications and enquiries received and in the normal course of duty such as regular inspections. CHO and AMO would take timely follow-up actions with the private owners concerned, e.g. approaching them to explore possible "preservation-cum-development" options. To compensate loss of development potential arising from the conservation of historic buildings, particularly the character defining elements of those buildings, as an economic incentive, CHO might render policy support for relaxation of development parameters such as PR and BH restrictions.

Others

27. In response to a Member's enquiry, Ms Donna Y.P. Tam confirmed that 'Hotel' use was a Column 2 use under the "Comprehensive Development Area (2)" ("CDA(2)") zone and there was no Column 1 use under the zone. Under the "CDA(2)" zoning, any development and redevelopment was subject to planning permission by the Town Planning Board and the applicants were required to submit a Master Layout Plan setting out the proposed uses and layout of the development for consideration by the Board.

28. A Member enquired whether the grading of the buildings within the Shaw Studio Compound was confirmed by AAB when the 2014 scheme was approved and whether the applicants could still implement the 2014 approved scheme. Ms Donna Y.P. Tam said that the grading of the Shaw Studio Compound and the buildings therein were confirmed by AAB in 2015 and 2016, which was after the approval of the 2014 approved scheme. As the 2014 approved scheme was valid until 2022, the applicants could still take forward the proposed development in accordance with the approved scheme.

Deliberation Session

29. Members in general supported the application noting that the proposal was an initiative to adopt a “preservation-cum-development” approach to redevelop the Site, and the minor relaxation of BH was mainly to allow design flexibility to preserve the graded historic buildings on the existing man-made platform and the character defining elements within the Shaw Studio Compound. As regards the concerns on traffic impacts raised by some Members, the Committee noted that the traffic impacts of the proposed development had been assessed in the TIA taking into account all the existing and planned developments, and C for T had no adverse comment from the traffic point of view. The design and implementation of the road improvement works as proposed by the applicants was recommended as one of the planning conditions, should the application be approved.

30. 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 22.3.2023, 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 a revised Master Layout Plan, taking into account approval conditions (b) to (l) below, to the satisfaction of the Director of Planning or of the TPB;
- (b) the submission and implementation of the Landscape Master Plan, including the design, provision and maintenance of buffer open space at the south-western boundary of the Site, and provision of screen planting along the north-western and south-eastern boundaries of the Site, to the satisfaction of the Director of Planning or of the TPB;
- (c) the submission and implementation of a development programme of the proposed development to the satisfaction of the Director of Planning or of the TPB;
- (d) the provision of fire service installations and water supplies for firefighting

to the satisfaction of the Director of Fire Services or of the TPB;

- (e) the design and implementation of the road improvement works as proposed by the applicants, at the cost of the applicants, to the satisfaction of the Commissioner for Transport or of the TPB;
- (f) the submission of a land contamination assessment and the implementation of the land contamination remediation measures proposed therein prior to the commencement of construction works to the satisfaction of the Director of Environmental Protection or of the TPB;
- (g) the submission of a Noise Impact Assessment and implementation of the noise mitigation measures identified therein to the satisfaction of the Director of Environmental Protection or of the TPB;
- (h) the submission of an updated Sewerage Impact Assessment (SIA) to the satisfaction of the Director of Environmental Protection or of the TPB;
- (i) the implementation of new sewage collection system and sewer connection works identified in the updated SIA to the satisfaction of the Director of Drainage Services or of the TPB;
- (j) the submission of a revised Drainage Impact Assessment and implementation of mitigation measures identified therein to the satisfaction of the Director of Drainage Services or of the TPB;
- (k) the submission of a Conservation Management Plan (CMP) for the conservation of the Shaw Studio Compound and the graded historic buildings therein prior to the commencement of any works and implementation of the CMP to the satisfaction of the Antiquities and Monuments Office (AMO) or of the TPB; and
- (l) the submission of a full set of photographic, cartographic, and/or 3D scanning records of the Shaw Studio Compound and the graded historic

buildings therein prior to commencement of works to the satisfaction of the AMO or of the TPB.”

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

[The Chairperson thanked Ms Donna Y.P. Tam, DPO/SKIs and the representatives from DEVB, for their attendance to answer Members’ enquiries. They left the meeting at this point.]

Agenda Item 7

Section 16 Application

[Open Meeting (Presentation and Question Sessions Only)]

A/SK-HC/303 Proposed Public Utility Installation (Pole with Transformer and Underground Cables) and Excavation and Filling of Land in “Conservation Area” and “Village Type Development” Zones, Government Land in D.D. 223, Mok Tse Che, Sai Kung
(RNTPC Paper No. A/SK-HC/303)

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

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| Dr Jeanne C.Y. Ng | - | being the Director of CLP Research Institute of CLPH and Director of Group Sustainability of CLPP; |
| Mr K.K. Cheung | - | his firm having current business dealings with CLPP; and |
| Mr Stephen L.H. Liu | - | having past business dealings with CLPP. |

33. The Committee agreed that as the interest of Dr Jeanne C.Y. Ng was direct, she

should be invited to 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.

[Dr Jeanne C.Y. Ng left the meeting temporarily at this point.]

Presentation and Question Sessions

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

- (a) background to the application;
- (b) proposed public utility installation (pole with transformer and underground cables) and excavation and filling of land;
- (c) departmental comments – departmental comments were set out in paragraph 8 of the Paper. Concerned government departments had no objection to or no adverse comments on the application;
- (d) no public comment was received during the first three weeks of the statutory publication period and no local objection/view was received by the District Officer; and
- (e) the Planning Department (PlanD)'s views – PlanD had no objection to the application based on the assessments set out in paragraph 10 of the Paper. There was a general presumption against development with the “Conservation Area” zone, and in general, only developments that were needed to support the conservation of the existing natural landscape or scenic quality of the area or were essential infrastructure project with overriding public interest might be permitted. The proposed installations and associated works were essential utility for supplying electricity for the residents of Mok Tse Che. In view of the small scale of the development, no adverse impacts on the surrounding areas were anticipated. Concerned

government departments had no objection to or no adverse comments on the application.

35. Members had no question on the application.

Deliberation Session

36. 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 22.3.2023, 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.

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

[Dr Jeanne C.Y. Ng returned to join the meeting at this point.]

Agenda Item 8

Section 16 Application

[Open Meeting (Presentation and Question Sessions Only)]

A/SK-SKT/20 Proposed Temporary Minor Relaxation of Gross Floor Area Restrictions for a Period of 3 Years to Enable the Permitted Shop and Services Use in “Other Specified Uses” annotated “Commercial Development (with Multi-storey Vehicle Park)” Zone, Lot 1140 in D.D. 215, 1A Chui Tong Road, Sai Kung
(RNTPC Paper No. A/SK-SKT/20C)

38. The Secretary reported that the application was submitted by Albury Garden Investment Ltd. (AGL). The following Member had declared interest on the item:

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

AGL.

39. As Mr K.K. Cheung had no involvement in the application, the Committee agreed that he could stay in the meeting.

Presentation and Question Sessions

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

- (a) background to the application;
- (b) proposed temporary minor relaxation of gross floor area (GFA) restrictions for a period of three years to enable the permitted shop and services use;
- (c) departmental comments – departmental comments were set out in paragraph 8 of the Paper. The District Lands Officer/Sai Kung, Lands Department (DLO/SK, LandsD) considered that the conversion proposal was in breach of lease conditions of the New Grant. If the planning application was approved by the Board, the owner of the lot would need to apply to DLO/SK, LandsD for a temporary waiver to effect the proposal. The Commissioner for Transport (C for T) did not support the application as there was a shortage of parking spaces for commercial vehicles in the territory and the district, and the low occupancy of the parking spaces mentioned by the applicant did not directly reflect the parking demand in the district. Illegal parking at Sai Kung Town was observed and the application would set an undesirable precedent case for similar applications in the future, resulting in cumulative adverse impact on the parking provision for commercial vehicles in the territory. Other concerned government departments had no objection to or no adverse comments on the application;
- (d) during the first three weeks of the statutory publication period, four

comments were received from individuals, objecting to the application. Major grounds were set out in paragraph 9 of the Paper; and

- (e) the Planning Department (PlanD)'s views – PlanD did not support the application for the reason that no information was provided in the application to demonstrate any planning merit for the proposed relaxation of GFA restrictions which would result in reduction in the provision of public vehicle park in the area. C for T did not support the application as the proposed reduction of parking spaces for commercial vehicles did not tally with the Government's policy and the area of car park should not be sacrificed for additional shop and services. Regarding the adverse public comments received, the comments of government departments and planning assessments above were relevant.

41. A Member considered that the location and design of the existing public vehicle park (PVP) was not convenient to coach users and enquired the current occupancy rate of the PVP. Mr William W.T. Wong, STP/SKIs, responded that according to the occupancy survey conducted in October 2017 by the applicant, there was minimal usage for coach parking. PlanD had similar observation in the recent site visit. He supplemented that there was high demand of on-street metered parking spaces near Sai Kung town and apart from the subject PVP, there was only one location for on-street parking of coaches at Fuk Man Road.

42. In response to a Member's enquiry on the existing hourly parking fee for coaches, Mr William W.T. Wong, STP/SKIs, responded that the on-street parking charge for coaches at Fuk Man Road was HK\$8 per hour and the subject PVP was HK\$20 per hour for weekdays and HK\$25 per hour during weekends and public holidays.

Deliberation Session

43. Members noted that there could be other reasons for the low occupancy rate of the subject PVP, including inadequate publicity, high parking fee, the willingness to rent the parking spaces to public and the effectiveness of combatting illegal on-street parking. It was also noted that there was high parking demand for both private and commercial vehicles in the district and the applicant might consider swapping the provision of parking spaces

between private and commercial vehicles.

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

“no information is provided in the application to demonstrate any planning merit for the proposed relaxation of GFA restrictions which would result in reduction in the provision of public vehicle park in the area.”

Agenda Item 9

Section 16 Application

[Open Meeting]

A/SK-SKT/21 Proposed Comprehensive Residential Development in “Comprehensive Development Area (1)” Zone, Various Lots in D.D.221 and Adjoining Government Land, Sha Ha, Sai Kung
(RNTPC Paper No. A/SK-SKT/21A)

45. The Secretary reported that the application was submitted by Boxwin Ltd., which was a subsidiary of New World Development Co. Ltd. (NWD). Ove Arup & Partners Hong Kong Ltd. (ARUP) and MVA Hong Kong Ltd. (MVA) were two of the consultants of the applicant. The following Members had declared interests on the item:

- | | | |
|---------------------|---|--|
| Mr Ivan C.S. Fu | - | having current business dealings with NWD and ARUP; and his firm having current business dealings with MVA; |
| Mr Stephen L.H. Liu | - | having past business dealing with NWD; |
| Dr C.H. Hau | - | being a principal lecturer and programme director of the University of Hong Kong (HKU). K11 Concept Ltd. of NWD had been sponsoring his student learning projects in HKU since 2009; |
| Mr K.K. Cheung | - | his firm having current business dealings with |

ARUP and past business dealings with The Automall Ltd., which was a subsidiary of NWD; and

Mr Ricky W.Y. Yu - being the CEO of Light Be which had received donations from the developer-related charity foundation, Chow Tai Fook Charity Foundation (related to NWD).

46. The Committee noted that the applicant had requested deferment of consideration of the application and Messrs Ivan C.S. Fu and Ricky W.Y. Yu had tendered apologies for being unable to attend the meeting. As Messrs Stephen L.H. Liu and K.K. Cheung had no involvement in the application, the Committee agreed that they could stay in the meeting.

47. The Committee noted that the applicant requested on 6.3.2019 deferment of consideration of the application for two months so as to allow time for preparation of further information to address departmental comments. It was the second time that the applicant requested deferment of the application. Since the last deferment, the applicant had submitted further information to address departmental comments.

48. 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 William W.T. Wong, STP/SKIs, for his attendance to answer Members' enquiries. He left the meeting at this point.]

Sha Tin, Tai Po and North District

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

Agenda Item 10

Section 16 Application

[Open Meeting]

A/NE-FTA/189 Proposed Temporary Logistics Warehouse for a Period of 3 Years in “Agriculture” and “Green Belt” and “Other Specified Uses” annotated “Port Back-up Uses” Zones, Lot 189 RP in D.D. 52 and Adjoining Government Land, Sheung Shui Wa Shan
(RNTPC Paper No. A/NE-FTA/189)

49. The Committee noted that the applicant’s representative requested on 7.3.2019 deferment of consideration of the application for a period of two months so as to allow time to address the concerns of relevant departments. It was the first time that the applicant requested deferment of the application.

50. 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 11

Section 16 Application

[Open Meeting (Presentation and Question Sessions Only)]

A/NE-MKT/6 Proposed Temporary Open Storage of Construction Materials for a Period of 2 Years in “Agriculture” Zone, Lot 633 S.A RP (Part) in D.D. 90, Lin Ma Hang Road, Man Kam To
(RNTPC Paper No. A/NE-MKT/6)

Presentation and Question Sessions

51. 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) proposed temporary open storage of construction materials for a period of 2 years;
- (c) departmental comments – departmental comments were set out in paragraph 9 of the Paper. The Director of Agriculture, Fisheries and Conservation (DAFC) did not support the application as the Site possessed potential for agricultural rehabilitation. The Commissioner for Transport (C for T) did not support the application as there was no or insufficient information in the application on the vehicular access arrangement, exact width and location of the vehicular access points, class of vehicles, number of parking spaces for each class of vehicles, etc. The Director of Environmental Protection (DEP) did not support the application as there were domestic structures in the vicinity of the Site. The Chief Town Planner/Urban Design and Landscape, Planning Department (CTP/UD&L, PlanD) had some reservations on the application, as approval of the application would set an undesirable precedent and the cumulative effect of approving such similar applications would result in a general degradation of the landscape character and landscape resources within the area.

According to the District Officer (North), Home Affairs Department, the Indigenous Inhabitant Representative (IIR) of Muk Wu supported the application while the Resident Representative (RR) of San Uk Ling objected to the application. The incumbent North District Council (NDC) member of subject constituency and the RR of Muk Wu and IIR of San Uk Ling had no comment on the application. Other concerned government departments had no objection to or no adverse comments on the application;

- (d) during the first three weeks of the statutory publication period, 11 public comments were received. A NDC member supported the application whereas the Chairman of Sheung Shui District Rural Committee indicated no comment on the application. The Kadoorie Farm and Botanic Garden Corporation, World Wide Fund for Nature Hong Kong, The Hong Kong Bird Watching Society, three local villagers and three individuals objected to the application. Major 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 open storage of construction materials at the Site was not in line with the planning intention of the “Agriculture” zone. There was no strong planning justification in the submission for a departure from the planning intention, even on a temporary basis. DAFC, C for T and DEP did not support the application. The circumstances of the current application were similar to the rejected similar application. Regarding the adverse public comments received, the comments of government departments and planning assessments above were relevant.

52. Members had no question on the application.

Deliberation Session

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

Agenda Item 12

Section 16 Application

[Open Meeting]

A/NE-TKL/608 Industrial Use (Laundry Workshop) in “Open Storage” Zone, Lots 825, 834 and 836 in D.D. 77 and Adjoining Government Land, Ping Che
(RNTPC Paper No. A/NE-TKL/608)

54. The Committee noted that the applicant’s representative requested on 13.3.2019 deferment of consideration of the application for a period of two months so as to allow time to address the concerns of relevant departments. It was the first time that the applicant

requested deferment of the application.

55. After deliberation, the Committee decided to defer a decision on the application as requested by the applicant pending the submission of further information from the applicant. The Committee agreed that the application should be submitted for its consideration within two months from the date of receipt of further information from the applicant. If the further information submitted by the applicant was not substantial and could be processed within a shorter time, the application could be submitted to an earlier meeting for the Committee's consideration. The Committee also agreed to advise the applicant that 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 13

Section 16 Application

[Open Meeting (Presentation and Question Sessions Only)]

A/NE-TKL/609 Proposed House (New Territories Exempted House - Small House) in
“Agriculture” and “Village Type Development” Zones, Lot 796 S.D in
D.D.84, Ha Shan Kai Wat Village, Ta Kwu Ling
(RNTPC Paper No. A/NE-TKL/609)

Presentation and Question Sessions

56. 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) proposed house (New Territories Exempted House - Small House);
- (c) departmental comments – departmental comments were set out in paragraph 9 and Appendix V of the Paper. The Director of Agriculture,

Fisheries and Conservation (DAFC) did not support the application as active agricultural activities could be found in the vicinity and road access and water service were available to the Site, thus the Site possessed potential for agricultural rehabilitation. The Commissioner for Transport (C for T) had reservation on the application but considered that the application could be tolerated. Other concerned government departments had no objection to or no adverse comments on the application;

- (d) during the first three weeks of the statutory publication period, six public comments were received. A North District Council member supported the application whereas the Chairman of Sheung Shui District Rural Committee indicated no comment on the application. The other four public comments, submitted by Kadoorie Farm and Botanic Garden Corporation, World Wide Fund for Nature Hong Kong, the Hong Kong Bird Watching Society and an individual, objected to the application. Major grounds were set out in paragraph 10 of the Paper; and

- (e) the Planning Department (PlanD)'s views – PlanD did not support the application based on the assessments set out in paragraph 11 of the Paper. The proposed Small House development was not in line with the planning intention of the “Agriculture” zone. DAFC did not support the application from the agricultural development point of view as the Site possessed potential for agricultural rehabilitation. Besides, land was available within the “V” zone to meet the outstanding 31 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 infrastructures and services. The Site was the subject of two similar previous applications and there were five similar applications nearby. All of the applications were rejected and there was no significant change in planning circumstances since the previous applications were rejected. Regarding the adverse public comments received, the comments of government departments and planning assessments above were relevant.

57. A Member noted that the applicant had submitted similar applications for similar use on the same site within a short period of time and enquired whether there was any mechanism to stop those applications. The Secretary replied that there was no provision under the Town Planning Ordinance to ban submission of repeated applications.

Deliberation Session

58. 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 in the Ping Che and Ta Kwu Ling area which is primarily to retain and safeguard good quality agricultural land/farm/fish ponds for agricultural purposes and to retain fallow arable land with good potential for rehabilitation for cultivation and other agricultural purposes. There is no strong planning justification in the submission for a departure from the planning intention; and
- (b) land is still available within the “Village Type Development” zone of Ha Shan Kai Wat Village where land is primarily intended for Small House development. It is considered more appropriate to concentrate the proposed Small House development close to the existing village cluster for orderly development pattern, efficient use of land and provision of infrastructures and services.”

Agenda Item 14

Section 16 Application

[Open Meeting]

A/NE-TKLN/17 Proposed Temporary Community Centre with Ancillary Local Provisions Store and Car Park for a Period of 3 Years in “Village Type Development” Zone, Lot 356 in D.D. 78, Tsung Yuen Ha, Ta Kwu Ling North

(RNTPC Paper No. A/NE-TKLN/17)

59. The Committee noted that the applicant’s representative requested on 6.3.2019 deferment of consideration of the application for a period of two months so as to allow time to address the concerns of relevant departments. It was the first time that the applicant requested deferment of the application.

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

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

Agenda Items 15 and 16

Section 16 Applications

[Open Meeting (Presentation and Question Sessions Only)]

A/NE-KLH/558 Proposed House (New Territories Exempted House - Small House) in “Agriculture” Zone, Lots 310 S.D and 311 S.A in D.D. 9, Kau Lung Hang, Tai Po
(RNTPC Paper No. A/NE-KLH/558A and 559A)

A/NE-KLH/559 Proposed House (New Territories Exempted House - Small House) in “Agriculture” Zone, Lots 310 S.E and 311 S.B in D.D. 9, Kau Lung Hang, Tai Po
(RNTPC Paper No. A/NE-KLH/558A and 559A)

61. The Secretary reported that the application sites were in Tai Po. The following Member had declared interest on the item:

Mr H.W. Cheung - owning a property in Tai Po Market.

62. As the property of Mr H.W. Cheung had no direct view of the application sites, the Committee agreed that he could stay in the meeting.

Presentation and Question Sessions

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

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

there were active agricultural activities in the vicinity and agricultural infrastructures were available, thus the Sites possessed potential for agricultural rehabilitation. The Commissioner for Transport (C for T) had reservation on the applications but considered that the applications could be tolerated. Other concerned government departments had no objection to or no adverse comments on the applications;

- (d) during the first three weeks of the statutory publication period, three public comments for each of the applications were received from the Hong Kong Bird Watching Society 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 did not support the applications based on the assessments set out in paragraph 11 of the Paper. The proposed Small House developments were not in line with the planning intention of the “Agriculture” zone. The DAFC did not support the application as the Sites possessed potential for agricultural rehabilitation. Besides, land was available within the “Village Type Development” (“V”) zone to meet the outstanding 127 Small House applications. It was considered more appropriate to concentrate the proposed Small House developments within the “V” zone for more orderly development pattern, efficient use of land and provision of infrastructures and services. There were 15 similar applications nearby and nine applications were rejected. The planning circumstances of the current applications were similar to the recently rejected applications. Regarding the adverse public comments received, the comments of government departments and planning assessments above were relevant.

64. Regarding the concern raised in a public comment, a Member enquired whether there was any ‘destroy first and built later’ situation at the application sites. Ms Kathy C.L. Chan, STP/STN, responded that the Sites were currently vacant and covered by vegetation. There was no sign of ‘destroy first and built later’ situation.

Deliberation Session

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

- “(a) the proposed development is not in line with the planning intention of the “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; and
- (b) land is still available within the “Village Type Development” (“V”) zone of Yuen Leng and Kau Lung Hang 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 17

Section 16 Application

[Open Meeting]

A/NE-KLH/562 Proposed House (New Territories Exempted House - Small House) in “Green Belt” and “Village Type Development” Zones, Lot 981 S.D in D.D. 9, Nam Wa Po, Tai Po
(RNTPC Paper No. A/NE-KLH/562)

66. The Committee noted that the applicant’s representative requested on 14.3.2019 deferment of consideration of the application for a period of one month so as to allow time to for preparation of further information. It was the first time that the applicant requested deferment of the application.

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

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

Agenda Items 18 and 19

Section 16 Applications

[Open Meeting (Presentation and Question Sessions Only)]

A/NE-KLH/563 Proposed House (New Territories Exempted House - Small House) in "Agriculture" and "Village Type Development" Zones, Lot 309 RP in D.D. 9, Kau Lung Hang, Tai Po
(RNTPC Paper No. A/NE-KLH/563 and 564)

A/NE-KLH/564 Proposed House (New Territories Exempted House - Small House) in "Agriculture" and "Village Type Development" Zones, Lot 309 S.A RP in D.D. 9, Kau Lung Hang, Tai Po
(RNTPC Paper No. A/NE-KLH/563 and 564)

Presentation and Question Sessions

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

- (a) background to the applications;

- (b) proposed house (New Territories Exempted House - Small House) at each of the application sites;
- (c) departmental comments – departmental comments were set out in paragraph 9 and Appendix V of the Paper. The Director of Agriculture, Fisheries and Conservation (DAFC) did not support the applications as there were active agricultural activities in the vicinity and agricultural infrastructures were available, thus the Sites possessed potential for agricultural rehabilitation. Other concerned government departments had no objection to or no adverse comments on the applications;
- (d) during the first three weeks of the statutory publication period, one public comment for each of the applications was received 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 applications based on the assessments set out in paragraph 11 of the Paper. The proposed developments were not in line with the planning intention of the “Agriculture” zone. DAFC did not support the application as the Site possessed potential for agricultural rehabilitation. Other concerned government departments had no objection to or no adverse comments on the application. It was noted that land was available within the “Village Type Development” (“V”) zone to meet the outstanding 127 Small House applications. Nonetheless, the Sites were the subject of previously approved applications submitted by the same applicants without changes to the major development parameters except reduction in site area and change in disposition of the proposed Small Houses. Sympathetic consideration could be given to the current applications. There were 13 similar applications within the same “AGR” zone in close proximity to the Sites. The planning circumstances of the current applications were similar to one of the previous applications. Regarding the adverse public comments received, the comments of government departments and planning

assessments above were relevant.

69. Members had no question on the application.

Deliberation Session

70. After deliberation, the TPB decided to approve the applications, on the terms of the applications as submitted to the Town Planning Board (TPB). Each of the permissions should be valid until 22.3.2023, and after the said date, the permission should cease to have effect unless before the said date, the development permitted was commenced or the permission was renewed. Each of the permissions was subject to the following conditions:

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

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

Agenda Item 20

Section 16 Application

[Open Meeting]

A/NE-LT/662 Proposed Temporary Educational Institution (Teaching Farm) for a Period of 3 Years and Excavation of Land in “Green Belt” and “Recreation” Zones, Lots 335 S.B (Part), 336 S.A, 336 S.B, 336 S.C, 337 S.B, 338, 339, 340, 341, 345 S.A and 346 in D.D. 16, Wo Tong Pui, Tai Po
(RNTPC Paper No. A/NE-LT/662)

72. The Secretary reported that the application was submitted by the City University of Hong Kong. Beria Consultants Ltd (Beria) and C M Wong & Associates Ltd (CMW) were two of the consultants of the applicant. The following Members had declared interests on the item:

- Mr K.K. Cheung - his firm having current business dealings with the City University of Hong Kong; and having past business dealings with Beria; and
- Mr Ivan C.S. Fu - having current business dealings with CMW.

73. The Committee noted that the applicant had requested deferment of consideration of the application and Mr Ivan C.S. Fu had tendered apologies for being unable to attend the meeting. As Mr K.K. Cheung had no involvement in the application, the Committee agreed that he could stay in the meeting.

74. The Committee noted that the applicant requested on 11.3.2019 deferment of consideration of the application for two months so as to allow time for preparation of further information to address departmental comments. It was the first time that the applicant requested deferment of the application.

75. 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 21

Section 16 Application

[Open Meeting (Presentation and Question Sessions Only)]

A/NE-TK/664 Proposed House (New Territories Exempted House - Small House) in
 "Green Belt" Zone, Lot 771 S.A RP in D.D. 28, Lung Mei Village, Tai
 Po
 (RNTPC Paper No. A/NE-TK/664)

Presentation and Question Sessions

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

- (a) background to the application;
- (b) proposed house (New Territories Exempted House - Small House);
- (c) departmental comments – departmental comments were set out in paragraph 10 and Appendix V of the Paper. The Commissioner for Transport (C for T) had reservation on the application but considered that the applications could be tolerated. The Chief Town Planner/Urban Design and Landscape, Planning Department (CTP/UD&L, PlanD) objected to the application as approval of the application would further diminish the green wooded area in the locality and encourage similar

applications to further encroach onto the “Green Belt” (“GB”) zone. Other concerned government departments had no objection to or no adverse comments on the applications;

- (d) during the first three weeks of the statutory publication period, two public comments were received from the World Wide Fund for Nature Hong Kong and an individual objecting to the application. Major grounds were set out in paragraph 11 of the Paper; and
- (e) PlanD’s views – PlanD had no objection to the application based on the assessments set out in paragraph 12 of the Paper. The proposed development was not in line with the planning intention of the “GB” zone and there was a general presumption against development within this zone. The CTP/UD&L, PlanD objected to the application, while other concerned government departments had no objection to or no adverse comments on the application. It was noted that land was available within the “Village Type Development” zone to meet the outstanding 69 Small House applications. Nonetheless, the Site was the subject of previously approved application submitted by the same applicant with the same major development parameters and there was no significant change in planning circumstances. Sympathetic consideration could be given to the current application based on its circumstances in that the implementation of the approved Small House development was already at an advance stage. There were 20 similar applications in close proximity to the Site. The planning circumstances of the current application were similar to two of the similar applications. Regarding the adverse public comments received, the comments of government departments and planning assessments above were relevant.

77. Members had no question on the application.

Deliberation Session

78. 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 22.3.2023, and after the said date, the permission should cease to have effect unless before the said date, the development permitted was commenced or the permission was renewed. The permission was subject to the following conditions:

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

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

Agenda Item 22

Section 16 Application

[Open Meeting (Presentation and Question Sessions Only)]

A/NE-LT/657 Proposed House (New Territories Exempted House) in “Agriculture”
Zone, Lot 208 in D.D. 18, Lung A Pai, Lam Tsuen, Tai Po
(RNTPC Paper No. A/NE-LT/657B)

Presentation and Question Sessions

80. Mr Tony Y.C. Wu, STP/STN, presented the application and covered the following aspects as detailed in the Paper:

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

- (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 there were active agricultural activities in the vicinity and agricultural infrastructures were available, thus the Site possessed potential for agricultural rehabilitation. The Chief Town Planner/Urban Design and Landscape, Planning Department (CTP/UD&L, PlanD) objected to the application as approval of the application would set an undesirable precedent to encourage vegetation clearance prior to the application and would encourage similar application resulting in further encroachment to the woodland. The Commissioner for Transport (C for T) had reservation on the application but considered that the application could be tolerated. Other concerned government departments had no objection to or no adverse comments 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 10 of the Paper; and

- (e) PlanD's views – PlanD had no objection to the application based on the assessments set out in paragraph 11 of the Paper. The proposed development was not in line with the planning intention of the "Agriculture" zone. Both DAFC and CTP/UD&L, PlanD objected to the application. Other concerned government departments had no objection to or no adverse comments on the application. Nonetheless, sympathetic consideration could be given to the application in that the Site was an Old Schedule Lot held under Block Government Lease with a building status. Two similar applications for NTEH development situated to the immediate northwest of the Site were approved. The planning circumstances of the current application were similar to the two similar applications, which were approved on sympathetic consideration as the site had a building status under the lease. Regarding the adverse public comments received, the comments of government departments and planning assessments above

were relevant.

81. Members had no question on the application.

Deliberation Session

82. 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 22.3.2023, and after the said date, the permission should cease to have effect unless before the said date, the development permitted was commenced or the permission was renewed. The permission was subject to the following conditions:

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

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

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

Fanling, Sheung Shui and Yuen Long East District

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

Agenda Item 23

Section 16 Application

[Open Meeting (Presentation and Question Sessions Only)]

A/YL-KTN/604 Proposed Flat, Shop and Services, Eating Place, School, Social Welfare Facility 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/604B)

84. The Secretary reported that the application was submitted by Bright Strong Ltd., which was a subsidiary of Sun Hung Kai Properties Ltd. (SHK). Llewelyn-Davies Hong Kong Ltd. (LD), Ronald Lu & Partners (Hong Kong) Ltd. (RLP), Urbis Ltd. (Urbis), AECOM Asia Co. Ltd. (AECOM) and Black & Veatch Hong Kong Ltd. (B&V) were five of the consultants of the applicant. The following Members had declared interests on the item:

- | | | |
|---------------------|---|--|
| Mr Ivan C.S. Fu | - | having current business dealings with SHK, Urbis and AECOM; |
| Mr K.K. Cheung | - | his firm having current business dealings with SHK, RLP and B&V; |
| Mr Stephen L.H. Liu | - | having past business dealings with SHK, LD and RLP; |
| Dr. C.H. Hau | - | having current business dealings with AECOM; |
| Miss Winnie W.M. Ng | - | being a Director of the Kowloon Motor Bus |

Company (1933) Ltd. (KMB) and SHK was one of the shareholders of KMB; and

Mr Ricky W.Y. Yu - his firm having current business dealings with LD.

85. The Committee noted that Messrs Ivan C.S. Fu and Ricky W.Y. Yu had tendered apologies for being unable to attend the meeting. The Committee agreed that as the interest of Miss Winnie W.M. Ng was direct, she should be invited to leave the meeting temporarily for the item. As Dr C.H. Hau and 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.

[Miss Winnie W.Y. Ng left the meeting at this point.]

Presentation and Question Sessions

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

- (a) background to the application;
- (b) proposed flat, shop and services, eating place, school, social welfare facility and public transport terminus or station uses and minor relaxation of plot ratio (PR) and building height (BH) restrictions;
- (c) departmental comments – departmental comments were set out in paragraph 10 of the Paper. The Director of Agriculture, Fisheries and Conservation (DAFC) had no strong view from nature conservation perspective but noted that the practicability of the proposed access road was still subject to further detailed studies and approval from concerned departments alongside implementation of a re-provisioning proposal of Agriculture, Fisheries and Conservation Department (AFCD) Au Tau Fisheries Office to his satisfaction. As the proposed access road was outside the boundary of the application site, he had no strong view on the

application provided that appropriate mitigation measures would be properly implemented. Other concerned government departments had no objection to or no adverse comments on the application;

- (d) during the first three weeks of the statutory publication period, 593 public comments were received of which 514 comments submitted by individuals and residents in the New Territories/Yuen Long supported the application, 77 comments submitted by a Yuen Long District Council member, village representatives and villagers of nearby villages, residents in Yuen Long, some landowners of the application site and some individuals objected to/raised concerns on the application, and two individuals expressed their views on the application. Major views were set out in paragraph 11 of the Paper;
- (e) the Planning Department (PlanD)'s views – PlanD had no objection to the application based on the assessments set out in paragraph 12 of the Paper. The proposed comprehensive residential development was considered generally in line with the planning intention of the “Comprehensive Development Area (1)” (“CDA(1)”) zone. It was considered that the current submission was generally in line with the Town Planning Board Guidelines for “Designation of “CDA” Zones and Monitoring the Progress of “CDA” Developments” (TPB PG-No. 17A) in that the planning intention of the “CDA” zone and the comprehensiveness of the proposed development would not be adversely affected by the proposed phasing, and the proposal would not affect the development potential of the unacquired lots within the “CDA(1)” zone. The proposed residential development was comparable with the nearby residential developments in terms of scale and height. Two similar applications for proposed residential development with commercial, government, institution or community (GIC) and open space facilities at the adjoining “CDA” zone were approved and approval of the current application was in line with the Committee's previous decision. Concerned government departments had no objection to or no adverse comments on the application. Regarding public comments, the comments of government departments and planning

assessments above were relevant.

Proposed phasing and Land Ownership

87. Members noted that the proposed development would be developed in two phases (Phases A and B). For Phase A, about 98.5% of the land was owned by the applicant or consent from other lot owners had been obtained. For Phase B, about 20% of the land was owned by the applicant or with consent obtained, while about 60% of land had not yet been secured. The remaining area was government land.

88. A Member enquired that as the proposed development was proposed to be developed in two phases and a school would only be developed in Phase B, whether the comprehensiveness would be affected if the applicant could not acquire and develop the land in Phase B. Mr Tom C.K. Yip, DPO/FSYLE, responded that the applicant had the responsibility to prove that the proposed phasing fulfilled the relevant criteria, including that the proposed phasing would not jeopardise the implementation of the whole comprehensive development, the overall layout and provision of open space and GIC facilities were self-contained in each phase, and for proposed phasing would not adversely affect the development potential of the remaining lots. It was considered that the proposed development had fulfilled the above-mentioned criteria. Moreover, the proposed transport interchange and the day care centre for the elderly would be implemented earlier under Phase A to cater for the initial population intake, while the 30-classroom primary school to be implemented under Phase B would only be required when the population in Phase B was in place.

89. A Member enquired about the proposed arrangement for a piece of unacquired private lot which would be enclosed by the Phase A development but was put under Phase B. Mr Tom C.K. Yip responded that the applicant committed to liaise and seek agreement with other landowners to facilitate the implementation of the proposed development, failing which, a right-of-way to serve this unacquired lot was proposed by the applicant to ensure the accessibility of the unacquired lot upon development of Phase A.

Ecological impacts

90. A Member raised concerns on the ecological impacts of the proposed development and the proposed access road, and enquired whether the comments from concerned departments on those aspects had been properly dealt with. Mr Tom C.K. Yip responded that the proposed development would not result in direct loss of habitat that was of high ecological significance. Some abandoned ponds were located to the west and south of the Site. An ecological enhancement area was proposed in the northern part of the Site, which was currently a seasonal wet grassland. Mitigation measures had also been proposed in the Ecological Impact Assessment (EcoIA), including pre-site clearance site check for species of conservation significance and mitigation measures incorporated in the design of the development as well as those adopted during the construction stage. The proposed access road would not directly encroach onto the adjacent mitigation wetlands. However, as the proposed access road would encroach onto the northern boundary of the existing AFCD Au Tau Fisheries Office, the affected facilities, including some ponds within the Fisheries Office, were proposed to be relocated to the immediate west of the Fisheries Office. DAFC had no strong view from nature conservation perspective on the application subject to imposition of relevant approval conditions. The proposed access road was outside the application site boundary and the detailed arrangement and alignment of the road would be subject to consideration by concerned departments at a later stage.

91. In response to the Chairperson's enquiry on whether the proposed road would require a separate planning application, Mr Tom C.K. Yip responded that the proposed road would provide access to the proposed development and Phase 2 of the adjoining approved Sha Po North development. If the road was considered a public road under the Roads (Work, Use and Compensation) Ordinance (Roads Ordinance), there would be public consultation under the Roads Ordinance and any road works authorized under the Roads Ordinance was deemed approved under the Town Planning Ordinance. Members noted that the proposed road was neither included in the application site nor the approved Sha Po North development.

92. In response to a Member's question, Mr Tom C.K. Yip replied that as some development sites in New Territories were not close to major road network and did not have proper road connection, it was not uncommon to propose an access road outside the site to

connect the site with major road network. Members noted that the requirements for submitting a consolidated traffic impact assessment and design and implementation of road improvement works were recommended in the approval conditions. The access arrangement could be subject to the scrutiny of the concerned department or the Board at the detailed design stage.

Deliberation Session

93. In response to a Member's enquiry on whether the proposed road would be a Designated Project which required conducting an Environmental Impact Assessment (EIA) under the Environmental Impact Assessment Ordinance (EIAO). Mr K.H. To, Principal Environmental Protection Officer (Strategic Assessment), Environmental Protection Department, responded that whether or not the proposed new road would constitute a Designated Project under the EIAO would be subject to the category of the road such as expressway, trunk road, primary distributor road or district distributor road and whether the proposed road project area would encroach upon sensitive areas such as conservation area, country park, site of special scientific interest, etc..

94. Members noted that the status and detailed design of the proposed access road was still uncertain and was subject to the re-provisioning of facilities and ponds in the AFCD Fisheries Office. If the proposed road was taken forward as a public road, public consultation under the Roads Ordinance would be applicable. On the contrary, application for planning permission would be required if the proposed road was a private road, and the impacts associated with the proposed road, including ecological impacts, would be assessed in the relevant technical assessments to be submitted. Members also noted that relevant departments had no adverse comment on the proposed road, subject to the detailed design and alignment, and traffic impacts of the development had been assessed in the traffic impact assessment which had taken into account all the existing and planned developments in the area.

95. Noting DAFC's comments and some Members' concern on the proposed road outside the application site, the Committee agreed that an additional advisory clause would be included to remind the applicant to explore alternative options of the proposed access road to avoid causing adverse ecological impacts on the ecologically sensitive areas and the

implementation of the proposed access road would be subject to the provision of relevant legislation and procedures.

96. 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 22.3.2023, 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 a revised Master Layout Plan, taking into account approval conditions (b), (c), (d), (f), (g), (h), (i), (j), (k), (l), (m), (n), (o) and (p) below, to the satisfaction of the Director of Planning or of the TPB;
- (b) the submission of an implementation programme, with phasing proposals to tie in with the completion of both major infrastructural facilities serving the proposed development and the traffic improvement measures, to the satisfaction of the Director of Planning or of the TPB;
- (c) the submission and implementation of a Landscape Master Plan to the satisfaction of the Director of Planning or of the TPB;
- (d) the submission of a consolidated traffic impact assessment to the satisfaction of the Commissioner for Transport or of the TPB;
- (e) the design and implementation of road improvement works, as proposed by the applicant, to the satisfaction of the Commissioner for Transport or of the TPB;
- (f) the design and provision of vehicular access, and car parking and loading/unloading facilities for the proposed development to the satisfaction of the Commissioner for Transport or of the TPB;
- (g) the design and provision of public transport facilities to the satisfaction of

the Commissioner for Transport or of the TPB;

- (h) the submission of a sewerage impact assessment and implementation of the sewerage improvement measures identified therein to the satisfaction of the Director of Environmental Protection or of the TPB;
- (i) the submission of a water quality impact assessment prior to the commencement of construction works and implementation of the mitigation measures identified therein to the satisfaction of the Director of Environmental Protection or of the TPB;
- (j) the submission of a noise impact assessment and implementation of the mitigation measures identified therein to the satisfaction of the Director of Environmental Protection or of the TPB;
- (k) the submission of a land contamination assessment and implementation of the land contamination remediation measures identified therein prior to the commencement of construction works to the satisfaction of the Director of Environmental Protection or of the TPB;
- (l) the submission and implementation of a drainage proposal to the satisfaction of the Director of Drainage Services or of the TPB;
- (m) the submission of a proposal to mitigate ecological impacts and the implementation of the mitigation measures identified therein to the satisfaction of the Director of Agriculture, Fisheries and Conservation or of the TPB;
- (n) the design and provision of water supply for fire fighting and fire service installations to the satisfaction of the Director of Fire Services or of the TPB;
- (o) the design and provision of a Day Care Centre for the Elderly, as proposed by the applicant, to the satisfaction of the Director of Social Welfare or of

the TPB; and

- (p) the submission and implementation of site formation proposals for a primary school to the satisfaction of the Secretary for Education or of the TPB.”

97. The Committee also agreed to advise the applicant to note the advisory clauses as set out at Appendix VI of the Paper with the following additional clause:

“the applicant should explore alternative options of the proposed access road to avoid causing adverse ecological impacts on the ecologically sensitive areas, and the implementation of the proposed access road would be subject to the provision of relevant legislation and procedures.”

Agenda Item 24

Section 16 Application

[Open Meeting (Presentation and Question Sessions Only)]

A/YL-KTS/807 Temporary Animal Boarding Establishment for a Period of 3 Years in
“Agriculture” Zone, Lot 1652 in D.D. 106, Kam Sheung Road, Pat
Heung, Yuen Long
(RNTPC Paper No. A/YL-KTS/807A)

Presentation and Question Sessions

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

- (a) background to the application;
- (b) proposed temporary animal boarding establishment for a period of 3 years;
- (c) departmental comments – departmental comments were set out in

paragraph 9 and Appendix IV of the Paper. The Director of Agriculture, Fisheries and Conservation (DAFC) did not support the application as there were active agricultural activities in the vicinity and agricultural infrastructures were available, thus the Site possessed potential for agricultural rehabilitation. Other concerned government departments had no objection to or no adverse comments on the application;

- (d) during the first three weeks of the statutory publication period, four public comments were received from individuals objecting to the application. Major grounds were set out in paragraph 10 of the Paper; and
- (e) the Planning Department (PlanD)'s views – PlanD had no objection to the temporary use for a period of three years based on the assessments set out in paragraph 11 of the Paper. Although the applied use was not entirely in line with the planning intention of the “Agriculture” (“AGR”) zone and DAFC did not support the application, approval of the application on a temporary basis would not jeopardise the long-term planning intention of the “AGR” zone. The proposed development was not incompatible with the surrounding areas. Concerned government departments had no objection to or no adverse comments on the application. Relevant approval conditions were recommended to address the technical concerns of concerned departments. Previous applications at the Site and similar applications within the same “AGR” zone had been approved by the Committee. All approval conditions of the last approved application (No. A/YL-KTS/633) had been complied with. Regarding the public comments, the comments of government departments and the planning assessments above were relevant.

99. Members had no question on the application.

Deliberation Session

100. Members noted that no environmental complaint concerning the Site was received in the past three years.

101. After deliberation, the Committee decided to approve the application on a temporary basis for a period of 3 years until 22.3.2022, on the terms of the application as submitted to the Town Planning Board (TPB) and subject to the following conditions:

- “(a) no operation between 5:00 p.m. and 9:00 a.m. (except for overnight animal boarding), as proposed by the applicant, is allowed on the Site during the planning approval period;
- (b) all animals shall be kept inside the enclosed structures, as proposed by the applicant, at all times during the planning approval period;
- (c) no public announcement system, portable loud speaker, or any form of audio amplification system or whistle blowing is allowed to be used on the Site at any time during the planning approval period;
- (d) the sound-insulating materials and double-glazing windows at the animal boarding rooms shall be maintained at all times during the planning approval period;
- (e) the existing trees on the Site shall be maintained at all times during the planning approval period;
- (f) the existing drainage facilities on the Site shall be maintained at all times during the planning approval period;
- (g) the submission of the records 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 22.6.2019;
- (h) the submission of fire service installations proposal within 6 months from the date of planning approval to the satisfaction of the Director of Fire Services or of the TPB by 22.9.2019;

- (i) in relation to (h) above, the implementation of fire service installations proposal within 9 months from the date of planning approval to the satisfaction of the Director of Fire Services or of the TPB by 22.12.2019;
- (j) if any of the above planning conditions (a), (b), (c), (d), (e) or (f) is not complied with during the planning approval period, the approval hereby given shall cease to have effect and shall be revoked immediately without further notice;
- (k) if any of the above planning conditions (g), (h) or (i) is not complied with by the specified date, the approval hereby given shall cease to have effect and shall on the same date be revoked without further notice; and
- (l) upon the expiry of the planning permission, the reinstatement of the Site to an amenity area to the satisfaction of the Director of Planning or of the TPB.”

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

[Mr Edwin W.K. Chan, AD/R3, LandsD left the meeting temporarily at this point.]

Agenda Item 25

Section 16 Application

[Open Meeting (Presentation and Question Sessions Only)]

A/YL-KTS/817 Temporary Vegetable Collection Station for a Period of 3 Years in
“Village Type Development” Zone, Lot 365 S.A in D.D. 106, 173 Shek
Wu Tong Tsuen, Kam Sheung Road, Pat Heung, Yuen Long
(RNTPC Paper No. A/YL-KTS/817)

Presentation and Question Sessions

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

- (a) background to the application;
- (b) temporary vegetable collection station for a period of 3 years;
- (c) departmental comments – departmental comments were set out in paragraph 9 of the Paper. The Director of Agriculture, Fisheries and Conservation (DAFC) was in favour of the application. Other concerned government departments had no objection to or no adverse comments on the application;
- (d) no public comment was received during the first three weeks of the statutory publication period and no local objection/view was received by the District Officer; and
- (e) the Planning Department (PlanD)'s views – PlanD considered that the temporary use could be tolerated for a period of three years based on the assessments set out in paragraph 11 of the Paper. Although the applied use was not entirely in line with the planning intention of the “Village Type Development” (“V”) zone, it could serve the local farmers and approval of the application on a temporary basis would not jeopardise the long-term planning intention of the “V” zone. The proposed development was not incompatible with the surrounding areas. Concerned government departments had no objection to or no adverse comments on the application. Relevant approval conditions were recommended to address the technical concerns of concerned departments. Previous applications at the site for the same use and submitted by the same applicant had been approved by the Committee. While the last approved application (No. A/YL-KTS/671) was revoked due to non-compliance with approval conditions in relation to drainage submission, the applicant had submitted relevant proposals in the

current application. In this regard, shorter compliance periods were recommended to monitor the progress of compliance.

104. In response to a Member's enquiry, Ms Ivy C.W. Wong, STP/FSYLE, responded that relevant notification letters had been sent to the applicant via registered mail.

Deliberation Session

105. After deliberation, the Committee decided to approve the application on a temporary basis for a period of 3 years until 22.3.2022, on the terms of the application as submitted to the Town Planning Board (TPB) and subject to the following conditions:

- “(a) no operation between 12:00 p.m. and 7:00 a.m., as proposed by the applicant, is allowed on the Site during the planning approval period;
- (b) no medium or heavy goods vehicle exceeding 5.5 tonnes, including container tractor/trailer, as defined in the Road Traffic Ordinance is allowed to be parked/stored on or enter/exit the Site at any time during the planning approval period;
- (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 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 22.6.2019;
- (e) in relation to (d) above, the implementation of fire service installations proposal within 6 months from the date of planning approval to the satisfaction of the Director of Fire Services or of the TPB by 22.9.2019;
- (f) if any of the above planning conditions (a), (b) or (c) is not complied with during the planning approval period, the approval hereby given shall cease to have effect and shall be revoked immediately without further notice; and

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

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

Agenda Item 26

Section 16 Application

[Open Meeting (Presentation and Question Sessions Only)]

A/YL-KTS/818 Proposed Temporary Tso Tong Open Car Park (Private Cars and Light Goods Vehicles) for a Period of 3 Years in “Residential (Group C)” Zone, Lot 452 RP (Part) in D.D. 109, Kam Tin, Yuen Long
(RNTPC Paper No. A/YL-KTS/818)

Presentation and Question Sessions

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

- (a) background to the application;
- (b) proposed temporary car park (private cars and light goods vehicles) for a period of 3 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 comments 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 10 of the Paper; and

- (e) the Planning Department (PlanD)'s views – PlanD considered that the temporary use could be tolerated for a period of three years based on the assessments set out in paragraph 11 of the Paper. Although the applied use was not in line with the planning intention of the “Residential (Group C)” (“R(C)”) zone, it would serve meet local parking. As there was no known programme for long-term development at the Site, approval of the application on a temporary basis would not jeopardise the long-term planning intention of the “R(C)” zone. The proposed development was not incompatible with the surrounding areas. Concerned government departments had no objection to or no adverse comments on the application. Relevant approval conditions were recommended to address the technical concerns of concerned departments. Previous applications at the site for the same use and submitted by the same applicant had been approved by the Committee. All approval conditions of the last approved application (No. A/YL-KTS/689) had been complied with. Regarding the public comments, the comments of government departments and the planning assessments above were relevant.

108. Members had no question on the application.

Deliberation Session

109. After deliberation, the Committee decided to approve the application on a temporary basis for a period of 3 years until 22.3.2022, on the terms of the application as submitted to the Town Planning Board (TPB) and subject to the following conditions:

- “(a) no operation between 10:30 p.m. and 6:00 a.m., as proposed by the applicant, is allowed on the Site during the planning approval period;
- (b) no vehicles without valid licences issued under the Road Traffic (Registration and Licensing of Vehicles) Regulations are allowed to be parked/stored on the Site at any time during the planning approval period;

- (c) no medium or heavy goods vehicles exceeding 5.5 tonnes, including container tractors/trailers, as defined in the Road Traffic Ordinance are allowed to be parked/stored on or enter/exit the Site at any time during the planning approval period;
- (d) 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;
- (e) no vehicle is allowed to queue back to or reverse onto/from public road at any time during the planning approval period;
- (f) the implemented drainage facilities on the Site shall be maintained at all times during the planning approval period;
- (g) the submission of records 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 22.6.2019;
- (h) the submission of fire service installations proposal within 6 months from the date of planning approval to the satisfaction of the Director of Fire Services or of the TPB by 22.9.2019;
- (i) in relation to (h) above, the provision of fire service installations within 9 months from the date of planning approval to the satisfaction of the Director of Fire Services or of the TPB by 22.12.2019;
- (j) if any of the above planning conditions (a), (b), (c), (d), (e) or (f) is not complied with during the planning approval period, the approval hereby given shall cease to have effect and shall be revoked immediately without further notice; and

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

110. 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]

A/YL-PH/794 Proposed Temporary Public Vehicle Park for Private Cars for a Period of 3 Years in “Village Type Development” Zone, Lots 208 (Part), 209 S.D, 209 S.E, 209 S.F, 209 S.G (Part), 209 RP (Part) and 215 S.B ss.2 (Part) in D.D. 111, Sheung Che, Pat Heung, Yuen Long
(RNTPC Paper No. A/YL-PH/794A)

111. The Committee noted that the applicant’s representative requested on 14.3.2019 deferment of consideration of the application for a period of two months so as to allow time to address the concerns 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.

112. 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 as requested by the applicant, no further deferment would be granted unless under very special circumstances.

Agenda Item 28

Section 16 Application

[Open Meeting]

A/YL-PH/802 Proposed Temporary Recyclable Collection Centre (Plastic and Plastic Bottle Collection Centre with Workshop and Ancillary Office) for a Period of 3 Years in “Residential (Group D)” Zone, Lots 29 (Part), 33 (Part) and 35 (Part) in D.D. 111 and Adjoining Government Land, Pat Heung, Yuen Long
(RNTPC Paper No. A/YL-PH/802)

113. The Secretary reported that the application was withdrawn by the applicant.

Agenda Items 29 and 30

Section 16 Applications

[Open Meeting (Presentation and Question Sessions Only)]

A/FSS/271 Proposed House (New Territories Exempted House - Small House) in “Green Belt” Zone, Lot 1543A RP in D.D. 92, Tsung Pak Long, Sheung Shui
(RNTPC Paper No. A/FSS/271 and 272)

A/FSS/272 Proposed House (New Territories Exempted House - Small House) in “Green Belt” Zone, Lot 1543A S.A in D.D. 92, Tsung Pak Long, Sheung Shui
(RNTPC Paper No. A/FSS/271 and 272)

Presentation and Question Sessions

114. Mr Otto K.C. Chan, STP/FSYLE, presented the applications and covered the

following aspects as detailed in the Paper:

- (a) background to the applications;
- (b) proposed house (New Territories Exempted House - Small House) at each of the application sites;
- (c) departmental comments – departmental comments were set out in paragraph 10 and Appendix V of the Paper. The Chief Town Planner/Urban Design and Landscape, Planning Department (CTP/UD&L, PlanD) had some reservations on the applications, as approval of the applications would encourage similar applications and the cumulative effect of approving similar applications would result in a general degradation of the landscape character and landscape resources within the area. The Commissioner for Transport (C for T) had reservation on the applications but considered that the applications could be tolerated. Other concerned government departments had no objection to or no adverse comments on the applications;
- (d) during the first three weeks of the statutory publication period, five public comments for each of the applications were received with one individual had no comment and four from the Kadoorie Farm & Botanic Garden Corporation, World Wide Fund for Nature Hong Kong, Hong Kong Bird Watching Society and an individual objecting to the application. Major grounds were set out in paragraph 11 of the Paper; and
- (e) PlanD's views – PlanD did not support the application based on the assessments set out in paragraph 12 of the Paper. The proposed Small House developments were not in line with the planning intention of the "Green Belt" ("GB") zone. There were no exceptional circumstances or strong grounds to justify the applications. Besides, land was available within the "Village Type Development" ("V") zone to meet the outstanding 56 Small House applications. It was considered more appropriate to concentrate the proposed Small House developments within the "V" zone

for more orderly development pattern, efficient use of land and provision of infrastructures and services. Previous applications at the Site and similar applications within the same “GB” had been rejected by the Committee. The planning circumstances of the current applications were similar to the rejected applications. Regarding the adverse public comments received, the comments of government departments and planning assessments above were relevant.

115. Members had no question on the application.

Deliberation Session

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

- “(a) the proposed development is not in line with the planning intention of the “Green Belt” (“GB”) zone which is primarily for defining the limits of urban and sub-urban development areas by natural features and to contain urban sprawl as well as to provide passive recreational outlets. There is a general presumption against development within this zone. There is no strong justification in the submission for a departure from the planning intention;
- (b) the proposed development is not in line with the Town Planning Board Guidelines No. 10 for ‘Application for Development within “GB” Zone’ in that there are no exceptional circumstances or strong planning grounds to justify the applications;
- (c) land is still available within the “Village Type Development” zone of Tsung Pak Long where land is primarily intended for Small House development. It is considered more appropriate to concentrate the proposed Small House development close to the existing village cluster for orderly development pattern, efficient use of land and provision of infrastructures and services; and

- (d) approval of the application will set an undesirable precedent for other similar applications within the “GB” zone. The cumulative effect of approving such applications will result in a general degradation of the landscape character of the area.”

Agenda Item 31

Section 16 Application

[Open Meeting (Presentation and Question Sessions Only)]

A/YL-SK/246 Proposed Temporary Logistics Centre for a Period of 3 Years in
“Industrial (Group D)” Zone, Lots 580 (Part) and 598 (Part) in D.D.
114, Shek Kong, Yuen Long
(RNTPC Paper No. A/YL-SK/246)

Presentation and Question Sessions

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

- (a) background to the application;
- (b) proposed temporary logistics centre for a period of 3 years;
- (c) departmental comments – departmental comments were set out in paragraph 10 of the Paper. The Director of Environmental Protection (DEP) did not support the application as there were sensitive receivers in the vicinity and environmental nuisance was expected. Other concerned government departments had no objection to or no adverse comments 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 temporary use 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 “Industrial (Group D)” (“I(D)”) zone, and not incompatible with the surrounding areas. The Site fell within Category 1 areas in the Town Planning Board Guidelines No. 13E. Relevant proposals had been submitted to demonstrate that the proposed use would not generate adverse impacts. Apart from DEP, concerned government departments had no objection to or no adverse comments on the application, while no environmental complaint was received by DEP in the past three years. Relevant approval conditions were recommended to address the technical concerns of concerned departments. A previous application at the Site and a similar application within the same “I(D)” zone had been approved by the Committee. All approval conditions of the last approved application (No. A/YL-SK/71) had been complied with. Regarding the public comments, the comments of government departments and the planning assessments above were relevant.

118. Members had no question on the application.

Deliberation Session

119. After deliberation, the Committee decided to approve the application on a temporary basis for a period of 3 years until 22.3.2022, 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. to 8:00 a.m., as proposed by the applicant, is allowed on the Site during the planning approval period;
- (b) no operation on Sundays and public holidays, as proposed by the applicant, is allowed on the Site during the planning approval period;

- (c) no medium or heavy goods vehicles exceeding 5.5 tonnes, including container tractors/trailers, as defined in the Road Traffic Ordinance, as proposed by the applicant, are allowed to be parked/stored on or enter/exit the Site at any time during the planning approval period;
- (d) no dismantling, maintenance, repairing, cleansing, paint spraying or other workshop activities shall be carried out on the Site, as proposed by the applicant, at any time during the planning approval period;
- (e) no vehicle is allowed to queue back to or reverse onto/from public road at any time during the planning approval period;
- (f) the submission of 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 22.9.2019;
- (g) in relation to (f) above, the implementation of drainage proposal within 9 months from the date of planning approval to the satisfaction of the Director of Drainage Services or of the TPB by 22.12.2019;
- (h) in relation to (g) above, the implemented drainage facilities on the Site shall be maintained at all times during the planning approval period;
- (i) the submission of fire service installations proposal within 6 months from the date of the planning approval to the satisfaction of the Director of Fire Services or of the TPB by 22.9.2019;
- (j) in relation to (i) above, the provision of fire service installations proposal within 9 months from the date of planning approval to the satisfaction of the Director of Fire Services or of the TPB by 22.12.2019;
- (k) if any of the above planning conditions (a), (b), (c), (d), (e) or (h) is not complied with during the planning approval period, the approval hereby given shall cease to have effect and shall be revoked immediately without

further notice; and

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

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

Agenda Item 32

Section 16 Application

[Open Meeting]

A/KTN/55

Proposed Minor Relaxation of Maximum Plot Ratio and/or Building Height Restrictions for Permitted Residential Development in “Residential (Group B)” Zone, Lots 78 RP (Part), 79 (Part), 80 (Part), 81 (Part), 83 (Part), 176 (Part), 177, 178 (Part), 181 (Part), 182, 183, 186, 188, 193, 194 S.A, 196 RP, 199 S.A, 806 (Part), 825 (Part), 826, 827 (Part), 831 S.A (Part), 831 S.B (Part), 841 (Part), 856 (Part), 858 RP (Part), 861 (Part), 865, 866 RP (Part), 867, 868 RP (Part), 869 (Part), 870 (Part), 871 (Part), 872 (Part), 873 (Part), 889 (Part), 1009 (Part), 1010 (Part), 1011 (Part), 1012 (Part), 1013 (Part), 1014 (Part) and 1015 (Part) in D.D. 95 and Adjoining Government Land, Kwu Tung North
(RNTPC Paper No. A/KTN/55A)

121. The Secretary reported that the application was in Kwu Tung North. The application was submitted by Hilder Company Ltd., which was a subsidiary of CK Hutchison Holdings Ltd. (CKHH). Westwood Hong & Associates Ltd. (WHA) and Mott Macdonald Hong Kong Ltd (Mott) were two of the consultants of the applicant. The following Members had declared interests on the item:

Mr Ivan C.S. Fu - having current business dealings with CKHH,

WHA and Mott;

- Mr K.K. Cheung - his firm having current business dealings with CKHH;
- Mr Stephen L.H. Liu - having past business dealings with CKHH; and
- Dr C.H. Hau - owning a property in Kwu Tung North.

122. The Committee noted that the applicant had requested deferment of consideration of the application and Mr Ivan C.S. Fu had tendered apologies for being unable to attend the meeting. As Messrs K.K. Cheung and Stephen L.H. Liu had no involvement in the application, and the property of Dr C.H. Hau had no direct view of the application site, the Committee agreed that they could stay in the meeting.

123. The Committee noted that the applicant requested on 12.3.2019 deferment of consideration of the application for two months so as to allow time for preparation of further information to address departmental comments. It was the second time that the applicant requested deferment of the application. Since the last deferment, the applicant had submitted further information to address various departmental comments.

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

[Mr Edwin W.K. Chan, AD/R3, LandsD returned to join the meeting at this point.]

Agenda Item 33

Section 16 Application

[Open Meeting (Presentation and Question Sessions Only)]

A/YL-MP/278 Renewal of Planning Approval for Temporary Sales Offices (for Real Estate and Furniture) and Furniture Showrooms for a Period of 3 Years in “Open Space” Zone, Lots 11 (Part) and 12 (Part) in D.D. 101, Mai Po, Yuen Long
(RNTPC Paper No. A/YL-MP/278)

125. The Secretary reported that the application site was in Mai Po. The following Member had declared interest on the item:

Mr K.W. Leung - owning a property in Mai Po.

126. As the property of Mr K.W. Leung had no direct view of the application site, the Committee agreed that he could stay in the meeting.

Presentation and Question Sessions

127. 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) renewal of planning approval for temporary sales offices (for real estate and furniture) and furniture showrooms for a period of 3 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 comments on the application;
- (d) during the first three weeks of the statutory publication period, two public

comments were received from the Owners' Committee of Royal Palms 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 renewal of temporary use for a period of three years based on the assessments set out in paragraph 12 of the Paper. There was no plan to develop the Site into public open space at present and the applied use would not frustrate the long-term planning intention of the “Open Space” zone. The proposed development was not incompatible with the surrounding areas. The applied use was generally in line with the Town Planning Board Guidelines No. 34B in that there had been no material change in planning circumstances since the previous temporary approval was granted, and the 3-year approval period sought was of the same timeframe as that of the previous approval. Concerned government departments had no objection to or no adverse comments on the application. Relevant approval conditions were recommended to address the technical concerns of concerned departments. Eleven previous applications at the Site had been approved by the Committee. All approval conditions of the last approved application (No. A/YL-MP/249) had been complied with. Regarding the public comments, the comments of government departments and the planning assessments above were relevant.

128. Members had no question on the application.

Deliberation Session

129. After deliberation, the Committee decided to approve the application on a temporary basis for a period of 3 years and be renewed from 10.4.2019 to 9.4.2022, on the terms of the application as submitted to the Town Planning Board (TPB) and subject to the following conditions:

- “(a) no operation of the sales office for real estate between 8:30 p.m. and 9:30 a.m., as proposed by the applicant, is allowed on the Site during the

planning approval period;

- (b) no operation of the sales office for furniture and furniture showrooms between 6:00 p.m. and 9:30 a.m. from Mondays to Saturdays, and whole day on Sundays and public holidays, as proposed by the applicant, is allowed on the Site during the planning approval period;
- (c) no vehicle other than private car is allowed to access the Site at all times during the planning approval period;
- (d) no vehicle is allowed to queue back to or reverse onto/from the Site at all times during the planning approval period;
- (e) the existing trees and shrubs within the Site shall be maintained in healthy condition at all times during the planning approval period;
- (f) the maintenance of boundary fencing within the Site at all times during the planning approval period;
- (g) the submission of as-built drainage plans and photographs of existing drainage facilities 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 10.7.2019;
- (h) the maintenance of existing drainage facilities within the Site at all times during the planning approval period;
- (i) the submission of fire service installations proposal within 6 months from the date of commencement of the renewed planning approval to the satisfaction of the Director of Fire Services or of the TPB by 10.10.2019;
- (j) in relation to (i) above, the implementation of 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 10.1.2020;

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

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

Agenda Item 34

Section 16 Application

[Open Meeting]

A/YL-NTM/378 Proposed Temporary Animal Boarding Establishment for a Period of 3 Years in “Green Belt” Zone, Lots 253 S.B RP (Part), 253 S.B ss.2, 253 S.B ss.3, 253 S.B ss.4, 253 S.B ss.5, 253 S.B ss.6, 253 S.B ss.7, 253 S.C and 254 in D.D. 104, Ngau Tam Mei , Yuen Long
(RNTPC Paper No. A/YL-NTM/378A)

131. The Secretary reported that the application was withdrawn by the applicant.

Agenda Item 35

Section 16 Application

[Open Meeting]

A/YL-NTM/385 Proposed Temporary Shop and Services (Vehicle Parts Shop) with Ancillary Vehicle Repair Workshop for a Period of 5 Years in “Open Storage” Zone, Lot 113 RP in D.D. 98 and Adjoining Government Land, Ngau Tam Mei, Yuen Long
(RNTPC Paper No. A/YL-NTM/385)

132. The Committee noted that the applicant’s representative requested on 5.3.2019 deferment of consideration of the application for a period of two months so as to allow time to address the concerns of relevant departments. It was the first time that the applicant requested deferment of the application.

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

Agenda Item 36

Section 16 Application

[Open Meeting (Presentation and Question Sessions Only)]

A/YL-NTM/386 Temporary Shop and Services (Real Estate Office and Transportation Office) with Ancillary Car Park and Storage for a Period of 3 Years in “Residential (Group D)” Zone, Lot 2616 (Part) in D.D. 104, Ngau Tam Mei, Yuen Long
(RNTPC Paper No. A/YL-NTM/386)

Presentation and Question Sessions

134. 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) temporary shop and services (real estate office and transportation office) and ancillary car park and storage for a period of 3 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 comments on the application;
- (d) no public comment was received during the first three weeks of the statutory publication period and no local objection/view was received by the District Officer; and
- (e) the Planning Department (PlanD)’s views – PlanD had no objection to the temporary use 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 “Residential (Group D)” (“R(D)”) zone, there was no immediate development proposal for the Site. Approval of the application on a temporary basis would not jeopardise the long-term

planning intention of the “R(D)” zone. The proposed development was not incompatible with the surrounding areas. Concerned government departments had no objection to or no adverse comments on the application. Relevant approval conditions were recommended to address the technical concerns of concerned departments. Three previous applications at the Site and a similar application in the “R(D)” zone had been approved by the Committee.

135. Members had no question on the application.

Deliberation Session

136. After deliberation, the Committee decided to approve the application on a temporary basis for a period of 3 years until 22.3.2022, on the terms of the application as submitted to the Town Planning Board (TPB) and subject to the following conditions:

- “(a) no night-time operation between 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) only private car or light goods vehicle not exceeding 7m length, as proposed by the applicant, are allowed to access or be parked at the Site 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 existing trees within the Site shall be maintained in healthy condition at all times during the planning approval period;
- (e) the provision of boundary fence on the Site within 6 months from the date of planning approval to the satisfaction of the Director of Planning or of the TPB by 22.9.2019;
- (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 22.9.2019;

- (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 22.12.2019;
- (h) the submission of fire service installations proposal within 6 months from the date of planning approval to the satisfaction of Director of Fire Services or of the TPB by 22.9.2019;
- (i) in relation to (h) above, the provision of fire service installations within 9 months from the date of planning approval to the satisfaction of Director of Fire Services or of the TPB by 22.12.2019;
- (j) 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 should cease to have effect and should be revoked immediately without further notice; and
- (k) if any of the above planning conditions (e), (f), (g), (h) or (i) is not complied with by the specified date, the approval hereby given shall cease to have effect and shall on the same date be revoked without further notice.”

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

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

Tuen Mun and Yuen Long West District

[Mr Simon P.H. Chan, Ms Jessica Y.C. Ho, Ms Bonnie K.C. Lee, Ms Stella Y. Ng and Mr Steven Y.H. Siu, Senior Town Planners/Tuen Mun and Yuen Long West (STPs/TMYLW), were invited to the meeting at this point.]

Agenda Item 37

Section 16 Application

[Open Meeting (Presentation and Question Sessions Only)]

A/HSK/134 Proposed Temporary Shop and Services and Warehouse (Metalware Goods) for a Period of 3 Years in “Other Specified Uses” annotated “Port Back-up, Storage and Workshop Uses” Zone, Lot 219 in D.D.125, Hung Shui Kiu, Yuen Long
(RNTPC Paper No. A/HSK/134)

Presentation and Question Sessions

138. Mr Simon P.H. Chan, STP/TMYLW, presented the application and covered the following aspects as detailed in the Paper:

- (a) background to the application;
- (b) proposed temporary shop and services and warehouse (metalware goods) for a period of 3 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 comments 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 temporary use for a period of three years based on the assessments set out in paragraph 12 of the Paper. Although 'Shop and Services' use was not entirely in line with the planning intention of the "Other Specified Uses" annotated "Port Back-up, Storage and Workshop Uses" ("OU(PBU&SWU)") zone, it could provide shop and services facilities to meet any such demand in the area. As the implementation programme for this part of the new development area was still being formulated, approval of the application on a temporary basis would not jeopardise the long-term development of the Site. The proposed development was not incompatible with the surrounding areas. Concerned government departments had no objection to or no adverse comments on the application. The application was in line with the Town Planning Board Guidelines No. 13E in that the site fell within Category 2 areas. Relevant proposals had been submitted to demonstrate that the proposed use would not generate adverse impacts, and relevant approval conditions were recommended to address the technical concerns of concerned departments. Seven similar applications in the same "OU(PBU&SWU)" zone had been approved by the Committee. Regarding the public comments, the comments of government departments and the planning assessments above were relevant.

139. Members had no question on the application.

Deliberation Session

140. After deliberation, the Committee decided to approve the application on a temporary basis for a period of 3 years until 22.3.2022, on the terms of the application as submitted to the Town Planning Board (TPB) and subject to the following conditions:

- “(a) no operation between 5:00 p.m. and 10:00 a.m., as proposed by the applicant, is allowed on the Site during the planning approval period;

- (b) no operation on Sundays and public holidays, as proposed by the applicant, is allowed on the Site during the planning approval period;
- (c) no workshop activity, as proposed by the applicant, is allowed on the Site at any time during the planning approval period;
- (d) no vehicle queuing back to or reverse onto/from the public road is allowed at any time during the planning approval period;
- (e) the existing fencing on the Site shall be maintained at all times during the planning approval period;
- (f) the submission of the drainage proposal within 6 months from the date of planning approval to the satisfaction of the Director of Drainage Services or of the TPB by 22.9.2019;
- (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 22.12.2019;
- (h) in relation to (g) above, the implemented drainage facilities shall be maintained at all times during the planning approval period;
- (i) the submission of a fire service installations proposal within 6 months from the date of planning approval to the satisfaction of the Director of Fire Services or of the TPB by 22.9.2019;
- (j) in relation to (i) above, the implementation of the fire service installations proposal within 9 months from the date of planning approval to the satisfaction of the Director of Fire Services or of the TPB by 22.12.2019;
- (k) if any of the above planning conditions (a), (b), (c), (d), (e) or (h) is not complied with during the approval period, the approval hereby given shall cease to have effect and shall be revoked immediately without further

notice; and

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

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

Agenda Item 38

Section 16 Application

[Open Meeting (Presentation and Question Sessions Only)]

A/TM/523 Proposed Hotel, Office and Shop and Services (Wholesale Conversion of an Existing 15-storey Industrial Building) in “Other Specified Uses” annotated “Business” Zone, East Asia Industrial Building, 2 Ho Tin Street, Tuen Mun
(RNTPC Paper No. A/TM/523D)

Presentation and Question Sessions

142. The Secretary reported that Associated Architects Ltd. (AAL) was one of the consultants of the applicant. The following Member had declared interest on the item:

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

143. As Mr K.K. Cheung had no involvement in the application, the Committee agreed that he could stay in the meeting

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

- (a) background to the application;
- (b) proposed hotel, office and shop and services (wholesale conversion of an existing 15-storey industrial building);
- (c) departmental comments – departmental comments were set out in paragraph 9 of the Paper. Concerned government departments had no objection to or no adverse comments on the application;
- (d) during the first three weeks of the statutory publication period, three public comments were received. A Tuen Mun District Council Member and Shell Petroleum Company Limited objected to the application and an individual had no comment on the application. Major grounds were set out in paragraph 10 of the Paper; and
- (e) the Planning Department (PlanD)’s views – PlanD had no objection to the application based on the assessments set out in paragraph 11 of the Paper. The proposed development was generally in line with the planning intention of the “Other Specified Uses” annotated “Business” zone (“OU(B)”) zone and the Town Planning Board Guidelines No. 22D. It was not incompatible with the surrounding land uses and would help improve the existing environment. Concerned government departments had no objection to or no adverse comments on the application. Relevant approval conditions were recommended to address the technical concerns of concerned departments. Regarding the adverse public comments received, the comments of government departments and planning assessments above were relevant.

145. Members had no question on the application.

Deliberation Session

146. After deliberation, the Committee decided to approve the application, on the terms of the application as submitted to the Town Planning Board (TPB). The permission

should be valid until 22.3.2023, 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 design and provision of parking facilities and loading/unloading spaces for the proposed development to the satisfaction of the Commissioner for Transport or of the TPB;
- (b) the submission and implementation of fire services installations and water supply for firefighting to the satisfaction of the Director of Fire Services or of the TPB;
- (c) the submission and implementation of mitigation measures against the fire and explosive hazards associated with the adjoining petrol filling station to the satisfaction of the Director of Fire Services or of the TPB; and
- (d) the submission and implementation of sewerage improvement proposal to the satisfaction of the Director of Drainage Services or of the TPB.”

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

Agenda Item 39

Section 16 Application

[Open Meeting]

A/TM/532

Proposed Comprehensive Residential Development in “Comprehensive Development Area (3)” Zone, Lots 398 RP, 406 RP, 407, 408 RP, 409, 410 RP, 411 RP, 412 S.B, 412 RP, 413, 442 RP, 443 RP, 444, 445 S.A, 445 RP, 446 S.A, 446 RP, 447, 448, 449, 450, 451, 453(part), 454, 455, 456, 457, 458, 459(part), 462(part), 464 RP, 466 RP in D.D. 374 and Lots 248 RP, 249 S.A RP, 249 S.B, 250 RP, 251, 253(part), 255 RP(part) in D.D. 375 and Adjoining Government land, So Kwun Wat, Area 56, Tuen Mun

(RNTPC Paper No. A/TM/532B)

148. The Secretary reported that the application was submitted by Fill Year Ltd., which was a subsidiary of Sun Hung Kai Properties Ltd. (SHK). Llewelyn-Davies Hong Kong Ltd. (LD), Black & Veatch Hong Kong Ltd. (B&V), LWK & Partners (Hong Kong) Ltd. (LWK) and MVA Hong Kong Ltd. (MVA) were four of the consultants of the applicant. The following Members had declared interests on the item:

- | | | |
|---------------------|---|--|
| Mr Ivan C.S. Fu | - | being a shareholder and a director of LWK; and having current business dealings with SHK and MVA; |
| Mr K.K. Cheung | - | his firm having current business dealings with SHK and B&V; |
| Mr Stephen L.H. Liu | - | having past business dealings with SHK, LD and LWK; |
| Miss Winnie W.M. Ng | - | being a Director of the Kowloon Motor Bus Company (1933) Ltd. (KMB) and SHK is one of the shareholders of KMB; and |
| Mr Ricky W.Y. Yu | - | his firm having current business dealings with LD. |

149. The Committee noted that the applicant had requested deferment of consideration of the application and Messrs Ivan C.S. Fu and Ricky W.Y. Yu had tendered apologies for being unable to attend the meeting. As the interest of Miss Winnie W.M. Ng was direct, the Committee agreed that she 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.

150. The Committee noted that the applicant requested on 12.3.2019 deferment of consideration of the application for one month so as to allow time for preparation of further information to address departmental comments. It was the second time that the applicant requested deferment of the application. Since the last deferment, the applicant had submitted further information to address departmental comments.

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

Agenda Item 40

Section 16 Application

[Open Meeting]

A/TM/536 Columbarium Use in "Government, Institution or Community" Zone,
Lot 761 in D.D. 131 and Adjoining Government land, Tsing Shan
Tsuen, Tuen Mun
(RNTPC Paper No. A/TM/536)

152. The Secretary reported that the application was for columbarium use. The following Members had declared interests on the item:

- | | | |
|---|---|--|
| Mr H.W. Cheung
<i>(the Vice-chairperson)</i> | - | being a member of the Private Columbaria Licensing Board (PCLB); and |
| Mr Ivan C.S. Fu | - | being a member of the Private Columbaria Appeal Board (PCAB). |

153. The Committee noted that the applicant had requested deferment of consideration of the application and Mr Ivan C.S. Fu had tendered apologies for being unable to attend the meeting. As Mr H.W. Cheung's interest was indirect, the Committee agreed that he could stay in the meeting.

154. The Committee noted that the applicant requested on 5.3.2019 deferment of consideration of the application for two months so as to allow time for preparation of further information to address departmental comments. It was the first time that the applicant requested deferment of the application.

155. 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 41

Section 16 Application

[Open Meeting (Presentation and Question Sessions Only)]

A/YL-HTF/1094 Temporary Place of Recreation, Sports or Culture (Fishing Ground) and Ancillary Refreshment Kiosk for a Period of 3 Years in “Coastal Protection Area” Zone, Lots 215 S.A (Part), 219 S.A ss.1 RP (Part), 219 S.B, 221 (Part), 222 S.A RP (Part), 222 S.A ss.1 (Part), 222 S.B (Part), 224 S.B (Part), 224 S.C (Part) and 224 S.D in D.D.128, Lau Fau Shan, Yuen Long
(RNTPC Paper No. A/YL-HTF/1094)

Presentation and Question Sessions

156. 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) temporary place of recreation, sports or culture (fishing ground) and ancillary refreshment kiosk for a period of 3 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 comments 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 10 of the Paper; and
- (e) the Planning Department (PlanD)’s views – PlanD considered that the temporary use could be tolerated for a period of three years based on the assessments set out in paragraph 11 of the Paper. The application mainly involved using of the existing fish ponds as recreational fishing ground and

no pond filling was involved. Approval of the application on a temporary basis would not undermine the long-term planning intention of the “Costal Protection Area” zone. The proposed development was not entirely incompatible with the surrounding areas. Concerned government departments had no objection to or no adverse comments on the application. Relevant approval conditions were recommended to address the technical concerns of concerned departments. Previous applications at the site for the same use and submitted by the same applicant had been approved by the Committee. All time-specific approval conditions of the last approved application (No. A/YL-HT/1010) were complied with. Regarding the public comments, the comments of government departments and the planning assessments above were relevant.

157. Members had no question on the application.

Deliberation Session

158. After deliberation, the Committee decided to approve the application on a temporary basis for a period of 3 years until 22.3.2022, on the terms of the application as submitted to the Town Planning Board (TPB) and subject to the following conditions:

- “(a) no operation between 9:00 p.m. and 9:00 a.m., as proposed by the applicant, is allowed on the Site during the planning approval period;
- (b) no filling of pond or land, as proposed by the applicant, is allowed on the Site during the planning approval period;
- (c) no use of public announcement system, as proposed by the applicant, is allowed at any time on the Site 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 existing drainage facilities shall be maintained at all times during the

planning approval period;

- (f) all vegetation within the Site shall be maintained at all times during the planning approval period;
- (g) the submission of a condition record of the existing drainage facilities within 3 months from the date of planning approval to the satisfaction of the Director of Drainage Services or of the TPB by 22.6.2019;
- (h) the submission of fire service installations proposal within 6 months from the date of planning approval to the satisfaction of the Director of Fire Services or of the TPB by 22.9.2019;
- (i) in relation to (h) above, the implementation of fire service installations proposal within 9 months from the date of planning approval to the satisfaction of the Director of Fire Services or of the TPB by 22.12.2019;
- (j) if any of the above planning conditions (a), (b), (c), (d), (e) or (f) is not complied with during the planning approval period, the approval hereby given shall cease to have effect and shall be revoked immediately without further notice; and
- (k) if any of the above planning conditions (g), (h) or (i) is not complied with by the specified date, the approval hereby given shall cease to have effect and shall on the same date be revoked without further notice.”

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

Agenda Item 42

Section 16 Application

[Open Meeting (Presentation and Question Sessions Only)]

A/YL-PS/574 Proposed Filling of Pond for Four Permitted Houses (New Territories Exempted Houses – Small Houses) in “Village Type Development” Zone, Lots 182 S.A RP, 182 S.B, 182 S.C, 182 S.D RP and 182 RP (Part) in D.D. 123, near Shing Uk Tsuen, Ping Shan, Yuen Long
(RNTPC Paper No. A/YL-PS/574A)

160. The Committee noted that a replacement page (Plan A-1 of the Paper) for rectifying an editorial error in the Plan was tabled for Members’ reference.

Presentation and Question Sessions

161. 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) proposed filling of pond for four permitted houses (New Territories Exempted Houses – Small Houses);
- (c) departmental comments – departmental comments were set out in paragraph 10 and Appendix V of the Paper. The Director of Agriculture, Fisheries and Conservation (DAFC) did not support the application as the proposed pond filling would inevitably result in loss of or decline in wetland area and function in the Deep Bay area. Approving the subject application might cause undesirable precedent effect on encouraging other similar development within the Wetland Buffer Area and further degrade the ecological value of the fishpond/wetland in Deep Bay area. The Commissioner for Transport (C for T) had reservation on the application but considered that the application could be tolerated. Other concerned government departments had no objection to or no adverse comments on

the application;

- (d) during the first three weeks of the statutory publication period, four public comments were received from four individuals 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 application based on the assessments set out in paragraph 12 of the Paper. The proposed pond filling to facilitate Small House development was considered in line with the planning intention of the “Village Type Development” (“V”) zone. It was to address the possible drainage impact and would not directly affect the wetland within the Wetland Conservation Area. DAFC did not support the application, but he also noted that the proposed Small House applications had been granted or under processing by the District Lands Office/Yuen Long, Lands Department. The application was considered not in contravention with the Town Planning Board Guidelines No. 12C. Other concerned government departments had no objection to or no adverse comments on the application. Five similar applications within the same “V” zone had been approved by the Committee. Regarding the public comments, the comments of government departments and the planning assessments above were relevant.

162. A Member enquired the necessity of the applicant to apply for planning permission for pond filling to facilitate Small House development within “V” zone. The Chairperson clarified that in order to tackle the flooding issue, it had been stipulated in the Notes of the OZPs of some “V” zones in Northwest New Territories that any filling of land/pond to effect a change of use to the permitted uses should not be undertaken without the permission from the Board under section 16 of the Town Planning Ordinance.

163. In response to a Member's enquiry on whether the pond was already filled, Ms Bonnie K.C. Lee, STP/TMYLW, said that the Site was still a pond covered with some vegetation.

Deliberation Session

164. 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 22.3.2023, and after the said date, the permission should cease to have effect unless before the said date, the development permitted was commenced or the permission was renewed. The permission was subject to the following conditions:

- “(a) no vehicle is allowed to queue back to or reverse onto/from the Site at any time during the planning approval period;
- (b) the submission of drainage proposal including drainage mitigation measures before the issue of any certificate of exemption by the Lands Department to the satisfaction of the Director of Drainage Services or of the TPB;
- (c) the implementation of drainage proposal including drainage mitigation measures identified therein upon completion of the pond filling works to the satisfaction of the Director of Drainage Services or of the TPB; and
- (d) if any of the above planning conditions (a), (b) or (c) is not complied with, the approval hereby given shall cease to have effect and shall be revoked immediately without further notice.”

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

Agenda Item 43

Section 16 Application

[Open Meeting (Presentation and Question Sessions Only)]

A/YL-PS/582 Temporary Shop and Services (Real Estate Agency) for a Period of 3
Years in “Village Type Development” Zone, Lot 134 RP in D.D. 123,
Ping Shan, Yuen Long
(RNTPC Paper No. A/YL-PS/582)

Presentation and Question Sessions

166. 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) temporary shop and services (real estate agency) for a period of 3 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 comments on the application;
- (d) no public comment was received during the first three weeks of the statutory publication period and no local objection/view was received by the District Officer; and
- (e) the Planning Department (PlanD)’s views – PlanD had no objection to the proposed temporary use for a period of three years based on the assessments set out in paragraph 12 of the Paper. Although the proposed use was not entirely in line with the planning intention of the “Village Type Development” (“V”) zone, it could provide such facilities in the area to meet any such demand and there was currently no Small House application or approval at the Site. Approval of the application on the temporary basis for 3 years would not jeopardise the long-term planning intention of

the “V” zone. The proposed development was not incompatible with the surrounding areas. The Site fell within the Wetland Buffer Area of the Town Planning Board Guidelines No. 12C but was exempted from the requirement of Ecological Impact Assessment. Concerned government departments had no objection to or no adverse comments on the application. Relevant approval conditions were recommended to address the technical concerns of concerned departments. Five similar applications had been approved by the Committee.

167. Members had no question on the application.

Deliberation Session

168. After deliberation, the Committee decided to approve the application on a temporary basis for a period of 3 years until 22.3.2022, on the terms of the application as submitted to the Town Planning Board (TPB) and subject to the following conditions:

- “(a) no operation between 9:00 p.m. and 10:00 a.m., as proposed by the applicant, is allowed on the Site during the planning approval period;
- (b) the submission of fire service installations proposal within 6 months from the date of planning approval to the satisfaction of the Director of Fire Services or of the TPB by 22.9.2019;
- (c) in relation to (b) above, the implementation of fire service installations proposal within 9 months from the date of planning approval to the satisfaction of the Director of Fire Services or of the TPB by 22.12.2019;
- (d) if the above planning condition (a) is not complied with during the planning approval period, the approval hereby given shall cease to have effect and shall be revoked immediately without further notice; and
- (e) if any of the above planning conditions (b) or (c) 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.”

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

Agenda Item 44

Section 16 Application

[Open Meeting (Presentation and Question Sessions Only)]

A/YL-PS/583 Temporary Public Vehicle Park (Private Cars) for a Period of 3 Years
in “Village Type Development” Zone, Lot 455 S.A RP in D.D. 122 and
Adjoining Government Land, Ping Shan, Yuen Long
(RNTPC Paper No. A/YL-PS/583)

Presentation and Question Sessions

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

- (a) background to the application;
- (b) temporary public vehicle park (private cars) for a period of 3 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 comments 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 10 of the Paper; and
- (e) the Planning Department (PlanD)’s views – PlanD had no objection to the temporary use for a period of three years based on the assessments set out

in paragraph 11 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. The development could provide vehicle parking spaces to meet any such parking demand, and approval of the application on a temporary basis would not frustrate the planning intention of the “V” zone. The proposed development was not incompatible with the surrounding areas. Concerned government departments had no objection to or no adverse comments on the application. Relevant approval conditions were recommended to address the technical concerns of concerned departments. A previous application at the Site for the same use and 24 similar applications within the same “V” zone had been approved by the Committee. Regarding the public comments, the comments of government departments and the planning assessments above were relevant.

171. Members had no question on the application.

Deliberation Session

172. After deliberation, the Committee decided to approve the application on a temporary basis for a period of 3 years until 22.3.2022, on the terms of the application as submitted to the Town Planning Board (TPB) and subject to the following conditions:

- “(a) no operation between 11:00 p.m. and 7:00 a.m. is allowed on the Site, as proposed by the applicant, during the planning approval period;
- (b) no light, medium and heavy goods vehicles, 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 all times during the planning approval period;
- (c) a notice shall be posted at a prominent location of the Site at all times to indicate that no light, medium and heavy goods vehicles, including

container tractors/trailers, as defined in the Road Traffic Ordinance are allowed to be parked/stored on or enter/exit the Site at all times during the planning approval period;

- (d) no vehicle without valid licence issued under the Road Traffic Ordinance is allowed to be parked/stored on the Site, as proposed by the applicant, at any time during the planning approval period;
- (e) no vehicle washing, vehicle repair, dismantling, paint spraying or other workshop activity, as proposed by the applicant, is allowed on the Site at any time during the planning approval period;
- (f) no vehicle is allowed to queue back to or reverse onto/from public road at any time during the planning approval period;
- (g) the existing fencing of 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 in good condition at all times during the planning approval period;
- (i) the existing drainage facilities shall be maintained at all times during the planning approval period;
- (j) the submission of a condition record of the existing drainage facilities within 3 months to the satisfaction of the Director of Drainage Services or of the TPB by 22.6.2019;
- (k) the submission of fire service installations proposal within 6 months from the date of the planning approval to the satisfaction of the Director of Fire Services or of the TPB by 22.9.2019;
- (l) in relation to (k) above, the implementation of fire service installations proposal within 9 months from the date of the planning approval to the

satisfaction of the Director of Fire Services or of the TPB by 22.12.2019;

- (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; and
- (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.”

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

Agenda Item 45

Section 16 Application

[Open Meeting (Presentation and Question Sessions Only)]

A/YL-TT/457 Proposed Temporary Eating Place (Restaurant with Ancillary Outside Seating Accommodation) for a Period of 5 Years in “Residential (Group D)” and “Village Type Development” Zones, Lot 5288 (Part) in D.D. 116, Tai Tong, Yuen Long
(RNTPC Paper No. A/YL-TT/457)

Presentation and Question Sessions

174. Mr Steven Y.H. Siu, STP/TMYLW, presented the application and covered the following aspects as detailed in the Paper:

- (a) background to the application;
- (b) proposed temporary eating place (restaurant with ancillary outside seating accommodation);

- (c) departmental comments – departmental comments were set out in paragraph 10 of the Paper. Concerned government departments had no objection to or no adverse comments 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 proposed temporary use for a period of five 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 “Residential (Group D)” and “Village Type Development” zones, there was no Small House application approved or under processing at the Site. The development could provide eating facility to serve any such demand, and approval of the application on a temporary basis would not jeopardise the long-term planning development of the Site. The proposed development was not incompatible with the surrounding areas. Concerned government departments had no objection to or no adverse comments on the application. Relevant approval conditions were recommended to address the technical concerns of concerned departments. Previous applications at the site for eating place use had been approved by the Committee. Regarding the public comments, the comments of government departments and the planning assessments above were relevant.

175. A Member enquired whether there was any Small House application at the Site. Mr Steven Y.H. Siu, STP/TMYLW, responded that there was no Small House application approved or under processing at the Site.

176. In response to a Member’s enquiry on the concern raised in the public comment, Mr Steven Y.H. Siu responded that there was an existing two-storey building and two one-storey structures on the Site, and there was no ‘destroy first, apply later’ situation. The proposed development involved refurbishing the existing two-storey building for kitchen and

restaurant area and conversion of the two one-storey structures for storage of goods and washroom.

Deliberation Session

177. After deliberation, the Committee decided to approve the application on a temporary basis for a period of 5 years until 22.3.2024, on the terms of the application as submitted to the Town Planning Board (TPB) and subject to the following conditions:

- “(a) no operation between 10:00 p.m. and 10:00 a.m., as proposed by the applicant, is allowed on the Site during the planning approval period;
- (b) no vehicle is allowed to queue back to or reverse onto/from public road at any time during the planning approval period;
- (c) all existing trees within the Site shall be maintained at all times 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 22.9.2019;
- (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 22.12.2019;
- (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 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 22.9.2019;
- (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 22.12.2019;

- (i) 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; and
- (j) if any of the above planning conditions (d), (e), (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.”

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

Agenda Item 46

Section 16 Application

[Open Meeting (Presentation and Question Sessions Only)]

A/YL-TYST/947 Temporary Warehouse and Open Storage of Exhibition Materials and Construction Materials with Ancillary Office for a Period of 3 Years in “Undetermined” Zone, Lot 1876 RP (Part) in D.D. 117 and Adjoining Government Land, Kung Um Road, Yuen Long
(RNTPC Paper No. A/YL-TYST/947)

Presentation and Question Sessions

179. Mr Steven Y.H. Siu, STP/TMYLW, presented the application and covered the following aspects as detailed in the Paper:

- (a) background to the application;
- (b) temporary warehouse and open storage of exhibition materials and

construction materials with ancillary office for a period of 3 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 comments on the application;
- (d) no public comment was received during the first three weeks of the statutory publication period and no local objection/view was received by the District Officer; and
- (e) the Planning Department (PlanD)’s views – PlanD considered that the temporary use could be tolerated for a period of three years based on the assessments set out in paragraph 12 of the Paper. The applied use was not in conflict with the planning intention of the “Undetermined” (“U”) zone. While the Site fell within an area shown as ‘Road’ on the Recommended Outline Development Plan of Yuen Long South, approval of the application on a temporary basis would not jeopardise the long-term development of the area. The proposed development was not incompatible with the surrounding areas. The Site fell within Category 1 areas in the Town Planning Board Guidelines No. 13E which was considered suitable for open storage and port back-up uses. Concerned government departments had no objection to or no adverse comments on the application. Relevant approval conditions were recommended to address the technical concerns of concerned departments. Four previous applications at the site for various temporary storage, open storage and warehouse uses and 131 similar applications in this part of the “U” zone had been approved.

180. Members had no question on the application.

Deliberation Session

181. After deliberation, the Committee decided to approve the application on a temporary basis for a period of 3 years until 22.3.2022, on the terms of the application as submitted to the Town Planning Board (TPB) and subject to the following conditions:

- “(a) no operation between 7:00 p.m. and 8:00 a.m., as proposed by the applicant, is allowed on the Site during the planning approval period;
- (b) no operation on Sundays and public holidays, as proposed by the applicant, is allowed on the Site during the planning approval period;
- (c) no repairing, dismantling, cleansing, paint-spraying or any other workshop activities, as proposed by the applicant, shall be carried out on the Site at any time during the planning approval period;
- (d) no medium or heavy goods vehicles exceeding 5.5 tonnes, including container tractors/trailers, as defined in the Road Traffic Ordinance are allowed to be parked/stored on or enter/exit the Site, as proposed by the applicant, at any time during the planning approval period;
- (e) no vehicle is allowed to queue back to or reverse onto/from public road at any time during the planning approval period;
- (f) the existing boundary fence on the Site shall be maintained at all times during the planning approval period;
- (g) all existing trees within the Site shall be maintained at all times during the planning approval period;
- (h) the existing drainage facilities on the site shall be maintained at all times during the planning approval period;
- (i) the submission of a condition record of the existing drainage facilities on the Site within 3 months from the date of planning approval to the satisfaction of the Director of Drainage Services or of the TPB by 22.6.2019;
- (j) the provision of fire extinguisher(s) with a valid fire certificate (FS 251)

within 6 weeks from the date of planning approval to the satisfaction of the Director of Fire Services or of the TPB by 3.5.2019;

- (k) the submission of a fire service installations proposal within 6 months from the date of planning approval to the satisfaction of the Director of Fire Services or of the TPB by 22.9.2019;
- (l) in relation to (k) above, the implementation of the fire service installations proposal within 9 months from the date of planning approval to the satisfaction of the Director of Fire Services or of the TPB by 22.12.2019;
- (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; and
- (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.”

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

Agenda Item 47

Section 16 Application

[Open Meeting (Presentation and Question Sessions Only)]

A/YL-TYST/948 Temporary Shop and Services (Convenience Store) for a Period of 3 Years in “Residential (Group B) 3” Zone, Government Land in D.D. 124, Tan Kwai Tsuen Road, Hung Shui Kiu, Yuen Long
(RNTPC Paper No. A/YL-TYST/948)

Presentation and Question Sessions

183. Mr Steven Y.H. Siu, STP/TMYLW, presented the application and covered the following aspects as detailed in the Paper:

- (a) background to the application;
- (b) temporary shop and services (convenience store) for a period of 3 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 comments on the application;
- (d) no public comment was received during the first three weeks of the statutory publication period and no local objection/view was received by the District Officer; and
- (e) the Planning Department (PlanD)’s views –PlanD had no objection to the temporary use for a period of three years based on the assessments set out in paragraph 11 of the Paper. Although the applied use was not entirely in line with the planning intention of the “Residential (Group B)3” (“R(B)3”) zone, there was no known programme for long-term development on the Site. Approval of the application on a temporary basis would not jeopardise the long-term planning intention of the “R(B)3” zone. The proposed development was not incompatible with the surrounding areas. Concerned government departments had no objection to or no adverse comments on the application. Relevant approval conditions were recommended to address the technical concerns of concerned departments.

184. Members had no question on the application.

Deliberation Session

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

temporary basis for a period of 3 years until 22.3.2022, on the terms of the application as submitted to the Town Planning Board (TPB) and subject to the following conditions:

- “(a) no operation between 8:00 p.m. and 9:00 a.m., as proposed by the applicant, is allowed on the Site during the planning approval period;
- (b) no loading/unloading activities associated with the applied use is allowed to be carried out on Tan Kwai Tsuen Road, as proposed by the applicant, and Tai To Tsuen Road at any time during the planning approval period;
- (c) 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 22.9.2019;
- (d) in relation to (c) 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 22.12.2019;
- (e) if any of the above planning conditions (a) or (b) is not complied with during the planning approval period, the approval hereby given shall cease to have effect and shall be revoked immediately without further notice; and
- (f) if any of the above planning conditions (c) or (d) 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.”

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

Agenda Item 48

Section 16 Application

[Open Meeting (Presentation and Question Sessions Only)]

A/YL-TYST/949 Renewal of Planning Approval for Temporary “Eating Place (Outside Seating Accommodation of a Licensed Restaurant)” for a Period of 1 Year in “Residential (Group A)” Zone, Government Land in front of Shops No. 4-5, G/F, Blocks 1-9, Treasure Court, 8 Ying Fuk Street, Hung Shui Kiu, Yuen Long
(RNTPC Paper No. A/YL-TYST/949)

Presentation and Question Sessions

187. Mr Steven Y.H. Siu, STP/TMYLW, presented the application and covered the following aspects as detailed in the Paper:

- (a) background to the application;
- (b) renewal of planning approval for temporary “eating place (outside seating accommodation of a licensed restaurant)” for a period of 1 year;
- (c) departmental comments – departmental comments were set out in paragraph 10 of the Paper. Concerned government departments had no objection to or no adverse comments on the application;
- (d) during the first three weeks of the statutory publication period, six public comments were received from individuals objecting to the application. Major grounds were set out in paragraph 11 of the Paper; and
- (e) the Planning Department (PlanD)’s views – PlanD considered that the temporary use could be tolerated for a further period of one year based on the assessments set out in paragraph 12 of the Paper. The applied use was considered not in conflict with the planning intention of the “Residential (Group A)” (“R(A)”) zone. The proposed development was not

incompatible with the surrounding areas. The current renewal application for 1 year was generally in line with Town Planning Board Guidelines No. 34B in that there had been no material change in planning circumstances since the granting of the previous approval, and all approval conditions had been complied with. Concerned government departments had no objection to or no adverse comments on the application. Relevant approval conditions were recommended to address the technical concerns of concerned departments. Seven previous applications at the site for the same use had been approved by the Committee. Regarding the public comments, the comments of government departments and the planning assessments above were relevant.

188. Members had no question on the application.

Deliberation Session

189. After deliberation, the Committee decided to approve the application on a temporary basis for a period of 1 year from 12.5.2019 to 11.5.2020, on the terms of the application as submitted to the Town Planning Board (TPB) and subject to the following conditions :

- “(a) no operation between 10:30 p.m. and 9:00 a.m., as proposed by the applicant, is allowed on the Site during the planning approval period; and
- (b) if the above planning condition (a) 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.”

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

Agenda Item 49

Section 16 Application

[Open Meeting]

A/YL-TYST/950 Proposed Minor Relaxation of Plot Ratio and Building Height Restrictions for Permitted Residential Development in “Residential (Group B) 1” Zone, Lots 1367, 1372 S.A RP, 1372 S.B RP, 1372 RP, 1373 S.B RP, 1373 S.C RP (Part), 1373 S.E RP, 1373 S.F RP, 1839 S.A, 1839 S.B, 1839 S.C, 1839 S.D, 1839 S.E, 1839 RP, 1937 S.A RP, 1937 S.B RP and 1937 RP in D.D. 121 and Adjoining Government Land, Junction of Tong Yan San Tsuen Road and Ma Fung Ling Road, Yuen Long
(RNTPC Paper No. A/YL-TYST/950)

191. The Secretary reported that Llewelyn-Davies Hong Kong Ltd. (LD), Aedas Ltd. (Aedas), LWK & Partners (Hong Kong) Ltd. (LWK), ADI Ltd. (ADI) and Westwood Hong & Associates Ltd. (WHA) were five of the consultants of the applicant. The following Members had declared interests on the item:

- | | | |
|---------------------|---|---|
| Mr Ivan C.S. Fu | - | being a shareholder and a director of LWK; and having current business dealings with ADI and WHA; |
| Mr K.K. Cheung | - | his firm having current business dealings with Aedas; |
| Mr Stephen L.H. Liu | - | having past business dealings with LD and LWK; and |
| Mr Ricky W.Y. Yu | - | his firm having current business dealings with LD. |

192. The Committee noted that the applicant had requested deferment of consideration of the application and Messrs Ivan C.S. Fu and Ricky W.Y. Yu had tendered apologies for being unable to attend the meeting. 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.

193. The Committee noted that the applicant requested on 7.3.2019 deferment of consideration of the application for two months so as to allow time for preparation of further information to address departmental and public comments. It was the first time that the applicant requested deferment of the application.

194. 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 50

Section 16 Application

[Open Meeting]

A/YL-TYST/951 Temporary Vehicle Repair Workshop for a Period of 3 Years in
“Undetermined” Zone, Lot 1231 S.B ss.1 (Part) in D.D. 119, Pak Sha
Tsuen, Yuen Long
(RNTPC Paper No. A/YL-TYST/951)

195. The Committee noted that the applicant's representative requested on 6.3.2019 deferment of consideration of the application for a period of two months so as to allow time to address the concerns of relevant departments. It was the first time that the applicant requested deferment of the application.

196. 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 51

Section 16 Application

[Open Meeting (Presentation and Question Sessions Only)]

A/YL-TYST/952 Renewal of Planning Approval for Temporary "Open Storage of Construction Machinery with Ancillary Site Office" for a Period of 3 Years in "Undetermined" Zone, Lots 2361 (Part), 2362 (Part), 2363 (Part), 2364 (Part), 2365 (Part), 2366 RP (Part), 2370, 2371, 2372 (Part) and 2374 (Part) in D.D. 120 and Adjoining Government Land, Tong Yan San Tsuen, Yuen Long
(RNTPC Paper No. A/YL-TYST/952)

Presentation and Question Sessions

197. Mr Steven Y.H. Siu, STP/TMYLW, drew Member's attention that one replacement page (page 7 of the Paper) making revision to departmental comment was tabled at the meeting for Members' reference. He then presented the application and covered the following aspects as detailed in the Paper:

- (a) background to the application;
- (b) renewal of planning approval for temporary "open storage of construction machinery with ancillary site office" for a period of 3 years;
- (c) departmental comments – departmental comments were set out in

paragraph 10 of the Paper. The Director of Environmental Protection (DEP) did not support the application as there were sensitive receivers of residential use in the vicinity and the applied use would cause traffic of heavy vehicles, environmental nuisance was expected. As northern part of the Site fell within the boundary of Yuen Long South development – Stage 1, the Project Manager (West), Civil Engineering and Development Department (PM(W), CEDD) objected to the application unless there was restriction on the period of use/development of the northern part till September 2021 only. Other concerned government departments had no objection to or no adverse comments on the application;

- (d) no public comment was received during the first three weeks of the statutory publication period and no local objection/view was received by the District Officer; and
- (e) the Planning Department (PlanD)'s views – PlanD considered that the temporary use could be tolerated for a period of three years based on the assessments set out in paragraph 12 of the Paper. The applied use was not in conflict with the planning intention of the “Undetermined” (“U”) zone. While the Site falls within an area zoned ‘District Open Space’ on the Recommended Outline Development Plan of Yuen Long South, the programme of land resumption would follow the project programme notwithstanding the validity period of the planning permission to be granted, hence approval of the application on a temporary basis would not jeopardise the long-term development of the area. The proposed development was not incompatible with the surrounding areas. The Site fell within Category 1 areas in the Town Planning Board Guidelines No. 13E which was considered suitable for open storage and port back-up uses. The current renewal application for 3 years was generally in line with Town Planning Board Guidelines No. 34B in that there had been no material change in planning circumstances since the granting of the previous approved application, and all approval conditions had been complied with. Apart from PM(W), CEDD and DEP, concerned government departments had no objection to or no adverse comments on

the application, while no environmental complaint was received by DEP in the past three years. Relevant approval conditions were recommended to address the technical concerns of concerned departments. Five previous applications at the Site for similar open storage use and 133 similar applications in this part of the “U” zone had been approved by the Committee.

198. A Member enquired the reason for removing the comment on working hours by the Commissioner for Transport (C for T). Mr Steven Y.H. Siu, STP/TMYLW, responded that such change was suggested by C for T and it was possibly due to no environmental complaint concerning the Site had been received in the past three years.

Deliberation Session

199. Members noted that the Site might be subject to land resumption for the implementation of Yuen Long South which might take place at any time before the expiry of the temporary planning permission. An advisory clause to remind the applicant on this aspect had been included.

200. Members noted that the approval condition on working hours restriction was imposed for similar approved applications in the area for environmental reasons, such condition should be retained.

201. After deliberation, the Committee decided to approve the application on a temporary basis for a period of 3 years from 23.4.2019 to 22.4.2022, on the terms of the application as submitted to the Town Planning Board (TPB) and subject to the following conditions:

- “(a) no operation between 7:00 p.m. and 9:00 a.m., as proposed by the applicant, is allowed on the Site during the planning approval period;
- (b) no operation on Sundays and public holidays, as proposed by the applicant, is allowed on the Site during the planning approval period;

- (c) no 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;
- (d) no repairing, dismantling, maintenance, cleansing or any other workshop activities, as proposed by the applicant, are 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 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;
- (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 fencing on the Site shall be maintained at all times during the planning approval period;
- (h) all existing trees within the Site shall be maintained at all times during the planning approval period;
- (i) the existing drainage facilities on the Site shall be maintained at all times during the planning approval period;
- (j) the submission of a condition record of the existing drainage facilities on the Site within 3 months from the date of commencement of the renewed planning approval to the satisfaction of the Director of Drainage Services or of the TPB by 23.7.2019;
- (k) 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 4.6.2019;

- (l) the submission of fire service installations proposal within 6 months from the date of commencement of the renewed planning approval to the satisfaction of the Director of Fire Services or of the TPB by 23.10.2019;
- (m) in relation to (l) above, the implementation of 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 23.1.2020;
- (n) if any of the above planning conditions (a), (b), (c), (d), (e), (f), (g), (h) or (i) is not complied with during the planning approval period, the approval hereby given shall cease to have effect and shall be revoked immediately without further notice; and
- (o) if any of the above planning conditions (j), (k), (l) or (m) is not complied with by the specified date, the approval hereby given shall cease to have effect and shall on the same date be revoked without further notice.”

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

Agenda Item 52

Section 16 Application

[Open Meeting]

A/YL/251 Proposed Office and Shop and Services in “Residential (Group A)”
Zone, 8 Yuen Long Pau Cheung Square, Yuen Long
(RNTPC Paper No. A/YL/251A)

203. The Committee noted that the applicant’s representative requested on 4.3.2019 deferment of consideration of the application for a period of two months so as to allow time

to address the concerns 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 including a revised traffic impact assessment and justifications for internal transport facilities provision to address departmental comments.

204. 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 53

Section 16 Application

[Open Meeting]

A/YL/254

Proposed Minor Relaxation of Building Height Restriction for Permitted Social Welfare Facility (Residential Care Home for the Elderly) in "Government, Institution or Community (1)" and "Government, Institution or Community (5)" Zones, Lot 1846 RP (Part) in D.D. 120 and Adjoining Government Land, Ma Tin Pok, Yuen Long
(RNTPC Paper No. A/YL/254)

205. The Secretary reported that Landes Ltd. (Landes) was one of the consultants of the applicant. The following Member had declared interest on the item:

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

206. The Committee noted that the applicant had requested deferment of consideration of the application and Mr Ivan C.S. Fu had tendered apologies for being unable to attend the meeting.

207. The Committee noted that the applicant requested on 5.3.2019 deferment of consideration of the application for two months so as to allow time for preparation of further information to address departmental comments. It was the first time that the applicant requested deferment of the application.

208. 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 54

Section 16 Application

[Open Meeting]

A/YL/255

Temporary Public Vehicle Park (excluding container vehicle) for a Period of 6 Years in "Government, Institution or Community" and "Open Space" Zones, Lots 305 RP (Part), 307 (Part), 308, 309, 310 (Part), 311 (Part), 312 RP, 313 RP, 316 RP, 1220 RP (Part), 1223 (Part), 1224 RP (Part) and 1225 RP (Part) in D.D. 116, and Adjoining Government Land, Au Tau, Yuen Long
(RNTPC Paper No. A/YL/255)

209. The Committee noted that the applicant's representative requested on 7.3.2019 deferment of consideration of the application for a period of two months so as to allow time to address the concerns of relevant departments. It was the first time that the applicant requested deferment of the application.

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

[The Chairperson thanked Mr Simon P.H. Chan, Ms Jessica Y.C. Ho, Ms Bonnie K.C. Lee, Ms Stella Y. Ng and Mr Steven Y.H. Siu, STPs/TMYLW, for their attendance to answer Members' enquiries. They left the meeting at this point.]

Agenda Item 55

Any Other Business

211. A Member considered that the submission of hard copy of documents and technical reports was not environmentally friendly and enquired if there was any administrative measure to reduce paper submission. The Chairperson responded that the applicants had been encouraged to avoid voluminous reports and to provide submissions by electronic means in the Guidance Notes for submission. The message could be further publicised when opportunity arose.

212. There being no other business, the meeting closed at 6:00 p.m..