

**TOWN PLANNING BOARD**

**Minutes of 629<sup>th</sup> Meeting of the  
Rural and New Town Planning Committee held at 2:30 p.m. on 5.7.2019**

**Present**

Director of Planning  
Mr Raymond K.W. Lee

Chairman

Mr H.W. Cheung

Vice-chairman

Dr F.C. Chan

Mr David Y.T. Lui

Mr Philip S.L. Kan

Mr K.K. Cheung

Dr C.H. Hau

Dr Lawrence K.C. Li

Mr Stephen L.H. Liu

Miss Winnie W.M. Ng

Mr L.T. Kwok

Mr K.W. Leung

Dr Jeanne C.Y. Ng

Chief Traffic Engineer/New Territories West,  
Transport Department  
Mr B.K. Chow

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 Alan K.L. Lo

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

Secretary

**Absent with Apologies**

Mr Ivan C.S. Fu

Mr Peter K.T. Yuen

Mr Ricky W.Y. Yu

**In Attendance**

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

Chief Town Planner/Town Planning Board  
Mr Kevin C.P. Ng

Town Planner/Town Planning Board  
Miss Kirstie Y.L. Law

**Agenda Item 1**

**Confirmation of the Draft Minutes of the 628<sup>th</sup> RNTPC Meeting held on 21.6.2019**

[Open Meeting]

1. The draft minutes of the 628<sup>th</sup> RNTPC meeting held on 21.6.2019 were confirmed without amendments.

**Agenda Item 2**

**Matters Arising**

[Open Meeting]

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

**Sai Kung and Islands District**

**Agenda Item 3**

**Section 12A Application**

[Open Meeting]

Y/SK-HC/4

Application for Amendment to the Approved Ho Chung Outline Zoning Plan No. S/SK-HC/11, To Rezone the Application Site from “Conservation Area” and “Village Type Development” to “Village Type Development”, Lot 764 in D.D.249 and Adjoining Government Land, Wang Che, Sai Kung  
(RNTPC Paper No. Y/SK-HC/4A)

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3. The Committee noted that the applicant’s representative requested on 30.5.2019 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 including responses to comments to address

departmental comments.

4. 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.

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

[Mr Richard Y.L. Siu, Senior Town Planner/Sai Kung and Islands (STP/SKIs), was invited to the meeting at this point.]

#### **Agenda Item 4**

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

[Open Meeting (Presentation and Question Sessions Only)]

A/I-MWF/26-2      Proposed Class B Amendment - Category 18, Extension of time for  
Commencement for the Approved House under Application No.  
A/I-MWF/26-2  
(RNTPC Paper No. A/I-MWF/26-2)

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

5. Mr Richard Y.L. Siu, STP/SKIs, presented the application and covered the following aspects as detailed in the Paper:

- (a) background to the application;
- (b) extension of time (EOT) for commencement of development for the approved house under Application No. A/I-MWF/26;
- (c) departmental comments – departmental comments were set out in paragraph 5 of the Paper. The District Lands Officer/Islands, Lands Department (DLO/Is) did not support the application as the ‘village environ’ (‘VE’) of the recognised village Luk Tei Tong should be primarily preserved for Small House (SH) development by indigenous villagers under the SH policy, and that the application was submitted by a non-indigenous villager for land exchange to permit building development on the Site which should not be entertained. Other concerned government departments had no adverse comments or no objection to the application; and
- (d) the Planning Department (PlanD)’s views – PlanD had no objection to the application for EOT for commencement of development based on the assessment set out in paragraph 6 of the Paper. Members noted that DLO/Is did not support the application on the same ground in commenting on the original application. The Committee decided to approve the application on consideration that land use planning and land administration were under two separate regimes. There had been no change in planning circumstances since the original permission was granted and the EOT application was considered generally in line with the Town Planning Board Guidelines No. 35C (TPB PG-No. 35C). The land use zoning of the Site remained unchanged and no adverse planning implication arising from the EOT application was anticipated. The commencement of the application was delayed due to some technical/practical problems which were beyond the control of the applicants; and the applicants had taken action to implement the approved scheme by submitting information to DLO/Is, LandsD for a proposed land exchange after obtaining the previous planning approval. Other relevant departments had no objection to or adverse comments on the application. The proposed extension period (i.e. 48

months) was considered not unreasonable.

6. The Chairman supplemented that according to TPB PG-No. 36B, the Board had delegated its authority to the Director of Planning to consider section 16A applications. However, when there was any objection from the concerned government departments, the application would be submitted to the Board for consideration.

7. In response to a Member's enquiry, the Chairman confirmed that should LandsD refuse to process the land exchange, the development could not be implemented even if the application was approved by the Committee.

### Deliberation Session

8. A Member enquired whether the applicants could make another EOT application after four years if the proposed development still had not yet commenced by then. The Secretary explained that according to TPB PG-No. 35C, any extension(s) of time for commencement of development should not result in an aggregate extension period longer than the original duration for commencement of the approved development proposal. In the subject case, the applicant could only be allowed a maximum EOT of four years for commencement of development. If more time was required, the applicants would need to submit a fresh s.16 application.

9. A Member considered that land exchange was the main factor affecting the implementation of the development. The liaison between the applicants and LandsD over the past four years had demonstrated that LandsD would not entertain an application submitted by a non-indigenous villager for land exchange for site within the 'village environ', hence the Member had reservation on approving the EOT application.

10. With reference to the minutes of the Committee on 17.7.2015, the Chairman recapitulated the Committee's previous consideration of the original application. He remarked that there had been no major change in planning circumstances since the original permission was granted.

11. Some Members agreed with PlanD's recommendation to approve the EOT

application and made the following main points:

- (a) the consideration on whether to approve the EOT application should be based on land use planning considerations whereas whether the applicants could obtain approval for land exchange was a matter for LandsD to decide;
- (b) as compared with the previous assessment of the original application by the Committee, there was no major change in planning circumstances which would constitute a change in consideration of the application; and
- (c) the application was in line with the TPB PG-No. 36B and the extension period was not unreasonable.

12. After deliberation, the Committee decided to approve the EOT application to extend the time limit for commencement of the approved development for 48 months until 17.7.2023 as proposed by the applicants subject to the same conditions (a) and (b) attached to the previous planning permission granted for the original application (No. A/I-MWF/26).

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

### **Agenda Items 5 to 8**

#### **Section 16 Applications**

[Open Meeting]

A/SK-HC/307 Proposed House (New Territories Exempted House - Small House) in “Agriculture” Zone, Lot 37 in D.D. 244, Ho Chung, Sai Kung

A/SK-HC/308 Proposed House (New Territories Exempted House - Small House) in “Agriculture” Zone, Lot 39 in D.D. 244, Ho Chung, Sai Kung

A/SK-HC/309 Proposed House (New Territories Exempted House - Small House) in  
“Agriculture” Zone, Lot 40 S.C in D.D. 244, Ho Chung, Sai Kung

A/SK-HC/310 Proposed House (New Territories Exempted House - Small House) in  
“Agriculture” Zone, Lots 40 S.B and 41 RP in D.D. 244, Ho Chung,  
Sai Kung  
(RNTPC Paper No. A/SK-HC/307, 308, 309 and 310)

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14. The Committee noted that the four s.16 applications were covered in one paper and could be considered together as they were similar in nature and the application sites were located closely together, within the same “Agriculture” zone.

15. The Committee noted that the applicants’ representatives requested on 18.6.2019 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 applicants requested deferment of the applications.

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

[The Chairman thanked Mr Richard Y.L. Siu, STP/SKIs, for his attendance to answer Members’ enquiries. He left the meeting at this point.]

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



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

**Agenda Item 9**

**Section 16 Application**

[Open Meeting (Presentation and Question Sessions Only)]

A/MOS/122                      Proposed Subsidized Sale Flats Development with Minor Relaxation of Domestic Plot Ratio Restriction from 5.50 to 5.53 in “Green Belt” and “Residential (Group A) 9” Zones and an area shown as ‘Road’, Government Land at Ma On Shan Road, Ma On Shan Area 81A  
(RNTPC Paper No. A/MOS/122)

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17.                      The Secretary reported that the application was submitted by the Hong Kong Housing Authority (HKHA), with the Housing Department as its executive arm. The following Members had declared interests on the item:

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| Mr Martin W.C. Kwan<br><i>as the Chief Engineer (Works),<br/>Home Affairs Department</i> | - being an alternate representative of the Director of Home Affairs who was a member of the Strategic Planning Committee and the Subsidized Housing Committee of HKHA; |
| Mr K.K. Cheung   | - his firm having current business dealings with HKHA;   |
| Dr C.H. Hau  | - his institute having current business dealings with HKHA; and  |
| Mr Ivan C.S. Fu  | } having past business dealings with HKHA.   |
| Mr Stephen L.H. Liu  |  |

18.                      The Committee noted that Mr Ivan C.S. Fu had tendered apology for being unable to attend the meeting. As the interests of Mr Martin W.C. Kwan was direct, the

Committee agreed that he should be invited to leave the meeting temporarily for the item. The Committee also agreed that Messrs K.K. Cheung and Stephen L.H. Liu and Dr C.H. Hau could stay in the meeting as they had no involvement in the application.

[Mr Martin W.C. Kwan left the meeting temporarily at this point.]

### Presentation and Question Sessions

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

- (a) background to the application;
- (b) proposed subsidized sale flats (SSF) development with minor relaxation of domestic plot ratio (PR) from 5.50 to 5.53;
- (c) departmental comments – departmental comments were set out in paragraph 8 of the Paper. Concerned departments had no objection to or no adverse comment on the application;
- (d) during the first three weeks of the statutory publication period, three public comments were received, with one supporting comment received from an individual, and two objecting comments received from a Sha Tin District Council Member and an individual. Major views were set out in paragraph 9 of the Paper; and
- (e) the Planning Department (PlanD)'s views – PlanD had no objection to the application based on the assessments set out in paragraph 10 of the Paper. The current application was for minor relaxation of domestic PR restriction from 5.50 to 5.53 for the committed SSF development approved under application No. A/MOS/120. Minor relaxation of the domestic PR was in line with the Government's policy to optimize land resources to meet the housing needs. The increase in building height was not incompatible with the overall development profile in Ma On Shan. The current scheme was

not anticipated to induce significant adverse environmental, noise, traffic, visual and landscape impacts. The circumstances of the current application were similar to the previously approved application. Regarding the adverse public comments, the comments of government departments and planning assessments above were relevant.

### Deliberation Session

20. Some Members expressed support on the application to increase flat production. Regarding a Member's question on the possibility to further increase the domestic PR of the development, the Committee noted that the development was already at an advanced piling stage. According to the review on the loading capacity of the foundation design, the increase of about ten flats was feasible without causing significant delay in project programme.

21. After deliberation, the Committee decided to approve the application, on the terms of the application as submitted to the Town Planning Board (TPB). The permission should be valid until 5.7.2023, 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.

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

[Mr Martin W.C. Kwan returned to join the meeting at this point.]

**Agenda Item 10**

**Section 16 Application**

[Open Meeting]

A/NE-SSH/130 Proposed Public Utility Installation (Package Substation and Underground Cables) and Excavation of Land in “Coastal Protection Area” and “Conservation Area” Zones, Government Land in D.D. 163, Lots 686 (part) and 754 (part) in D.D. 209 and Adjoining Government Land, Kei Ling Ha Lo Wai, Shap Sz Heung, Sai Kung  
(RNTPC Paper No. A/NE-SSH/130)

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

Dr Jeanne C.Y. Ng - being the Director of the Research Institute of CLP Holdings Ltd.;

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

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

24. The Committee noted that the applicant had requested deferral of consideration of the application. The Committee agreed that Dr Jeanne C.Y. Ng could stay in the meeting but should refrain from participating in the discussion as her interest was direct. 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.

25. The Committee noted that the applicant’s representative requested on 20.6.2019 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.

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

### **Agenda Item 11**

#### **Section 16 Application**

[Open Meeting]

A/NE-SLT/2                      Proposed nature reserve (including artificial marsh and eco-pond) and associated filling/excavation of land in "Conservation Area" and "Site of Special Scientific Interest" Zones, Various lots in D.D. 31, Sha Lo Tung, Tai Po  
  
(RNTPC Paper No. A/NE-SLT/2A)

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27. The Committee noted that the applicant requested on 2.7.2019 deferment of consideration of the application for two months so as to allow time for preparation of further information in response to 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 providing responses to departmental comments with a set of revised technical assessment.

28. After deliberation, the Committee decided to defer a decision on the application as requested by the applicant pending the submission of further information from the applicant. The Committee agreed that the application should be submitted for its consideration within two months from the date of receipt of further information from the

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

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

### **Agenda Item 12**

#### **Section 16 Application**

[Open Meeting (Presentation and Question Sessions Only)]

A/NE-TK/649            Proposed Public Utility Installation (Solar Energy System) in  
                                 "Agriculture" Zone, Lot 646 S.A in D.D. 23, Po Sam Pai Village,  
                                 Shuen Wan, Tai Po  
                                 (RNTPC Paper No. A/NE-TK/649C)

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

29.            The Secretary reported that the application was related to the installation of solar energy system. Mr H.W. Cheung, the Vice-chairman, had declared an interest for being the Chairman of the Green Building Council, which had been supporting the use of solar panel. As Mr H.W. Cheung had no involvement in the application, the Committee agreed that he could stay in the meeting.

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

- (a)    background to the application;
- (b)    proposed public utility installation (solar energy system);

- (c) departmental comments – departmental comments were set out in paragraph 8 of the Paper. While the Director of Agriculture, Fisheries and Conservation (DAFC) did not support the application on the ground that the Site possessed potential for agricultural rehabilitation, he considered that the land covered by the proposed solar panels could be used for agricultural activities such as open-field cultivation, greenhouses, plant nurseries, etc. The Director of Environmental Protection (DEP) advised that the applicant had submitted application to join the ‘Renewable Energy Feed-in Tariff Scheme’ of CLP Power Hong Kong Ltd. (CLP). In view of the dominant purpose, nature and scale of the proposed development, DEP had no objection to the application. The Secretary for the Environment supported the development of renewable energy and encouraged the community to develop distributed renewable energy. Other concerned departments had no objection to or no adverse comment on the application;
  
- (d) during the first three weeks of the statutory publication period, ten comments were received from Kadoorie Farm and Botanic Garden, World Wide Fund for Nature Hong Kong, Designing Hong Kong Limited, the Hong Kong Bird Watching Society and individuals raising concerns or objection to the application. The major views were set out in paragraph 9 of the Paper; and
  
- (e) the Planning Department (PlanD)’s views – PlanD had no objection to the application based on the assessment set out in paragraph 10 of the Paper. While the proposed development was not entirely in line with the planning intention of the “Agriculture” (“AGR”) zone, as advised by DAFC, the Site could still be used for agricultural activities such as open-field cultivation, greenhouses and plant nurseries. The electricity generated by the proposed solar energy system would be sold to CLP under the ‘Renewal Energy Feed-in Tariff Scheme’. Concerned government departments had no adverse comment/objection to the application. Approval conditions were recommended to address the concerns from the Drainage Services Department. Regarding the adverse public comments, comments of concerned departments and the planning assessments above were relevant.

31. In response to a Member's enquiry, Ms Kathy C.L. Chan, STP/STN, clarified that the unit for calculating electricity should read as "kWh" (kilowatt-hours) instead of "kW". Relevant descriptions in the Paper should be rectified.

32. In response to two other Members' enquiries, Ms Chan confirmed that the current application was the first application for installation of solar energy system on private land. She explained that according to the information provided by the applicant, two 3m-high steel racks would be erected on the Site, where solar panels would be installed at the top of the racks, which would be higher than the existing one-storey domestic structure of 2.8m. The steel rack with solar panels would only cover part of the Site so that existing trees at the centre of the Site would not be affected. Regarding the comments from DAFC, she explained that while the agricultural land would be covered by the solar panels, DAFC considered that some agricultural activities such as open-field cultivation, greenhouses, plant nurseries could still be carried out at the Site.

#### Deliberation Session

33. Some Members made the following main points:

- (a) they supported the use in nature as it contributed to generation of renewable energy, which was an environmental friendly initiative;
- (b) noting that the application was the first planning application processed by the Committee for installation of solar energy system on private land, the Committee's consideration on the application was important as it had implications on future similar applications; and
- (c) the 'Renewable Energy Feed-in Tariff Scheme' of CLP would likely generate great incentives for development of solar energy system in the rural area, which might have significant implications on the future use of agricultural land.

34. In response to a Member's enquiry on whether planning permission would be



required for erection of structures on land zoned “Agriculture” (“AGR”) on the outline zoning plan, the Committee noted that it would depend on the proposed use of the structure. Mr Alan K.L. Lo, Assistant Director/Regional 3, Lands Department (AD(R3), LandsD), supplemented that any new structure to be constructed on agricultural land would require a short term waiver from LandsD. For installation of solar panel on an existing structure, relevant guidelines relating to the installation of environmental friendly features and/or solar photovoltaic system should be observed.

35. The Vice-chairman and a Member supplemented the following main points relating to the installation of solar panels and the ‘Renewable Energy Feed-in Tariff Scheme’ of CLP to facilitate the discussion:

- (a) solar panels were prone to damages in the natural environment and required regular maintenance. Hence they were commonly installed at roof of buildings or at a level that was easily accessible for maintenance;
- (b) while certain distance from the ground was required for the installation of solar panels so as to enhance energy efficiency, installation on 3m high racks above the ground was not common; and
- (c) the feasibility of the proposed solar energy system and its contribution to the ‘Renewable Energy Feed-in Tariff Scheme’ would depend on whether the Site could be successfully connected to the CLP grid.

36. Some Members considered that agricultural activities could be carried out beneath the racks, but some Members were concerned about the possible unauthorized uses of the space underneath the solar panels as the proposed height of the racks of 3m was not justified. Another Member considered that planning enforcement action could be undertaken in case of subsequent unauthorized development.

37. In response to a Member’s query, the definition of terms of ‘Public Utility Installation’ was shown on the visualizer. The Member considered that the application could be favourably considered by the Committee, as other technical concerns could be monitored by the concerned departments like the Buildings Department and LandsD.

38. Some Members raised the following main points:

- (a) while achieving sustainability was the aim for encouraging development of renewable energy, whether the proposed solar energy system could be connected to CLP's grid and its efficiency to reduce energy loss during transfer were important considerations;
- (b) the agreed payback period of CLP for the "Renewable Energy Feed-in Tariff Scheme" and the shelf life of the solar panel were relevant information for consideration of the application; and
- (c) the information currently provided by the applicant was not sufficient for the Committee to comprehensively consider the application.

39. A Member remarked that given the limited shelf life of the solar energy system and the possible long term implication on agricultural land, planning applications for such kind of use within "AGR" zone should not warrant permanent approval, while temporary approval might be considered based on individual merits.

40. The Chairman concluded that while the Committee appreciated the purpose of the application was to generate renewable energy, the following further information was required for Members' consideration of the application:

- (a) the technical feasibility of the installation and maintenance of the proposed solar energy system;
- (b) shelf life of the solar energy system and the related technology;
- (c) the proposed arrangement of the proposed solar energy system to the CLP's grid; and
- (d) CLP's views on the proposal.

41. After deliberation, the Committee decided to defer a decision on the application, pending submission of further information as set out in paragraph 40 above.

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

### **Agenda Item 13**

#### **Section 16 Application**

[Open Meeting (Presentation and Question Sessions Only)]

A/NE-TK/670 Proposed Temporary Public Vehicle Park (Private Cars Only) for a Period of 3 Years in “Recreation” Zones, Lots 1657 (Part), 1658 (Part), 1663 RP (Part), 1672 (Part), 1674 (Part), 1675, 1676 and 1678 (Part) in D.D. 17, Ting Kok Village, Tai Po  
(RNTPC Paper No. A/NE-TK/670)

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

42. 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 temporary public vehicle park (private cars only) for a period of three years;
- (c) departmental comments – departmental comments were set out in paragraph 9 of the Paper. The Head of Geotechnical Engineering Office, Civil Engineering and Development Department (H(GEO), CEDD) did not support the application. Noting that unauthorized site formation (cutting and filling) works at and in the vicinity of the Site were reported to GEO in 2009 and 2011 and a number of cut/fill slopes were formed in association with these unauthorized site formation work, the stability conditions of the man-made slopes that might affect or be affected by the proposed

development, including those slopes formed in association with the unauthorised site formation works, were currently uncertain. The applicant had not submitted a Geotechnical Planning Review Report (GPRR) to demonstrate that the proposed development would not cause adverse geotechnical impact within the Site and on the surrounding areas. Other concerned departments had no objection to or no adverse comment on the application;

- (d) during the first three weeks of the statutory publication period, four public comments raising concerns or objection to the application were received from World Wide Fund for Nature Hong Kong, Designing Hong Kong Limited and individuals. Major objection 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. In view of the fact that the stability conditions of the man-made slopes that might affect or be affected by the proposed development, including those slopes formed in association with the unauthorised site formation works, were currently uncertain, and that the applicant had not submitted a GPRR to demonstrate that the proposed development would not cause adverse geotechnical impact on the Site and its surrounding area, H(GEO), CEDD did not support the application from geotechnical engineering point of view. Regarding the adverse public comments, the comments of government departments and planning assessments above were relevant.

43. In response to a Member's enquiry relating to the unauthorised site formation works at the Site, Ms Kathy C.L. Chan, STP/STN, said that no lease enforcement action was taken by the Lands Department (LandsD) as the unauthorised site formation works did not breach the lease. However, advisory letters had been issued by LandsD to the lot owners requiring them to restore the original landscape and provide cover on the slope.

Deliberation Session

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

“the applicant fails to demonstrate that the proposed development would not result in adverse geotechnical impact on the Site and its surrounding areas.”

#### **Agenda Item 14**

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

[Open Meeting (Presentation and Question Sessions Only)]

A/NE-FTA/190 Temporary Open Storage of Construction Materials for a Period of 3 Years in “Agriculture” and “Open Space” Zones and an area shown as ‘Road’, Lots 184 RP and 187 RP (Part) in D.D. 52 and Adjoining Government Land, Sheung Shui Wa Shan, Sheung Shui  
(RNTPC Paper No. A/NE-FTA/190A)

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

45. 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) temporary open storage of construction materials for a period of three years;
- (c) departmental comments – departmental comments were set out in paragraph 10 of the Paper. The Commissioner for Transport considered that the application could be tolerated from traffic engineering viewpoint. The Director of Environmental Protection (DEP) did not support the application as the proposed use involved storage of dusty construction materials and there were domestic structures in the vicinity of the Site. Other concerned departments had no objection to or no adverse comment

on the application;

- (d) during the first three weeks of the statutory publication period, a comment was received from the Chairman of Sheung Shui District Rural Committee indicating no comment on the application; and
- (e) the Planning Department (PlanD)'s views – PlanD considered that the proposed use could be tolerated for a period of three years based on the assessments set out in paragraph 12 of the Paper. While the temporary open storage use was not in line with the planning intention of the “Agriculture” (“AGR”) zone, the Site was already hard paved and agricultural activity in its vicinity was inactive, and the Site had been approved for similar uses of open storage of construction materials on a temporary basis previously. The Director of Agriculture, Fisheries and Conservation had no strong view on the application. As there were no definite implementation programme for the subject open space, and that the remaining phase of Fanling North New Development Area (FLN NDA) was anticipated to commence in 2024, approval of the application on a temporary basis for a period of three years would not frustrate the planning intentions of the “AGR” and “Open Space” zones as well as the implementation of the FLN NDA. Appropriate approval conditions were recommended to address the concerns of DEP on the possible environmental nuisance generated by the proposed development and technical requirements of concerned departments. The application generally complied with the Town Planning Board Guidelines No. 13E. The Site and/or its adjacent area were involved in ten previous applications for various temporary uses, and the circumstances of the subject application were different from the rejected similar applications. Approving the application was in line with the Committee's previous decisions.

46. Members had no question on the application.

Deliberation Session

47. After deliberation, the Committee decided to approve the application on a temporary basis for a period of 3 years until 5.7.2022, on the terms of the application as submitted to the Town Planning Board (TPB) and subject to the following conditions:

- “(a) no operation between 6:30 p.m. and 8:30 a.m. on Mondays to Saturdays, as proposed by the applicants, is allowed on the Site during the planning approval period;
- (b) no operation on Sundays and public holidays, as proposed by the applicants, is allowed on the Site during the planning approval period;
- (c) no medium/heavy goods vehicle exceeding 5.5 tonnes, including container tractor/trailer, as defined in the Road Traffic Ordinance, as proposed by the applicants, is allowed to be parked/stored on or enter/exit the Site at any time during the planning approval period;
- (d) no dismantling, maintenance, repairing, cleansing, paint spraying or other workshop activities shall be carried out on the Site at any time during the planning approval period;
- (e) the maintenance of peripheral fencing on Site at all times during the planning approval period;
- (f) the maintenance of all existing trees within the Site at all times during the planning approval period;
- (g) the existing mitigation measures to the ecological sensitive receivers in the vicinity of the Site should be maintained properly at all times during the planning approval period;
- (h) the submission of a drainage proposal within 6 months from date of planning approval to the satisfaction of the Director of Drainage Services or of the TPB by 5.1.2020;

- (i) in relation to (h) above, the provision of drainage facilities within 9 months from the date of planning approval to the satisfaction of the Director of Drainage Services or of the TPB by 5.4.2020;
- (j) the provision of fire extinguisher(s) within 6 weeks from the date of planning approval to the satisfaction of the Director of Fire Services or of the TPB by 16.8.2019;
- (k) the submission of proposals for fire service installations and water supplies for fire-fighting within 6 months from the date of planning approval to the satisfaction of the Director of Fire Services or of the TPB by 5.1.2020;
- (l) in relation to (k) above, the implementation of proposals for fire service installations and water supplies for fire-fighting within 9 months from the date of planning approval to the satisfaction of the Director of Fire Services or of the TPB by 5.4.2020;
- (m) if any of the above planning conditions (a), (b), (c), (d), (e), (f) or (g) is not complied with during the planning approval period, the approval hereby given shall cease to have effect and shall be revoked immediately without further notice;
- (n) if any of the above planning conditions (h), (i), (j), (k) or (l) is not complied with by the specified date, the approval hereby given shall cease to have effect and shall on the same date be revoked without further notice; and
- (o) upon expiry of the planning permission, the reinstatement of the “Agriculture” portion of the Site to an amenity area to the satisfaction of Director of Planning or of the TPB.”

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



**Agenda Items 15 and 16**

**Section 16 Applications**

[Open Meeting (Presentation and Question Sessions Only)]

A/NE-LYT/695 Proposed House (New Territories Exempted House - Small House) in  
“Agriculture” Zone, Lot 1847 S.F in D.D. 76, Kan Tau Tsuen, Fanling

A/NE-LYT/697 Proposed House (New Territories Exempted House - Small House) in  
“Agriculture” Zone, Lot 1847 S.H in D.D. 76, Kan Tau Tsuen, Fanling  
(RNTPC Paper No. A/NE-LYT/695 and 697)

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49. The Committee noted that the two applications for proposed house (New Territories Exempted House (NTEH) – Small House) were similar in nature and the application sites were located closely together and within the same “Agriculture” (“AGR”) zone. The Committee agreed that they could be considered together.

**Presentation and Question Sessions**

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

- (a) background to the applications;
- (b) proposed houses (NTEH – Small House);
- (c) departmental comments – departmental comments were set out in paragraph 9 and Appendix II of the Paper. The Director of Agriculture, Fisheries and Conservation (DAFC) did not support the applications as the Sites possessed potential for agricultural rehabilitation. The Commissioner for Transport (C for T) had reservation on the applications and advised that Small House developments should be confined within the “Village Type Development” (“V”) zone as far as possible, but considered that the construction of two Small Houses could be tolerated. Local views conveyed by the District Officer (North) were set out in paragraph 9.1 of

the Paper;

- (d) during the first three weeks of the statutory publication period, four public comments were received for each application. The Chairman of Sheung Shui District Rural Committee indicated no comment on the applications, and three objecting comments were received from the Vice-chairman of Fanling District Rural Committee, Designing Hong Kong Limited and an individual on both applications. Major objection 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 developments were not in line with the planning intention of the “Agriculture” (“AGR”) zone, and DAFC did not support the applications as the Sites possessed potential for agricultural rehabilitation. Regarding the Interim Criteria, more than 50% of the footprints of the proposed Small Houses fell within the ‘village environ’ (VE) of Kan Tau Tsuen. While the land available within the “V” zone was insufficient to fully meet the future Small House demand, land was still available within the “V” zone to meet the outstanding 67 Small House applications. Given the adoption of more cautious approach in approving applications for Small House development in the recent years, 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 infrastructure and services. While the Sites were the subject of a previous planning application (No. A/NE-LYT/299) for development of four Small Houses, it was approved by the Committee before the adoption of a more cautious approach in considering Small Houses application in recent years. Besides, it should be noted that the previous application was submitted by different applicants, that the planning permission had lapsed and the current applications should be assessed as fresh applications based on the prevailing circumstances according to the Interim Criteria. There were 12 similar applications for Small House development within/partly within the “AGR” zone in the vicinity of the

Sites. Nine were approved by the Committee, of which five were approved after the adoption of a more cautious approach mainly on sympathetic consideration which might not be applicable to the current applications. Three remaining similar applications were rejected mainly on the grounds that land was still available within the “V” zone. The circumstances of the current applications were more similar to one of the rejected applications (No. A/NE-LYT/593). Regarding the adverse public comments, the comments of government departments and planning assessments above were relevant.

51. Members had no question on the application.

#### Deliberation Session

52. 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 in the Lung Yeuk Tau and Kwan Tei South 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” (“V”) zone of Kan Tau Tsuen 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 (Presentation and Question Sessions Only)]

A/NE-TKL/616      Proposed House (New Territories Exempted House - Small House) in  
“Agriculture” Zone, Lots 1088 S.A ss.1 S.H and 1089 S.H in D.D. 82,  
Tong Fong Village, Ta Kwu Ling  
(RNTPC Paper No. A/NE-TKL/616)

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**Presentation and Question Sessions**

53.      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 (NTEH) - Small House);
- (c) departmental comments – departmental comments were set out in paragraph 9 and Appendix II of the Paper. The Director of Agriculture, Fisheries and Conservation (DAFC) did not support the application as agricultural activities were active in the vicinity and agricultural infrastructure such as road access and water source were available, and the Site possessed potential for agricultural rehabilitation. The Commissioner for Transport (C for T) had reservation on the application but considered that the application involving development of a Small House could be tolerated. Other concerned departments had no objection to or no adverse comments on the application;
- (d) during the first three weeks of the statutory publication periods, four public comments were received. The Chairman of Sheung Shui District Rural Committee and a North District Council member had no comment on the application, while Designing Hong Kong Limited and an individual

objected to the application. Major views were set out in paragraph 10 of the Paper; and

- (e) the Planning Department (PlanD)'s views – PlanD had no objection to the application based on the assessments set out in paragraph 11 of the Paper. The proposed Small House development was not in line with the planning intention of the “Agriculture” (“AGR”) zone. While DAFC did not support the application as the Site possessed potential for agricultural rehabilitation, the proposed Small House development was not incompatible with the surrounding rural setting. C for T considered that the application involving development of a Small House could be tolerated. Other relevant government departments had no adverse comment on or no objection to the application. Regarding the Interim Criteria, more than 50% of the footprints of the proposed Small House fell within the ‘village environ’ of Tong Fong. While land available within the “Village Type Development” (“V”) zone was insufficient to fully meet the total future Small House demand, land was still available within the “V” zone to meeting the outstanding Small House applications. Although it was considered more appropriate to concentrate the proposed Small House development within the “V” zone after the adoption of a more cautious approach in approving applications for Small House development, the Site was the subject of a previously approved planning application submitted by the same applicant and the processing of the Small House grant was already at an advance stage. The Small House grant application at the Site was approved in principle in 2016 but yet to be executed. Sympathetic consideration might be given to the applicant. There were 24 similar applications for Small House development in the vicinity of the Site with 23 approved. There had been no major change in planning circumstances of the area since the approval of similar applications. Regarding the adverse public comments, the comments of government departments and planning assessments above were relevant.

54. Members had no question on the application.

Deliberation Session

55. After deliberation, the Committee decided to approve the application, on the terms of the application as submitted to the Town Planning Board (TPB). The permission should be valid until 5.7.2023, 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 provision of septic tank, as proposed by the applicant, at a location to the satisfaction of the Director of Lands or of the TPB; and
- (b) the submission and implementation of drainage proposal to the satisfaction of the Director of Drainage Services or of the TPB.”

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

57. Noting that the Site was subject of a previously approved planning application submitted by the same applicant and the Small House grant application at the Site was approved by LandsD in 2016, a Member asked whether this kind of applications could be streamlined administratively. The Secretary explained that as stated in the Town Planning Board Guidelines No. 35C, the Board would take the date of execution of the land grant/lease modification in determining whether an approved development had commenced. Although the Small House application at the Site was approved in principle by LandsD in 2016, the land grant had not yet been executed before the planning permission of the previous approved application lapsed and hence the applicant submitted a fresh application. The Chairman said it would be important for the Board to adopt a consistent approach in processing the planning applications while the relevant guidelines could be reviewed to take into account the latest circumstances.

**Agenda Item 18**

**Section 16 Application**

[Open Meeting (Presentation and Question Sessions Only)]

A/NE-TKL/617      Proposed House (New Territories Exempted House - Small House) in  
“Agriculture” Zone, Lot 265 S.J RP in D.D. 79, Ping Yeung Village,  
Ta Kwu Ling  
(RNTPC Paper No. A/NE-TKL/617)

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**Presentation and Question Sessions**

58.            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 (NTEH) – Small House);
- (c) departmental comments – departmental comments were set out in paragraph 9 and Appendix II of the Paper. The District Lands Officer/North, Lands Department did not support the application as the Site fell entirely outside the ‘village environ’ (VE) of Ping Yeung Village. 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) had reservation on the application and advised that Small House development should be confined within the “Village Type Development” (“V”) zone as far as possible. Nonetheless, she considered that an application involving construction of one Small House could be tolerated;
- (d) during the first three weeks of the statutory publication period, five public comments were received. The Chairman of Sheung Shui District Rural Committee indicated no comment on the application and a North District

Council member supported the application. Three objecting comments were received from the Hong Kong Bird Watching Society, Kadoorie Farm and Botanic Garden and an individual. Major views 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 Site fell within an area zoned “Agriculture” (“AGR”) and the proposed Small House development was not in line with the planning intention of “AGR”. DAFC did not support the application as the Site possessed potential for agricultural rehabilitation. As the proposed Small House footprint fell entirely outside the ‘VE’ of Ping Yeung Village and the “V” zone concerned, DLO/N of LandsD objected to the application and advised that the subject Small House grant application was rejected in April 2019. The footprint of the proposed Small House Development fell entirely outside the VE and “V” zone of the concerned village and there was no justifications provided by the applicant that very exceptional circumstances could be applied to the application. Under the more cautious approach adopted in approving applications for Small House development in the recent years, it was considered more appropriate to concentrate the proposed Small House developments within the “V” zone. There was no previous application for the Site and only one similar application in the proximity of the Site which was rejected by the Board on review mainly because of non-compliance with the Interim Criteria. The circumstances of the current application were similar to the rejected application. Regarding the adverse public comments, the comments of government departments and planning assessments above were relevant.

59. Members had no question on the application.

#### Deliberation Session

60. 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 in the Ping Che and Ta Kwu Ling area which is primarily to retain and safeguard good quality agricultural land/farm/fish ponds for agricultural purposes and to retain fallow arable land with good potential for rehabilitation for cultivation and other agricultural purposes. There is no strong planning justification in the submission for a departure from the planning intention;
- (b) the proposed development does not comply with the Interim Criteria for Consideration of Application for New Territories Exempted House/Small House in New Territories in that more than 50% of the footprint of the proposed Small House falls outside the “Village Type Development” (“V”) zone and the village ‘environs’ of Ping Yeung Village; and
- (c) land is still available within the “V” zone of Ping Yeung 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 19**

**Section 16 Application**

[Open Meeting]

A/NE-TKLN/18      Proposed Temporary Vehicle Park (Coach and School Bus Only) for a Period of 3 Years in “Agriculture” and “Village Type Development” Zones, Lots 389 RP, 395 S.A, 395 RP, 396 S.A, 396 RP and 398 RP in D.D.78 and Adjoining Government Land, Tsung Yuen Ha, Ta Kwu Ling North  
(RNTPC Paper No. A/NE-TKLN/18A)

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61.            The Committee noted that the applicant’s representative requested on 26.6.2019

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 had requested deferment of the application. Since the last deferment, the applicant had submitted further information to address the comments from Transport Department.

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

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

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

**Agenda Item 20**

**Section 16 Application**

[Open Meeting (Presentation and Question Sessions Only)]

A/YL-SK/256            Renewal of Planning Approval for Temporary Dog Kennels for a Period of 3 Years in “Conservation Area” Zone, Lots 1353 S.A, 1354 (Part) and 1355 S.A in D.D. 114, Shek Kong, Yuen Long  
(RNTPC Paper No. A/YL-SK/256)

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**Presentation and Question Sessions**

63.            Mr Patrick M.Y. Fung, 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 dog kennels for a period of three years;
- (c) departmental comments – departmental comments were set out in paragraph 10 of the Paper. Concerned departments had no objection to or no adverse comment on the application;
- (d) during the first three weeks of the statutory publication period, no public comment was received; and
- (e) the Planning Department (PlanD)’s views – PlanD considered that the applied use could be tolerated for a period of three years based on the assessments set out in paragraph 12 of the Paper. The Site was the subject of five previous approved planning applications for the same applied use since 2006. The Director of Agriculture, Fisheries and Conservation had no adverse comment on the current application. It was considered that continuation of the temporary dog kennels at the Site would not frustrate the long-term planning intention of the “Conservation Area” (“CA”) zone.

The Site was located at the fringe of the “CA” zone and the development was considered not incompatible with the other rural residential and agricultural land uses in the vicinity. The application was in line with the Town Planning Board Guidelines No. 34B in that previous approvals for the same applied use were granted since 2006 and all conditions of the last approved application (No. A/YL-SK/217) had been complied with. There was no major change in planning circumstances since the last approval. Approval of the current application was in line with the Committee’s previous decisions.

64. In response to a Member’s enquiry, Mr Patrick M.Y. Fung, STP/FSYLE, said that there was no similar application in the subject “CA” zone for ‘dog kennels’, and the Site was involved in five previous applications for the same use submitted by the same applicant, which were all approved by the Committee for a period of three years since 2006.

#### Deliberation Session

65. In response to a Member’s enquiry on the difference between ‘dog kennels’ and ‘animal boarding establishment’, the Secretary replied that a licence granted under the Public Health (Animals) (Boarding Establishment) Regulations (Cap. 139I) was required for such uses, and ‘dog kennels’ was subsumed under ‘Animal Board Establishment’ which also included cattery and stable.

66. In response to the earlier question of another Member, the Chairman supplemented that favourable consideration could be given to the current renewal application as five previous permissions were granted to the same applicant and all approval conditions and relevant licensing requirements had been complied with.

67. After deliberation, the Committee decided to approve the application on a temporary basis for a period of 3 years, and be renewed from 3.8.2019 until 2.8.2022, on the terms of the application as submitted to the Town Planning Board (TPB) and subject to the following conditions:

“(a) the existing trees on the site shall be maintained at all times during the

planning approval period;

- (b) the existing drainage facilities on the site shall be maintained at all times during the planning approval period;
- (c) the submission of a 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 3.11.2019;
- (d) the existing fire service installations implemented on the site shall be maintained in efficient working order at all times during the planning approval period;
- (e) if any of the above planning conditions (a), (b) or (d) is not complied with during the planning approval period, the approval hereby given shall cease to have effect and shall be revoked immediately without further notice;
- (f) if the above planning condition (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; and
- (g) 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.”

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

**Agenda Item 21**

**Section 16 Application**

[Open Meeting (Presentation and Question Sessions Only)]

A/NE-KTS/473      Proposed House (New Territories Exempted House - Small House) in  
“Agriculture” Zone, Lot 643 S.E in D.D. 100, Tsiu Keng Lo Wai  
Village, Sheung Shui  
(RNTPC Paper No. A/NE-KTS/473)

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69.            The Secretary reported that the application site was in Tsiu Keng Lo Wai Village, Sheung Shui. Dr Lawrence K.C. Li had declared an interest on this item for being a member of the Hong Kong Golf Club, which was located to the north of the Site. Since the interest of Dr Lawrence K.C. Li was indirect, the Committee agreed that he could stay in the meeting.

**Presentation and Question Sessions**

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

- (a) background to the application;
- (b) proposed house (New Territories Exempted House (NTEH) – Small House);
- (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 Site possessed potential for agricultural rehabilitation. While the Commissioner for Transport (C for T) had concern on cumulative adverse traffic impact caused by future similar developments, given that the application involved one Small House only, he considered that the application could be tolerated. Other concerned departments had no objection to or no adverse comment on the application;

- (d) during the first three weeks of the statutory publication period, two objecting public comments were received from individuals. Major grounds of objection 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. While the proposed development was not in line with the planning intention of the “Agriculture” zone and DAFC did not support the application as the Site possessed potential for agricultural rehabilitation, the proposed development was not incompatible with surrounding environment. It was not anticipated that the proposed development would have significant adverse landscape, drainage and environmental impacts on the surrounding area. While C for T had concern on cumulative adverse traffic impact caused by future similar developments, he considered that the application could be tolerated as the application involved one Small House only. Regarding the Interim Criteria, the entire footprint of the proposed Small House fell within the ‘village environ’ of Tsiu Keng. There were sufficient land available within the “Village Type Development” zones to meet the outstanding Small House applications though it could not fully meet the 10-year Small House demand. The Site was the subject of a previously approved planning application No. A/NE-KTS/379 for the same use and submitted by the same applicant, but the permission lapsed on 13.12.2018. Since there had been no material change in the planning circumstances in the area and the Small House grant application was being processed by LandsD, sympathetic consideration might be given to the current application. The approval of the current application was in line with the Committee's previous decision. Regarding the adverse public comments, the comments of government departments and planning assessments above were relevant.

#### Deliberation Session

71. A Member enquired whether sympathetic consideration on the application should

be given if the Site had been sold to a different person and the application was submitted by that different person. In response, the Chairman explained that various considerations should be given in assessing the application, including the Committee's previous decision on the Site, the surrounding areas of the Site on whether a new village cluster in the locality was being developed and whether there were changes in planning circumstances. Nonetheless, each application should be considered by the Committee based on its individual merits.

72. The same Member further enquired on the duration in processing the Small House grant application. In response, Mr Alan K.L. Lo, Assistant Director/Regional 3, Lands Department (AD(R3), LandsD), said that the handling time for this application was relatively long due to the background and complexity of the application, in particular the applicant requested cancellation of its previous application and changed the application particulars during its processing.

73. After deliberation, the Committee decided to approve the application, on the terms of the application as submitted to the Town Planning Board (TPB). The permission should be valid until 5.7.2023, 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 provision of septic tank, as proposed by the applicant, at a location to the satisfaction of the Director of Lands or of the TPB; and
- (b) the submission and implementation of drainage proposal to the satisfaction of the Director of Drainage Services or of the TPB.”

74. 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]

A/YL-KTN/633      Temporary Public Car Park (Excluding Container Vehicle) for a Period of 5 Years in “Village Type Development” Zone, Lots 1243 S.B RP (Part) and 1296 RP in D.D. 109, Kong Tai Road, Kam Tin, Yuen Long (RNTPC Paper No. A/YL-KTN/633B)

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75.            The Committee noted that the applicant requested on 28.6.2019 deferment of the consideration of the application for two months so as to allow time for preparation of further information to address departmental comments. It was the third time that the applicant requested deferment of the application. Since the last deferment, the applicant had submitted further information on trip generation and parking arrangement to address departmental comments.

76.            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 third deferment and a total of six 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 23**

**Section 16 Application**

[Open Meeting]

A/YL-KTN/643      Temporary Public Vehicle Park (Excluding Container Vehicle) for a Period of 3 Years in “Agriculture” Zone, Lots 1173, 1174 RP, 1175 RP and 1176 RP in D.D. 109, Tai Kong Po Tsuen, Kam Tin, Yuen Long  
(RNTPC Paper No. A/YL-KTN/643A)

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77.            The Committee noted that the applicant requested on 26.6.2019 deferment of the consideration of the application for two months so as to allow time for preparation of further information to address departmental comments. It was the second time that the applicant requested deferment of the application. Since the last deferment, the applicant had submitted further information including traffic and parking arrangement and operational details to address departmental comments.

78.            After deliberation, the Committee decided to defer a decision on the application as requested by the applicant pending the submission of further information from the applicant. The Committee agreed that the application should be submitted for its consideration within two months from the date of receipt of further information from the applicant. If the further information submitted by the applicant was not substantial and could be processed within a shorter time, the application could be submitted to an earlier meeting for the Committee’s consideration. The Committee also agreed to advise the applicant that two months were allowed for preparation of the submission of 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 24**

**Section 16 Application**

[Open Meeting]

A/YL-KTN/664      Temporary Public Vehicle Park (excluding container vehicle) for a Period of 3 Years in “Residential (Group B)” Zone, Lots 1845 RP and 1846 RP in D.D. 107, Ko Po Tsuen, Kam Tin, Yuen Long  
(RNTPC Paper No. A/YL-KTN/664)

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79.            The Committee noted that the applicant had requested on 27.6.2019 deferment of the consideration of the application for two months so as to allow time to address departmental comments. It was the first time that the applicant requested deferment of the application.

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

**Agenda Item 25**

**Section 16 Application**

[Open Meeting (Presentation and Question Sessions Only)]

A/YL-KTN/665      Temporary Place of Recreation, Sports or Culture (Hobby Farm and Caravan Holiday Camp) for a Period of 5 Years in “Agriculture” Zone, Lots 926 RP, 957 S.A to S.Z, 957 S.AA to S.AC and 957 RP in D.D.107, Fung Kat Heung, Kam Tin, Yuen Long  
(RNTPC Paper No. A/YL-KTN/665)

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**Presentation and Question Sessions**

81.            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 place of recreation, sports or culture (hobby farm and caravan holiday camp) for a period of three years;
- (c) departmental comments – departmental comments were set out in paragraph 9 of the Paper. Concerned government departments had no objection to or no adverse comments on the application;
- (d) during the first three weeks of the statutory publication inspection period, three objecting public comments were received from individuals. Major objection grounds were set out in paragraph 10 of the Paper; and
- (e) the Planning Department (PlanD)’s views – PlanD considered that the temporary use could be tolerated for a period of three years based on the assessments set out in paragraph 11 of the Paper. The proposed use was generally not in conflict with the planning intention of the “Agriculture” (“AGR”) zone. Although the proposed caravan camp sites were recreational use not directly related to agricultural activities, they would

provide overnight accommodation to the hobby farm users. The Director of Agriculture, Fisheries and Conservation had no strong view on the application from agricultural point of view. As such, it was considered that approval of the application on a temporary basis for a period of three years would not frustrate the long-term planning intention of the “AGR” zone. The proposed development was considered not incompatible with the surrounding land uses. In view of the nature of the hobby farm, it would unlikely cause significant adverse environmental, traffic or drainage impacts on the surroundings. Approval conditions were recommended to address the technical concerns of relevant departments. The site was the subject of two previous temporary planning approvals for similar uses, of which all approval conditions of the last application had been complied with. The current application was the same in terms of site area, layout and development parameters as compared with the last application No. A/YL-KTN/520. Noting that 14 similar applications for proposed temporary hobby farm were approved within the same “AGR” zone, approval of the application was in line with the Committee’s previous decisions. Regarding the public comments, the comments of government departments and planning assessments above were relevant.

82. In response to a Member’s question on the proposed layout of the application site, Ms Ivy C.W. Wong, STP/FSYLE, with reference to the site photos enclosed at Plans A-4a and A-4b of the Paper, said that the Site was currently partly paved, partly covered by vegetation and mostly vacant with a few caravans. The proposed layout, with a total of 11 plots for caravan camp sites, was different from that of the existing condition. The caravans would be parked at the Site.

#### Deliberation Session

83. The Committee noted that all the approval conditions of the previous application had been complied with, and that the current application was submitted as a fresh application instead of a renewal application mainly because the planning permission was lapsed on 27.5.2019. It was also noted that the applicant would need to obtain a licence under the Hotel and Guesthouse Accommodation Ordinance (Cap. 349) before its operation.

84. After deliberation, the Committee decided to approve the application on a temporary basis for a period of 3 years until 5.7.2022, on the terms of the application as submitted to the Town Planning Board (TPB) and subject to the following conditions:

- “(a) no public announcement system, portable loudspeaker or any form of audio amplification system is allowed to be used on the Site at any time during the planning approval period;
- (b) no medium or heavy goods vehicles exceeding 5.5 tonnes, including container tractors/trailers, as defined in the Road Traffic Ordinance are allowed to be parked/stored on or enter/exit the Site at any time during the planning approval period;
- (c) no vehicle is allowed to queue back to or reverse onto/from public road at any time during the planning approval period;
- (d) the submission of a revised drainage proposal within 6 months from the date of planning approval to the satisfaction of the Director of Drainage Services or of the TPB by 5.1.2020;
- (e) in relation to (d) above, the implementation of the revised drainage proposal within 9 months from the date of planning approval to the satisfaction of the Director of Drainage Services or of the TPB by 5.4.2020;
- (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 fire service installations proposal within 6 months from the date of planning approval to the satisfaction of the Director of Fire Services or of the TPB by 5.1.2020;
- (h) in relation to (g) above, the implementation of fire service installations proposal within 9 months from the date of planning approval to the

satisfaction of the Director of Fire Services or of the TPB by 5.4.2020;

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

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

## **Agenda Item 26**

### **Section 16 Application**

[Open Meeting]

A/YL-KTN/666 Proposed Temporary Place of Recreation, Sports or Culture (Hobby Farm) for a Period of 3 Years in “Agriculture” Zone, Lot 1505 RP (Part) in D.D. 107, Kam Tin, Yuen Long  
(RNTPC Paper No. A/YL-KTN/666)

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86. The Committee noted that the applicant had requested on 28.6.2019 deferment of the consideration of the application for two months so as to allow time to address departmental comments. It was the first time that the applicant requested deferment of the application.

87. 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 27**

#### **Section 16 Application**

[Open Meeting (Presentation and Question Sessions Only)]

A/YL-KTS/823      Temporary Open Storage of Electricity Generators and Compressors for a Period of 3 Years in "Other Specified Uses" annotated "Rural Use" Zone, Lots 391 RP (Part) and 392 RP in D.D.106, Shek Wu Tong, Kam Tin, Yuen Long  
(RNTPC Paper No. A/YL-KTS/823)

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

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

- (a) background to the application;
- (b) temporary open storage of electricity generators and compressors for a period of three years;
- (c) departmental comments – departmental comments were set out in paragraph 10 of the Paper. The Director of Environmental Protection (DEP) did not support the application as there were sensitive receivers in the vicinity and environmental nuisance was expected. Other concerned



departments had no objection to or no adverse comment on the application;

- (d) during the first three weeks of the statutory publication period, one public comment providing views was received from an individual. Major views were set out in paragraph 11 of the Paper; and
- (e) the Planning Department (PlanD)'s views – PlanD considered that the applied use could be tolerated for a period of three years based on the assessments set out in paragraph 12 of the Paper. While the applied use was not in line with the planning intention of the “Other Specified Uses” annotated “Rural Use” (“OU(RU)”) zone, there was no known programme for long-term development at the Site and approval of the application on temporary basis of three years would not jeopardize the long-term planning intention of the “OU(RU)” zone. The development was considered not incompatible with the surrounding areas. The current application was generally in line with the Town Planning Board Guidelines No. 13E (TPB PG-No. 13E) for Category 3 areas. As there was no major change in planning circumstances since the last approval, sympathetic consideration could be given to the current application. Appropriate approval conditions were recommended to address the concerns of DEP on the possible environmental nuisance generated by the development and technical requirements of concerned departments. 14 previous planning applications for the same applied use submitted by the same applicant had been approved by the Committee, and there were 25 similar applications for various temporary open storage uses within the same “OU(RU)” zone approved by the Committee since the promulgation of TPB PG-No. 13E. Approval of the current application was in line with the Committee's previous decision on previous and similar applications.

89. Members had no question on the application.

#### Deliberation Session

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

temporary basis for a period of 3 years until 5.7.2022, 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., as proposed by the applicant, is allowed on the Site during the planning approval period;
- (b) no operation on Sundays and statutory holidays, as proposed by the applicant, is allowed on the Site during the planning approval period;
- (c) no dismantling, maintenance, repairing, cleansing, paint spraying or other workshop activities shall be carried out on the Site at any time during the planning approval period;
- (d) the stacking height of the materials stored within 5 metres of the periphery of the Site should not exceed the height of the boundary fence at all times during the planning approval period;
- (e) the peripheral fence wall of 2.5 metres high shall be maintained at all times 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 vehicular access/run-in/out between the Site and Kam Sheung Road shall be maintained at all times during the planning approval period;
- (h) the existing drainage facilities within the Site shall be maintained at all times during the planning approval period;
- (i) the submission of a record of the existing drainage facilities on site within 3 months from the date of planning approval to the satisfaction of the Director of Drainage Services or of the TPB by 5.10.2019;
- (j) The provision of fire extinguisher(s) within 6 weeks from the date of

planning approval to the satisfaction of the Director of Fire Services or of the TPB by 16.8.2019;

- (k) the submission of fire service installations proposal within 6 months from the date of planning approval to the satisfaction of the Director of Fire Services or of the TPB by 5.1.2020;
- (l) in relation to (k) above, the provision of fire service installations within 9 months from the date of planning approval to the satisfaction of the Director of Fire Services or of the TPB by 5.4.2020;
- (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.”

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

### **Agenda Item 28**

#### **Section 16 Application**

[Open Meeting (Presentation and Question Sessions Only)]

A/YL-PH/807      Proposed Temporary Shop and Services with Ancillary Facilities for a Period of 5 Years in “Open Storage” Zone, Lots 1458 S.B (Part) and 1459 S.B in D.D. 111, and Adjoining Government Land in D.D. 110, Pat Heung, Yuen Long  
(RNTPC Paper No. A/YL-PH/807A)

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Presentation and Question Sessions

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

- (a) background to the application;
- (b) proposed temporary shop and services with ancillary facilities for a period of five years;
- (c) departmental comments – departmental comments were set out in paragraph 9 of the Paper. Concerned government departments had no objection to or no adverse comment on the application;
- (d) during the first three weeks of the statutory publication period, no public comment was received; and
- (e) the Planning Department (PlanD)’s views – PlanD had no objection to the application based on the assessments set out in paragraph 11 of the Paper. Although the proposed development was not entirely in line with the planning intention of the “Open Storage” (“OS”) zone, the temporary nature of the proposed development would not jeopardize the long-term planning intention. The proposed development involving some 2-storey structures was considered not incompatible with the surrounding land uses and would unlikely cause adverse environmental impact on the surrounding areas. Appropriate approval conditions were recommended to minimize the possible environmental nuisance generated by the proposed development and to address technical requirements of concerned departments. Two similar applications for temporary shop and services use within the same “OS” zone were approved with conditions by the Committee previously and approval of the current application was in line with the Committee’s previous decisions on similar applications.

93. Members had no question on the application.

Deliberation Session

94. After deliberation, the Committee decided to approve the application on a temporary basis for a period of 5 years until 5.7.2024, on the terms of the application as submitted to the Town Planning Board (TPB) and subject to the following conditions:

- “(a) no operation between 9:00 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 vehicles exceeding 5.5 tonnes, including container tractor/trailer, as defined in the Road Traffic Ordinance is allowed to 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 drainage proposal within 6 months from the date of planning approval to the satisfaction of the Director of Drainage Services or of the TPB by 5.1.2020;
- (e) in relation to (d) 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 5.4.2020;
- (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 fire service installations proposal within 6 months from the date of planning approval to the satisfaction of the Director of Fire Services or of the TPB by 5.1.2020;
- (h) in relation to (g) above, the implementation of fire service installations proposal within 9 months from the date of planning approval to the

satisfaction of the Director of Fire Services or of the TPB by 5.4.2020;

- (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.”

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

### **Agenda Item 29**

#### **Section 16 Application**

[Open Meeting (Presentation and Question Sessions Only)]

A/YL-PH/813            Temporary Shop and Services (Real Estate Agency) for a Period of 3 Years in “Village Type Development” Zone, Chuk Hang Lots 68 (Part) and 69 (Part) in D.D.111 and Adjoining Government Land, Pat Heung, Yuen Long  
(RNTPC Paper No. A/YL-PH/813)

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

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

- (a) background to the application;
- (b) temporary shop and services (real estate agency) for a period of three years;

- (c) departmental comments – departmental comments were set out in paragraph 9 of the Paper. Concerned departments had no objection to or no adverse comment on the application;
- (d) during the first three weeks of the statutory publication period, one objecting public comment from an individual was received without providing reason; 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. While the development was not entirely in line with the planning intention of the “Village Type Development” (“V”) zone, the District Lands Officer, Yuen Long, Lands Department advised that there was currently no Small House application approved or under processing at the Site and temporary approval of the application would not frustrate the long-term planning intention of the “V” zone. The development was considered not incompatible with the surrounding land uses. In view of the nature and small scale, the use was unlikely to generate significant environmental nuisance. Appropriate approval conditions were recommended to minimize the possible environmental nuisance generated by the proposed development and to address technical requirements of concerned departments. The Site was the subject of a previous application for the same temporary shop and services (real estate agency) use approved with conditions by the Committee. All approval conditions of the last application had been complied with. There were also three similar applications for temporary Shop and Services uses within the same “V” zone approved with conditions by the Committee. Approving the current application was in line with the Committee’s decisions on previous and similar applications. Regarding the objecting comment received, the departmental comments and planning assessments and considerations as stated above are relevant.

97. Members had no question on the application.

Deliberation Session

98. After deliberation, the Committee decided to approve the application on a temporary basis for a period of 3 years until 5.7.2022, 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 10:00 a.m., as proposed by the applicant, is allowed on the Site during the planning approval period;
- (b) the existing drainage facilities on the Site shall be maintained at all times during the planning approval period;
- (c) the submission of a record of the existing drainage facilities on Site within 3 months from the date of planning approval to the satisfaction of the Director of Drainage Services or of the TPB by 5.10.2019;
- (d) 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 5.1.2020;
- (e) in relation to (d) above, the provision of fire service installations within 9 months from the date of planning approval to the satisfaction of the Director of Fire Services or of the TPB by 5.4.2020;
- (f) 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
- (g) if any of the above planning conditions (c), (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.”

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



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

**Agenda Item 30**

**Section 16 Application**

[Open Meeting (Presentation and Question Sessions Only)]

A/YL-ST/548            Proposed Temporary Shop and Services (Retail of Construction Material) for a Period of 3 Years in “Residential (Group D)” Zone, Lots 46 and 47 (Part) in D.D.105 and Adjoining Government Land, San Tin, Yuen Long  
(RNTPC Paper No. A/YL-ST/548)

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**Presentation and Question Sessions**

100.            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 (retail of construction material) for a period of three years;
- (c)    departmental comments – departmental comments were set out in paragraph 9 of the Paper. Concerned departments had no objection to or no adverse comment on the application;
- (d)    during the first three weeks of the statutory publication period, one objecting public comment was received from a member of the public. Major objection grounds were set out in paragraph 10 of the Paper; and
- (e)    the Planning Department (PlanD)’s views – PlanD had no objection to the application based on the assessments set out in paragraph 11 of the Paper. While “Residential (Group D)” (“R(D)”) was intended for low-rise,

low-density residential developments, approval of the application on a temporary basis for a period of 3 years would not frustrate the long-term planning intention of the “R(D)” zone as there was no immediate development proposal for the Site. The proposed use was not incompatible with the surrounding land uses and might provide service to nearby areas and community. Adverse impacts on traffic, environment, fire safety, drainage and landscape aspects were not envisaged. Appropriate approval conditions were recommended to mitigate potential environmental impacts on the surrounding area and to address technical requirements of concerned departments. The Site was subject of six previous applications approved by the Committee for vehicle parts and accessories retail shop and there were four similar applications involving retail shops for sale of building materials within the same “R(D)” zone approved by the Committee previously. Approval of the current application was in line with the previous decisions of the Committee for similar uses in the area. Regarding the adverse public comment, the comments of government departments and planning assessments above were relevant.

101. Members had no question on the application.

#### Deliberation Session

102. After deliberation, the Committee decided to approve the application on a temporary basis for a period of 3 years until 5.7.2022, 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 9:00 a.m. daily, as proposed by the applicant, at any time during the planning approval period;
- (b) no vehicle is allowed to queue back to or reverse onto/from the Site at any time during the planning approval period;
- (c) the provision of boundary fencing within 6 months from the date of

planning approval to the satisfaction of the Director of Planning or of the TPB by 5.1.2020;

- (d) the submission of drainage proposal within 6 months from the date of planning approval to the satisfaction of the Director of Drainage Services or of the TPB by 5.1.2020;
- (e) in relation to (d) 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 5.4.2020;
- (f) in relation to (e) above, the implemented drainage facilities shall be maintained at all times during the planning approval period;
- (g) the submission of fire service installations proposal within 6 months from the date of planning approval to the satisfaction of the Director of Fire Services or of the TPB by 5.1.2020;
- (h) in relation to (g) above, the implementation of fire service installations proposal within 9 months from the date of planning approval to the satisfaction of the Director of Fire Services or of the TPB by 5.4.2020;
- (i) if any of the above planning conditions (a), (b) 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 (c), (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.”

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

**Agenda Item 31**

**Section 16 Application**

[Open Meeting (Presentation and Question Sessions Only)]

A/YL-ST/549            Proposed Temporary Public Vehicle Park (excluding Container Vehicle) for a Period of 3 Years in “Undetermined” Zone, Lot 97 (Part) in D.D. 99 and Lot 2208 S.B RP (Part) in D.D. 96, San Tin, Yuen Long (RNTPC Paper No. A/YL-ST/549)

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**Presentation and Question Sessions**

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

- (a) background to the application;
- (b) proposed temporary public vehicle park (excluding container vehicle) for a period of three years;
- (c) departmental comments – departmental comments were set out in paragraph 10 of the Paper. Concerned departments had no objection to or no adverse comment on the application;
- (d) during the first three weeks of the statutory publication period, two objecting public comments were received from members of the public. Major grounds of objection 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 applied use was considered not incompatible with the surrounding land uses and could meet some parking demand of local villagers/residents. The Site fell within the Wetland Buffer Area of the Town Planning Board Guideline No. 12C (TPB PG-No.12C) which specified that planning

applications for temporary uses were exempted from the requirement of Ecological Impact Assessment. The Director of Agriculture, Fisheries and Conservation had no adverse comment on the application. The application was in line with the TPB PG-No. 13E. Apart from meeting some parking demand of local villagers/residents, the applied use could satisfy some of the demand for parking use for cross-boundary travellers. Adverse environmental, traffic and infrastructural impacts on the surrounding areas were not anticipated. Appropriate approval conditions were recommended to mitigate potential environmental impacts on the surrounding area and to address technical requirements of concerned departments. The Committee had approved 17 applications for similar temporary public vehicle park use within the “Undetermined” zone since 2008 and approval of the current application was in line with the previous decisions of the Committee. Regarding the adverse public comments, the comments of government departments and planning assessments above were relevant.

105. Members had no question on the application.

#### Deliberation Session

106. After deliberation, the Committee decided to approve the application on a temporary basis for a period of 3 years until 5.7.2022, on the terms of the application as submitted to the Town Planning Board (TPB) and subject to the following conditions:

- “(a) no vehicle is allowed to queue back to or reverse onto/from the Site at all times during the planning approval period;
- (b) no car washing and vehicle repair workshop/dismantling, repairing works involving metal cutting, drilling, hammering, paint spraying and oil/lubricant changing are allowed on the Site;
- (c) a notice should be posted at a prominent location of the Site to indicate that only private car as defined in the Road Traffic Ordinance is allowed to be parked/stored on the Site;

- (d) the provision of boundary fencing on the Site within 6 months from the date of planning approval to the satisfaction of the Director of Planning or of the TPB by 5.1.2020;
- (e) the submission of drainage proposal within 6 months from the date of planning approval to the satisfaction of the Director of Drainage Services or of the TPB by 5.1.2020;
- (f) in relation to (e) above, the implementation of the drainage proposal within 9 months from the date of planning approval to the satisfaction of the Director of Drainage Services or of the TPB by 5.4.2020;
- (g) in relation to (f) above, the implemented drainage facilities on the Site shall be maintained at all times during the planning approval period;
- (h) the submission of fire service installations proposal within 6 months from the date of planning approval to the satisfaction of the Director of Fire Services or of the TPB by 5.1.2020;
- (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 5.4.2020;
- (j) if any of the above planning conditions (a), (b), (c) or (g) is not complied with during the planning approval period, the approval hereby given shall cease to have effect and shall be revoked immediately without further notice; and
- (k) if any of the above planning conditions (d), (e), (f), (h) or (i) is not complied with by the specified date, the approval hereby given shall cease to have effect and shall on the same date be revoked without further notice.”

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

**Agenda Item 32**

**Section 16 Application**

[Open Meeting]

A/YL-ST/550 Proposed Temporary Public Vehicle Park for Private Car for a Period of 3 Years in “Village Type Development” Zone, Lots 216 S.A (Part), 216 RP (Part) and 217 RP (Part) in D.D. 105, San Tin, Yuen Long  
(RNTPC Paper No. A/YL-ST/550)

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108. The Committee noted that the application was withdrawn by the applicant.

[The Chairman thanked Mr Patrick M.Y. Fung, Ms S.H. Lam and Ms Ivy C.W. Wong, 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 Bonnie K.C. Lee, Mr Steven P.H. Siu, Senior Town Planners/Tuen Mun and Yuen Long West (STPs/TMYLW), and Ms Maggie H.K. Wu, Town Planners/Tuen Mun and Yuen Long West (TP/TMYLW) were invited to the meeting at this point.]

**Agenda Item 33**

**Section 16 Application**

[Open Meeting (Presentation and Question Sessions Only)]

A/HSK/153                      Proposed Utility Installation for Private Project (Transformer Room) in  
“Village Type Development” Zone, Lot 19 S.Q in D.D.124, Ha Tsuen,  
Yuen Long  
(RNTPC Paper No. A/HSK/153)

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**Presentation and Question Sessions**

109.            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 utility installation for private project (transformer room);
- (c) departmental comments – departmental comments were set out in paragraph 9 of the Paper. Concerned departments had no objection to or no adverse comment on the application;
- (d) during the first three weeks of the statutory publication period, one public comment was received from an individual seeking clarifications on the application. Major views were set out in paragraph 10 of the Paper; and
- (e) the Planning Department (PlanD)’s views – PlanD had no objection to the application based on the assessments set out in paragraph 11 of the Paper. Although the proposed transformer room was not totally in line with the planning intention of “Village Type Development” (“V”) zone, it was required for the provision of the necessary electricity supply to support the nearby Small House developments. According to the District Lands Officer/Yuen Long, Lands Department, no Small House application at the Site was received. The proposed electricity transformer room was



relatively small in scale. It was considered that the proposed development would not cause any significant adverse environmental, traffic, and drainage on the surrounding areas. Approval conditions were recommended to address the technical requirements of concerned departments. Regarding the public comment received, the planning considerations and assessments above were relevant.

110. Members had no question on the application.

### Deliberation Session

111. After deliberation, the Committee decided to approve the application, on the terms of the application as submitted to the Town Planning Board (TPB). The permission should be valid until 5.7.2023, 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 drainage proposal for the development to the satisfaction of the Director of Drainage Services or of the TPB; and
- (b) the provision of water supplies for firefighting and fire service installations to the satisfaction of the Director of Fire Services or of the TPB.”

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

**Agenda Item 34**

**Section 16 Application**

[Open Meeting (Presentation and Question Sessions Only)]

A/HSK/154            Temporary Public Vehicle Park for Private Cars, Light Goods Vehicles, Heavy Goods Vehicles and Container Trailers for a Period of 3 Years in “Open Space” and “Residential (Group A) 3” Zones, Lots 826 S.A (Part), 828, 839 (Part) and 840 (Part) in D.D.125 and Adjoining Government Land, Ha Tsuen, Yuen Long  
(RNTPC Paper No. A/HSK/154)

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**Presentation and Question Sessions**

113.        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)    temporary public vehicle park for private cars, light goods vehicles, heavy goods vehicles and container trailers for a period of three years;
- (c)    departmental comments – departmental comments were set out in paragraph 9 of the Paper. The District Lands Officer/Yuen Long, Lands Department (DLO/YL, LandsD) did not support the proposed use for the Government Land (GL) portion as the applicant refused to take up the Short Term Tenancy (STT) offer. The Director of Environmental Protection did not support the application as there were sensitive uses in the vicinity of the Site and environmental nuisance was expected. Other concerned departments had no objection to or no adverse comment on the application;
- (d)    during the first three weeks of the statutory publication period, no public comment was received; and
- (e)    the Planning Department (PlanD)’s views – PlanD considered that the

applied use could be tolerated for a period of three years based on the assessments set out in paragraph 11 of the Paper. Whilst the applied development was not in line with planning intention of the “Residential (Group A)3” and “Open Space” (“O”), the implementation programme for this part of New Development Area was still being formulated, and the Project Manager (New Territories West), Civil Engineering and Development Department and Director of Leisure and Cultural Services had no objection to the applied use for three years on the Site. Approval of the application on a temporary basis of three years would not jeopardize the long-term development of the Site. The applied use was not incompatible with the surrounding. Regarding DLO/YL, LandsD’s comment, the applicant promised in the current submission to rent the concerned GL portion of the Site for the operation of the proposed development. Relevant approval conditions were recommended to minimise any potential environmental nuisances and to address the technical concerns of concerned departments. The Committee had approved six previous planning applications for similar public vehicle parks uses at the Site and nine similar application within the same “R(A)3” and “O” zones since 2000. Approval of the subject application was in line with the Committee’s previous decisions.

114. Members had no question on the application.

#### Deliberation Session

115. After deliberation, the Committee decided to approve the application on a temporary basis for a period of 3 years until 5.7.2022, 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. to 7:00 a.m., as proposed by the applicant, is allowed on the site during the approval period;
- (b) no vehicle without valid licence issued under the Road Traffic Ordinance, as proposed by the applicant, is allowed to be parked/stored on the site at

any time during the planning approval period;

- (c) no vehicle is allowed to queue back to or reverse onto/from the public road at any time during the planning approval period;
- (d) the existing vegetation within the Site shall be maintained in good condition at all times during the planning approval period;
- (e) the existing drainage facilities shall be maintained at all times during the planning approval period;
- (f) the submission of a condition record of the existing drainage facilities on-site within 3 months from the date of planning approval to the satisfaction of the Director of Drainage Services or of the TPB by 5.10.2019;
- (g) the submission of a fire service installations proposal within 6 months from the date of planning approval to the satisfaction of Director of Fire Services or of the TPB by 5.1.2020;
- (h) in relation to (g) 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 5.4.2020;
- (i) if any of the above planning conditions (a), (b), (c), (d) or (e) is not complied with during the approval period, the approval hereby given shall cease to have effect and shall be revoked immediately without further notice;
- (j) if any of the above planning conditions (f), (g) or (h) is not complied with by the specified date, the approval hereby given shall cease to have effect and shall on the same date be revoked without further notice; and
- (k) upon expiry of the planning permission, the reinstatement of the application

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

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

### **Agenda Item 35**

#### **Section 16 Application**

[Open Meeting (Presentation and Question Sessions Only)]

A/HSK/155                      Temporary Warehouse and Logistics Centre for a Period of 3 Years in “Other Specified Uses” annotated “Port Back-up, Storage and Workshop Uses” Zone and an area shown as ‘Road’, Lots 458 S.B (Part), 485 S.A (Part), 485 S.B ss.2 (Part), 487 (Part), 488 (Part), 489 (Part), 490, 491, 492, 493 and 494 (Part) in D.D.125 and Adjoining Government Land, Ha Tsuen, Yuen Long  
(RNTPC Paper No. A/HSK/155)

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117. The Committee noted that a replacement page (Plan A1-b) rectifying editorial errors on the plan had been tabled for Members’ reference.

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

118. 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) temporary warehouse and logistics centre for a period of three years;
- (c) departmental comments – departmental comments were set out at paragraph 10 of the Paper. Concerned government departments had no

objection to or no adverse comment on the application;

- (d) during the first three weeks of the statutory publication period, no public comment was received; and
- (e) the Planning Department (PlanD)'s views – PlanD considered that the temporary use could be tolerated for a period of three years based on the assessments set out in paragraph 12 of the Paper. The proposed development was in line with the planning intention of the “Other Specified Uses” annotated ‘Port Back-up, Storage and Workshop Uses’ zone (“OU(PBU&SWU)”). Whilst part of the proposed development fell within ‘Road’ area, the implementation programme for this part of NDA was still being formulated, and the Project Manager (New Territories West), Civil Engineering and Development Department had no objection to the proposed temporary use for a period of three years on the Site. In this regard, approval of the application on a temporary basis of three years would not jeopardize the long-term development of the Site. The proposed development was not incompatible with the surrounding land uses. The proposed development was generally in line with Town Planning Board Guideline No. 13E (TPB PG-No. 13E) for Category 2 areas in that there was no adverse comment from concerned government departments. Relevant approval conditions had been recommended to minimize any potential environmental impacts, and to address the technical concerns raised by concerned departments. While the previous application No. A/YL-HT/1048 was revoked due to non-compliance with an approval condition relating to implementation of Fire Service Installations (FSI) proposal, a FSI proposal was submitted in the current application and the applicant had committed to comply with all approval conditions. Sympathetic consideration might be given. A shorter compliance period was recommended to closely monitor the progress on compliance with associated approval conditions. Approval of the current application was in line with the decisions of the Committee on four previous applications and five similar applications for similar use within the same “OU(PBU&SWU)” zone since the promulgation of TPB PG-No. 13E.

119. In response to a Member's question, Mr Simon P.H. Chan, STP/TMYLW, explained that approval conditions relating to the submission and implementation of FSI proposal were recommended for the previous application. The FSI proposal submitted by the applicant was considered acceptable by the Fire Services Department (FSD). However, FSI installed was not yet considered satisfactory by FSD before the deadline for compliance of the approval condition, and the approval was revoked. The current application was a fresh application and relevant conditions requiring submission and implementation of FSI to the satisfaction of FSD were recommended. FSD would carry out inspection to ensure the approval condition on the implementation of FSI installation was complied with.

#### Deliberation Session

120. After deliberation, the Committee decided to approve the application on a temporary basis for a period of 3 years until 5.7.2022, 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 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 left turn of container vehicles into Ha Tsuen Road eastbound, as proposed by the applicant, upon leaving the site is allowed at any time during the planning approval period;
- (d) the erection of a ‘Turn Right’ traffic sign at the junction of the access road with Ha Tsuen Road, as proposed by the applicant, to the satisfaction of the Commissioner for Transport or of the TPB during the planning approval period;
- (e) no paint spraying, cutting and other workshop activity, as proposed by the applicant, is allowed on the Site at any time during the planning approval

period;

- (f) no vehicle queuing back to or reverse onto/from the public road is allowed at any time during the planning approval period;
- (g) the existing fencing on the Site shall be maintained at all times during the planning approval period;
- (h) the existing trees and landscape plants on the Site shall be maintained at all times during the planning approval period;
- (i) the existing drainage facilities on the site shall be maintained at all times during the planning approval period;
- (j) the submission of a condition record of 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 5.10.2019;
- (k) the submission of a fire service installations proposal within 3 months from the date of planning approval to the satisfaction of the Director of Fire Services or of the TPB by 5.10.2019;
- (l) in relation to (k) above, the implementation of the fire service installations proposal within 6 months from the date of planning approval to the satisfaction of the Director of Fire Services or of the TPB by 5.1.2020;
- (m) if any of the above planning conditions (a), (b), (c), (d), (e), (f), (g), (h) or (i) 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
- (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.”



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

**Agenda Item 36**

**Section 16 Application**

[Open Meeting (Presentation and Question Sessions Only)]

A/HSK/156 Temporary Warehouse and Logistics Centre for a Period of 3 Years in “Government, Institution or Community” and “Open Space” and “Village Type Development(1)” Zones and an area shown as ‘Road’, Various Lots in D.D. 128 and D.D.129 and Adjoining Government Land, Ha Tsuen, Yuen Long  
(RNTPC Paper No. A/HSK/156)

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**Presentation and Question Sessions**

122. 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) temporary warehouse and logistics centre for a period of three years;
- (c) departmental comments – departmental comments were set out on paragraph 10 of the Paper. The Director of Environmental Protection did not support the application as there were sensitive receivers of residential use in the vicinity and environmental nuisance was expected. The Chief Town Planner/Urban Design and Landscape, Planning Department (CTP/UD&L, PlanD) advised that the applied use appeared to be already in operation. In view that the Site lied in a Category 1 area under the Town Planning Board Guidelines No. 13E (TPB PG-No. 13E), significant change to the landscape character arising from the continued use of the application

was not envisaged. Other concerned government departments had no objection to or no adverse comment on the application;

- (d) during the first three weeks of the statutory publication period, no public comment was received; and
- (e) PlanD's views – PlanD considered that the applied use could be tolerated for a period of three years based on the assessments set out in paragraph 12 of the Paper. Whilst the development was not in line with the planning intentions of the “Village Type Development (1)” (“V(1)”), “Government, Institution or Community” (“G/IC”) and “Open Space” (“O”) zones, the implementation programme for this part of New Development Area was still being formulated, and the Project Manager (West), Civil Engineering and Development Department (PM/W, CEDD) and Director of Leisure and Cultural Services had no objection to the proposed temporary use at the Site. The applied use was not incompatible with the surrounding land uses. The proposed development was in line with the TPB PG-No. 13E in that the Site fell within Category 1 areas which were considered suitable for open storage and port back-up uses; relevant proposals had been submitted to demonstrate that the proposed use would not generate adverse impacts; and technical concerns of relevant departments could be addressed through the implementation of approval conditions. The Site was the subject of a previous application with a smaller area for similar use submitted by the same applicant. All the time specified approval conditions had been complied with except the one on implementation of the approved Fire Service Installations (FSI) proposal. The applicant had submitted a FSI proposal and committed that he would implement the FSI at the Site and Director of Fire Services (D of FS) had no adverse comment on the current application. Hence, sympathetic consideration might be given to the current application. Shorter compliance periods were recommended in order to closely monitor the progress of compliance with approval conditions. The Committee had approved 22 previous applications within the Site and six similar applications for various types of storage use and port back-up uses within the same “V(1)”, “G/IC” and/or “O” zones since

the promulgation of TPB PG-No. 13E, approval of the subject application was in line with the Committee's previous decisions.

123. Members had no question on the application.

#### Deliberation Session

124. Noting that the applied use was currently in operation, a Member enquired the details on FSI requirement at the application site. In response, the Chairman made the following points:

- (a) while D of FS had no adverse comment on the FSI proposal submitted under the previous approved application, a new FSI proposal was required to be submitted under the current application as the site area of the current application was larger than that of the previous one;
- (b) as the approval condition on FSI installation under the previous approval was not yet fully complied with, a shorter compliance period was recommended in order to closely monitor the progress of compliance with the approval conditions; and
- (c) if the applicant still failed to comply with the relevant condition before the deadline, the approval would be revoked. For applications with history of repeated revocations, favourable consideration by the Committee would be unlikely.

125. After deliberation, the Committee decided to approve the application on a temporary basis for a period of 3 years until 5.7.2022, 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 8:00 a.m. on Mondays to Saturdays, as proposed by the Applicant, is allowed on the Site during the planning approval period;

- (b) no operation on Sundays and public holidays, as proposed by the Applicant, is allowed on the Site during the planning approval period;
- (c) no recycling works, storage, dismantling and assembling of electronic products and other workshop activities, as proposed by the applicant, is allowed on the Site at any time during the planning approval period;
- (d) no vehicle is allowed to queue back to or reverse onto/from the public road at any time during the planning approval period;
- (e) the submission of a condition record of the existing drainage facilities on the Site within 3 months from the date of planning approval to the satisfaction of the Director of Drainage Services or of the TPB by 5.10.2019;
- (f) in relation to (e) above, the existing drainage facilities shall be maintained at all times during the planning approval period;
- (g) the existing trees and landscape plants on the Site shall be maintained at all times during the approval period;
- (h) the existing fencing on the Site should be maintained at all times during the planning approval period;
- (i) the submission of a fire service installations proposal within 3 months from the date of the planning approval to the satisfaction of the Director of Fire Services or of the TPB by 5.10.2019;
- (j) in relation to (i) above, the implementation of the 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 5.1.2020;
- (k) if any of the above planning conditions (a), (b), (c), (d), (f), (g) or (h) is not complied with during the approval period, the approval hereby given shall

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

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

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

### **Agenda Item 37**

#### **Section 16 Application**

[Open Meeting (Presentation and Question Sessions Only)]

A/HSK/157 Temporary Open Storage of Containers for a Period of 3 Years in “Commercial (5)” and “Government, Institution or Community” and “Open Space” and “Other Specified Uses” annotated “Sewage Pumping Station” and “Residential (Group B) 2” Zones and an area shown as ‘Road’, Lots 24 RP, 26 RP (Part) and 29 RP (Part) in D.D. 128, Lots 2387 RP, 2388 S.B RP (Part), 2389 RP (Part), 2390, 2395 RP, 2396 RP, 2397, 2398 RP, 2399, 2400, 2401 (Part), 2403 (Part), 2404 (Part), 2405, 2406 S.A, 2406 RP, 2407, 2408, 2409 RP (Part), 2410 RP, 2411 RP, 2420 RP (Part), 2421 RP, 2422 RP (Part), 2423 (Part) and 2424 (Part) in D.D. 129, and Adjoining Government Land, Ha Tsuen, Yuen Long  
(RNTPC Paper No. A/HSK/157)

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

127. 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) temporary open storage of containers for the period of three years;
- (c) departmental comments – departmental comments were set out in paragraph 10 of the Paper. The Director of Environmental Protection (DEP) did not support the application as there were sensitive users in the vicinity of the Site. Other concerned departments had no objection to or no adverse comment on the application;
- (d) during the first three weeks of the statutory publication period, no public comment was received; and
- (e) the Planning Department (PlanD)'s views – PlanD considered that the applied use could be tolerated for a period of three years based on the assessments set out in paragraph 12 of the Paper. Whilst the development was not in line with the planning intention, the implementation programme for this part of New Development Area was still being formulated, approval of the application on a temporary basis of three years would not jeopardize the long-term development of the Site. The proposed open storage of containers was not incompatible with the surrounding land uses. The proposed development was generally in line with the Town Planning Board Guidelines No. 13E (TPB PG-No. 13E). Relevant proposals had been submitted to demonstrate that the proposed use would not generate adverse impacts, and technical concerns of relevant departments could be addressed through the implementation of approval conditions. The Committee had approved three previous applications for various temporary open storage uses at the Site. Approval of the current application was in line with the Committee's previous decisions.

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 until 5.7.2022, 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. to 7:00 a.m., as proposed by the applicant, is allowed on the Site during the planning approval period;
- (b) no operation on Sundays and public holidays, as proposed by the applicant, is allowed on the Site during the planning approval period;
- (c) no cutting, repairing, dismantling, cleansing, repairing, compaction, tyre repair, vehicle repair, container repair and workshop activities, as proposed by the applicant, is allowed on the Site during the planning approval period;
- (d) no stacking of containers stored within 5m of the periphery of the Site shall not be carried out, as proposed by the applicant, during the planning approval period;
- (e) the stacking height of containers stored on the Site shall not exceed 8 units, as proposed by the applicant, during the planning approval period;
- (f) the existing fencing on the Site should be maintained at all times during the planning approval period;
- (g) no vehicle is allowed to queue back to or reverse onto/from the public road at all times during the planning approval period;
- (h) all existing trees and landscape plants on the Site shall be maintained at all times during the planning approval period;
- (i) the submission of a condition record of the existing drainage facilities within 3 months from the date of planning approval to the satisfaction of the Director of Drainage Services or of the TPB by 5.10.2019;
- (j) in relation to (i) above, the existing drainage facilities shall be maintained

at all times during the planning approval period;

- (k) the provision of fire extinguisher(s) and the submission of a valid fire certificate (FS251) within 6 weeks from the date of the planning approval to the satisfaction of the Director of Fire Services or of the TPB by 16.8.2019;
- (l) the submission of a fire service installations proposal within 6 months from the date of planning approval to the satisfaction of the Director of Fire Services or of the TPB by 5.1.2020;
- (m) in relation to (l) above, the implementation of the fire service installations proposal within 9 months from the date of planning approval to the satisfaction of the Director of Fire Services or of the TPB by 5.4.2020;
- (n) if any of the above planning conditions (a), (b), (c), (d), (e), (f), (g), (h) or (j) is not complied with during the approval period, the approval hereby given shall cease to have effect and shall be revoked immediately without further notice; and
- (o) if any of the above planning conditions (i), (k), (l) or (m) is not complied with by the above specified date, the approval hereby given shall cease to have effect and shall on the same date be revoked without further notice.”

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



**Agenda Item 38**

**Section 16 Application**

[Open Meeting (Presentation and Question Sessions Only)]

A/HSK/158                      Proposed Temporary Private Club for a Period of 3 Years in “Village Type Development” Zone, Lot 1149 (Part) in D.D.125, Yuen Long  
(RNTPC Paper No. A/HSK/158)

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**Presentation and Question Sessions**

131.            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 private club for a period of three years;
- (c) departmental comments – departmental comments were set out in paragraph 9 of the Paper. Relevant government had no objection to or no adverse comments on the application;
- (d) during the first three weeks of the statutory publication period, a total of three objecting comments were received from individuals. Major grounds of objection 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 considerations set out in paragraph 11 of the Paper. While the temporary private club was not entirely in line with the planning intention of “Village Type Development” (“V”) zone, there were no Small House application received for the site and the approval of the application on a temporary basis of three years would not jeopardise the long-term development of the area. The proposed temporary use was not incompatible with the existing land use for the area, which was predominately occupied by village houses with storage use scattered at the

fringe of Tseung Kong Wai. In view of the small scale of the temporary development, the development would unlikely generate adverse traffic or environmental nuisance to the surrounding areas and relevant departments had no adverse comments on the application. Relevant approval conditions had been recommended to minimize possible nuisances or to address the technical requirements of the concerned departments. Regarding the public comments received, the comments of government departments and the assessment above were relevant.

132. In response to the enquiries from the Chairman and a Member, Mr Simon P.H. Chan, STP/TMYLW, made the following main points -

- (a) the applicant was not the current land owner of the site;
- (b) while the applicant had provided a copy of the Certificate of Registration of a Society under Section 5A(1) of the Societies Ordinance, Constitution and Memorandum of the Society, there was no detailed information on the membership of the “Association of New Territories Environment” in the application;
- (c) according to the information provided by the applicant in response to the comments from the Transport Department, members of the association would mainly use public transport services and walk to the club. The applicant had not indicated whether the association members were residents of the nearby villages; and
- (d) there was no information in the application to indicate that the association was a charitable organization registered under section 88 of the Inland Revenue Ordinance.

#### Deliberation Session

133. The Chairman recapitulated some background of the application and the proposed development. The Committee noted that there was no information provided by the

applicant regarding the membership of the association. The Committee also noted that the Site was currently vacant and there was no application for Small House development received by the Lands Department at the Site. While there were 51 outstanding Small House applications in the subject village, the land in the subject “V” zone was sufficient to meet those applications.

134. Some Members had reservations on the application mainly on the ground that the application was not in line with the planning intention of “V” zone which was primarily to reserve land for village type developments. While ‘private club’ was a Column 2 use that might be permitted by the Board through application, there was no information to indicate that the proposed development was intended to serve the local villagers and that there was no strong justification to approve the application.

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

“the development is not in line with the planning intention of the “Village Type Development” zone which is primarily to designate both existing recognized villages and areas of land considered suitable for village expansion. There is no strong justification to deviate from the planning intention, even on a temporary basis.”

### **Agenda Item 39**

#### **Section 16 Application**

[Open Meeting]

A/TM/535                      Religious Institution (Temple) in “Village Type Development” Zone,  
Lots 1102 S.C, 1102 S.D, 1102 RP and 1103 RP in D.D. 132 and  
Adjoining Government Land, Siu Hang Tsuen, Tuen Mun  

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(RNTPC Paper No. A/TM/535A)

136. The Secretary reported that the application site was located in Tuen Mun. Dr Jeanne C.Y. Ng had declared an interest on this item for co-owning a flat with her spouse in Tuen Mun. The Committee noted that the applicant had requested deferment of

consideration of the application. Since the flat co-owned by Dr Jeanne C.Y. Ng had no direct view of the application site, the Committee agreed that she could stay in the meeting.

137. The Committee noted that the applicant requested on 20.6.2019 deferment of the consideration of the application for two months so as to allow time for preparation of further information to address departmental comments. It was the second time that the applicant requested deferment of the application. Since the last deferment, the applicant had submitted further information providing responses to departmental comments.

138. 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 40**

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

[Open Meeting]

A/TM/539                      Proposed Minor Relaxation of Plot Ratio Restriction for Permitted Industrial Development in "Industrial" Zone, Nos. 13-15, San On Street, Tuen Mun  
(RNTPC Paper No. A/TM/539)

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139. The Secretary reported that the application site was located in Tuen Mun. Dr Jeanne C.Y. Ng had declared an interest on this item for co-owning a flat with her spouse in Tuen Mun. The Committee noted that the applicant had requested deferment of

consideration of the application. Since the flat co-owned by Dr Jeanne C.Y. Ng had no direct view of the application site, the Committee agreed that she could stay in the meeting.

140. The Committee noted that the applicant requested on 20.6.2019 deferment of the consideration of the application for two months so as to allow time for preparation of further information to address departmental comments. It was the first time that the applicant requested deferment of the application.

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

[The Chairman left the meeting, Mr H.W. Cheung, the Vice-chairman, took over the chairmanship at this point.]

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

#### **Agenda Item 41**

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

[Open Meeting (Presentation and Question Sessions Only)]

A/TM/540                      Proposed House (New Territories Exempted House - Small House) in  
"Green Belt" and "Village Type Development" Zones, Lot 135 RP in  
D.D.379, So Kwun Wat, Tuen Mun  
(RNTPC Paper No. A/TM/540)

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142. The Secretary reported that the application site was located in Tuen Mun. Dr

Jeanne C.Y. Ng had declared an interest on this item for co-owning a flat with her spouse in Tuen Mun. Members noted that Dr Jeanne C.Y. Ng had left the meeting temporarily.

Presentation and Question Sessions

143. Ms Maggie H.K. Wu, TP/TMYLW, 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 (NTEH) – Small House);
- (c) departmental comments – departmental comments were set out in paragraph 10 and Appendix II of the Paper. The Chief Engineer/Mainland North, Drainage Services Department (CE/MN, DSD) noted that the layout plan provided by the applicant did not contain sufficient information and details to demonstrate the adequacy of the drains in which no adverse drainage impact would result from the subject development. Nonetheless, should the application be approved, an approval condition might be included to request the applicant to submit and implement a drainage proposal for the Site to ensure that the proposed House would not cause any adverse drainage impact to the adjacent area. Other concerned government departments had no adverse comments on or objection to the application;
- (d) during the first three weeks of the statutory publication period, six objecting public comments were received from World Wide Fund For Nature Hong Kong, Designing Hong Kong Limited and four private individuals. Major objection grounds were set out in paragraph 11 of the Paper; and
- (e) the Planning Department (PlanD)'s views – PlanD had no objection to the application based on the assessments set out in paragraph 12 of the Paper.

The Site mainly fell within an area zoned “Village Type Development” (“V”) with the remaining portion within the “Green Belt” (“GB”) zone. The footprint of the proposed Small House entirely fell within “V” zone. Given no tree felling or major vegetation clearance would be involved, and the Chief Town Planner/Urban Design and Landscape, PlanD and Director of Agriculture, Fisheries and Conservation had no objection to/comment on the application. The proposed Small House was not incompatible with the surrounding areas. While land available within the “V” zone was sufficient to meet the outstanding Small House applications and the future Small House demand, sympathetic consideration might be given to the current application as the proposed Small House footprint entirely fell within “V” zone and the portion of the Site within the “GB” zone would only be used as circulation area for the proposed Small House. The current proposed Small House development was compatible with a cluster of Small House applications located to the immediate north and within the “V” zone and the current application would not result in adverse impacts on landscape, visual, sewerage, traffic and environmental aspects. Relevant approval condition was recommended to address the comment of DSD. There were ten similar applications for proposed Small House development within the concerned “V” zones of So Kwun Wat Village on the So Kwun Wat Outline Zoning Plan with four approved mainly based on the consideration that there were insufficient land available in the “V” zone to meet the ten years Small Houses demand at that time. One application (No. A/TM-SKW/95) was approved under sympathetic consideration, the circumstances of which was similar to the current application. Regarding the adverse public comments, the comments of government departments and planning assessments above were relevant.

144. Members had no question on the application.

#### Deliberation Session

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

should be valid until 5.7.2023, 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 drainage proposal to the satisfaction of the Director of Drainage Services or of the TPB; and
- (b) the provision of septic tank, as proposed by the applicant, at a location to the satisfaction of the Director of Lands or of the TPB.”

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

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

#### **Agenda Item 42**

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

[Open Meeting (Presentation and Question Sessions Only)]

A/YL-LFS/343      Proposed Temporary Place of Recreation, Sports or Culture (Hobby Farm) for a Period of 3 Years in “Green Belt” Zone, Lots 860 RP and 878 RP (Part) in D.D.129 and Adjoining Government Land, Lau Fau Shan, Yuen Long  
(RNTPC Paper No. A/YL-LFS/343)

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

147. 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 temporary place of recreation, sports of culture (Hobby Farm) for a period of three years;



- (c) departmental comments – departmental comments were set out in paragraph 10 of the Paper. Concerned government departments had no objection to or no adverse comment on the application. Local views conveyed by the District Officer/Yuen, Home Affairs Department were set out in paragraph 10.1.11;
- (d) during the first three weeks of the statutory publication period, three objecting public comments were received from World Wide Fund for Nature Hong Kong, the Hong Kong Bird Watching Society and a member of the public. Major objection grounds were set out in paragraph 11 of the Paper; and
- (e) the Planning Department (PlanD)’s views – PlanD had no objection to the application based on the considerations set out in paragraph 12 of the Paper. The proposed hobby farm involving passive recreational use was considered not entirely in conflict with the planning intention of the “Green Belt” (“GB”) zone and the Director of Agriculture Fisheries and Conservation had no strong view on the application. The scale of the development under application which involved three one-storey structures was not entirely incompatible with the surrounding areas. The proposed development was generally in line with the Town Planning Board Guideline No. 10. Relevant approval conditions were recommended to minimize possible environmental impacts and nuisance generated by the proposed development and to address the technical requirements of concerned departments. Given that seven similar applications for temporary hobby farm and/or various recreational uses had been approved within the same “GB” zone, approval of the current application was considered in line with the Committee’s previous decisions.

148. A Member enquired whether vegetation at the Site had been removed and whether the proposed development could serve as a hobby farm for the public as it could only serve four persons each day. In response, Ms Bonnie K.C. Lee, STP/TMYLW, made the following main points:

- (a) the Site was a piece of fallow agricultural land when the first statutory plan was gazetted in 1992. The site had undergone changes over the years, where the Site had been paved or covered with grass;
- (b) the Site was currently vacant and partly covered with grass; and
- (c) as the application site had to be accessed via Deep Bay Road, which was a one-lane two-way traffic route, it was proposed by the applicant that the proposed development would be opened to not more than four persons each day to be carried by one private car so that the traffic impact could be minimized and thereby addressing the Transport Department's concern over the traffic capacity of Deep Bay Road.

#### Deliberation Session

149. The Committee noted that the proposed hobby farm served as a place for the public to experience organic farming instead of being a site for private agricultural activity. The proposed use was subsumed under 'Place of Recreation, Sports or Culture', which was a Column 2 of the "GB" zone and planning permission from the Town Planning Board was required.

150. After deliberation, the Committee decided to approve the application on a temporary basis for a period of 3 years until 5.7.2022, 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., as proposed by the applicant, is allowed on the Site during the planning approval period;
- (b) no use of public announcement system, as proposed by the applicant, is allowed on the Site at any time during the planning approval period;
- (c) no vehicle is allowed to queue back to or reverse onto/from the public roads at any time during the planning approval period;

- (d) the submission of a run-in/out proposal within 6 months from the date of planning approval to the satisfaction of the Director of Highways or of the TPB by 5.1.2020;
- (e) in relation to (d) above, the implementation of the run-in/out proposal within 9 months from the date of planning approval to the satisfaction of the Director of Highways or of the TPB by 5.4.2020;
- (f) the implementation 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 5.1.2020;
- (g) the implemented drainage facilities shall be maintained at all times during the planning approval period;
- (h) the submission of fire service installations proposal within 6 months from the date of planning approval to the satisfaction of the Director of Fire Services or of the TPB by 5.1.2020;
- (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 5.4.2020;
- (j) if any of the above planning conditions (a), (b), (c) or (g) is not complied with during the planning approval period, the approval hereby given shall cease to have effect and shall be revoked immediately without further notice;
- (k) if any of the above planning conditions (d), (e), (f), (h) or (i) is not complied with by the above specified date, the approval hereby given shall cease to have effect and shall on the same date be revoked without further notice; and

- (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.”

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

### **Agenda Item 43**

#### **Section 16 Application**

[Open Meeting (Presentation and Question Sessions Only)]

A/YL-TT/444            Temporary Animal Boarding Establishment and Dog Breeding Centre for a Period of 3 Years in “Agriculture” and “Green Belt” Zones, Lots 1384 (Part), 1385 RP, 1386, 1387 S.A and 1387 S.B in D.D. 117 and Adjoining Government Land, Tai Tong, Yuen Long  
(RNTPC Paper No. A/YL-TT/444B)

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

152. 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 animal boarding establishment and dog breeding centre for a period of three years;
- (c) departmental comments – departmental comments were set out in paragraph 9 of the Paper. The Director of Agriculture, Fisheries and Conservation (DAFC) did not support the application as the Site possessed potential for agricultural rehabilitation. She also advised that the applicant contravened two counts of violation of Licence Condition attached to the previous Dog Breeder Licence (Category B) and his wife had contravened

one count of illegal trading of dogs (without one-off permit) under the Public Health (Animals and Birds) (Trading and Breeding) Regulations (Cap. 139B). Both were convicted on 22.3.2019 and all offences occurred at the Site. The address of the Site was no longer associated with any licences granted by her department and it was illegal for the applicant to carry out any animal trading/breeding businesses on the Site. Other concerned government departments had no adverse comment/no comment on the application.

- (d) during the first three weeks of the statutory publication period, three objecting public comments were received from Kadoorie Farm & Botanical Garden Corporation and two members of the public. Major objection 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 development was not in line with the planning intention of the “Agriculture” (“AGR”) zone, and DAFC did not support the application as the Site possessed potential for agricultural rehabilitation. Also, DAFC did not support the application from animal management point of view, and considered the applicant no longer suitable to hold a Dog Breeder Licence under the Public Health (Animals and Birds) (Trading and Breeding) Regulations. There was no strong planning justification for a departure from the planning intention, even on a temporary basis. While the Site was located at the fringe of the “AGR” zone, the Site was situated in close proximity to the “Green Belt” (“GB”) and adjoining “Country Park” zones. The proposal was generally incompatible with the rural setting of the vicinity. There were no previous or similar applications within the subject “AGR” zone on the OZP. Approval of the current application would set an undesirable precedent. The cumulative effect of approving such similar applications, even on a temporary basis, would result in a general degradation of the rural environment and landscape quality of the area.

153. Members had no question on the application.

Deliberation Session

154. 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 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. No strong planning justification has been given in the submission to justify a departure from the planning intention, even on a temporary basis; and
- (b) the approval of the application, even on a temporary basis, would set an undesirable precedent for similar applications within the “AGR” zone. The cumulative effect of approving such applications would result in a general degradation of the rural environment of the area.”

**Agenda Item 44**

Section 16 Application

[Open Meeting]

A/YL-TT/469 Temporary Place of Recreation, Sports or Culture (Engor Training Centre with Ancillary Office) for a Period of 3 Years in “Village Type Development” Zone, Government Land in D.D. 116, Former Wing On School, Shung Ching San Tsuen, Yuen Long  
(RNTPC Paper No. A/YL-TT/469)

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155. The Committee noted that the applicant requested on 26.6.2019 deferment of the consideration of the application for two months so as to allow time to address the comments from the Transport Department. It was the first time that the applicant requested deferment

of the application.

156. 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 45**

##### **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/950A)

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157. The Secretary reported that Llewelyn Davies Hong Kong Ltd. (LD) was the consultant of the applicant. The following Members had declared interests on this item:

|                     |   |  |
|---------------------|---|--|
| Mr Ricky W.Y. Yu    | } | having past business dealings with LD. |
| Mr Stephen L.H. Liu |   |  |

158. The Committee noted that the applicant had requested deferment of consideration of the application and Mr Ricky W.Y. Yu had tendered apologies for being unable to attend the meeting. As Mr Stephen L.H. Liu had no involvement in the application, the Committee agreed that he could stay in the meeting.

159. The Committee noted that the applicant's representative requested on 19.6.2019 deferment of the consideration of the application for two months so as to allow time to address the 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.

160. 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 46**

##### **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/251B)

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161. The Secretary reported that the application site was located in Yuen Long. Mr K.H. To had declared an interest for his spouse owning a flat in Yuen Long. The Committee noted that the applicant had requested deferment of consideration of the application. Since the property of Mr K.H. To's spouse had no direct view of the application site, the Committee agreed that he could be allowed to stay in the meeting.

162. The Committee noted that the applicant's representative requested on 26.6.2019 deferment of the consideration of the application for two months so as to allow time for preparation of further information to address departmental comments. It was the third time that the applicant requested deferment of the application. Since the last deferment, the applicant had submitted further information to address departmental comments.

163. 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 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 47**

**Section 16 Application**

[Open Meeting]

A/YL/253

Proposed Office cum Public Car Park with Ground Floor Retail Shops and Minor Relaxation of Plot Ratio Restriction in “Other Specified Uses” annotated “Public Car Park With Ground Floor Retail Shops (1)” Zone, 16 Hi Yip Street, Tung Tau Industrial Area, Yuen Long (Yuen Long Town Lot No. 443)  
(RNTPC Paper No. A/YL/253B)

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164. The Committee noted that the applicant’s representative requested on 17.6.2019 deferment of the consideration of the application for two months so as to allow time for preparation of further information to address departmental comments. It was the third time that the applicant requested deferment of the application. Since the last deferment, the applicant had submitted further information to address departmental comments.

165. 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 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.

[The Chairman thanked Mr Simon P.H. Chan, Ms Bonnie K.C. Lee, Mr Steven P.H. Siu, STPs/TMYLW, and Ms Maggie H.K. Wu, TP/TMYLW, for their attendance to answer Members’ enquiries. They left the meeting at this point.]

**Agenda Item 48**

Any Other Business

(i) Section 16A Application

[Open Meeting]

A/YL-KTN/654-1 Application for Extension of Time for Compliance with Planning Conditions, Lot 378 RP in D.D. 110, Kam Tin, Yuen Long, New Territories

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166. The Secretary reported that application No. A/YL-KTN/654 was approved with conditions by the Committee on 17.5.2019. The deadline for compliance with approval condition (h) was 28.6.2019, conditions (f) and (i) was 17.11.2019, and conditions (g) and (j) was 17.2.2020. An application for extension of time (EOT) for compliance with approval condition (h) up till 28.12.2019, approval conditions (f) and (i) up till 17.5.2020, and approval conditions (g) and (j) up till 17.8.2020 was received by the Town Planning Board on 24.6.2019, which was only five working days before the expiry of the specified time limit for approval condition (h). It was recommended not to consider the application as the planning permission had been revoked on 28.6.2019.

167. After deliberation, the Committee agreed not to consider the section 16A application as the planning permission had been revoked on 28.6.2019.

168. There being no other business, the meeting closed at 5:25 p.m..