

**TOWN PLANNING BOARD**

**Minutes of 630<sup>th</sup> Meeting of the  
Rural and New Town Planning Committee held at 2:30 p.m. on 19.7.2019**

**Present**

Director of Planning  
Mr Raymond K.W. Lee

Chairman

Mr H.W. Cheung

Vice-chairman

Mr Ivan C.S. Fu

Mr David Y.T. Lui

Mr Peter K.T. Yuen

Mr Philip S.L. Kan

Mr K.K. Cheung

Mr Stephen L.H. Liu

Miss Winnie W.M. Ng

Mr L.T. Kwok

Mr K.W. Leung

Mr Ricky W.Y. Yu

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

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

Assistant Director (Environmental Assessment),  
Environmental Protection Department  
Mr Terence S.W. Tsang

Assistant Director/Regional 3,  
Lands Department  
Ms Joyce S.Y. Ng

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

Secretary

**Absent with Apologies**

Dr F.C. Chan

Dr C.H. Hau

Dr Lawrence K.C. Li

Dr Jeanne C.Y. Ng

**In Attendance**

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

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

Assistant Town Planner/Town Planning Board  
Ms Andrea W.Y. Yan

**Agenda Item 1**

Confirmation of the Draft Minutes of the 629<sup>th</sup> RNTPC Meeting held on 5.7.2019

[Open Meeting]

1. The draft minutes of the 629<sup>th</sup> RNTPC meeting held on 5.7.2019 were confirmed without amendments.

**Agenda Item 2**

Matters Arising

[Open Meeting]

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

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

**Agenda Item 3**

**Section 12A Application**

[Open Meeting]

Y/YL-MP/5                      Application for Amendment to the Approved Mai Po & Fairview Park Outline Zoning Plan No. S/YL-MP/6, To Rezone the Application Site from “Recreation” to “Government, Institution or Community (1)” , Lots 3010 S.B, 3010 S.C and 3010 S.D in D.D. 104, Geranium Path, Mai Po, Yuen Long  
  
(RNTPC Paper No. Y/YL-MP/5)

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3.                      The Committee noted that a replacement page (P.2 of Main Paper) for rectifying an editorial error in paragraph 3.2 had been dispatched to Members before the meeting.

4.                      The Secretary reported that the application site was in Mai Po and Mr K.W. Leung had declared an interest on this item as he owned a property in Fairview Park, Mai Po.

5.                      The Committee noted that the applicant had requested deferment of consideration of the application. As the property of Mr K.W. Leung had no direct view of the application site, the Committee agreed that he could stay in the meeting.

6.                      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 first time that the applicant requested deferment of the application.

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

### **Tuen Mun and Yuen Long West District**

#### **Agenda Item 4**

##### **Section 12A Application**

[Open Meeting]

Y/YL/14                      Application for Amendment to the Approved Yuen Long Outline Zoning Plan No. S/YL/23, to Rezone Part of the Application Site from "Residential (Group A) 1" to "Government, Institution or Community" and Part from "Government, Institution or Community" to "Residential (Group A) 1", Various Lots in D.D. 120 and Adjoining Government Land, Area 13, Yuen Long  
(RNTPC Paper No. Y/YL/14C)

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8.            The Secretary reported that the application was submitted by Join Base Development Limited, Fortune Land Development Limited and Winpo Development Limited, which were subsidiaries of New World Development Company Limited (NWD), with Ove Arup & Partners Hong Kong Limited (Arup) as the consultant of the applicants. The following Members had declared interests on the item :

Mr Ivan C.S. Fu            -    having current business dealings with NWD and Arup;

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

Mr K.K. Cheung            -    having past business dealings with Automall

Limited, which was a subsidiary of NWD, and his firm having current business dealings with NWD and Arup;

Dr C.H. Hau - being a principal lecturer and programme director of the University of Hong Kong (HKU). K11 Concept Limited of NWD had been sponsoring his student learning projects in HKU since 2009; and

Mr Ricky W.Y. Yu - being the Director and Chief Executive Officer of Light Be which had received donations from Chow Tai Fook Charity Foundation (related to NWD).

9. The Committee noted that the applicants had requested deferment of consideration of the application and Dr C.H. Hau had tendered an apology for being unable to attend the meeting. As the interest of Mr Ivan C.S. Fu was direct, the Committee agreed that he could stay in the meeting but should refrain from participating in the discussion. As the interest of Mr Ricky W.Y. Yu was indirect, and 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.

10. The Committee noted that the applicants' representative requested on 2.7.2019 deferment of the consideration of the application for two months so as to allow time to liaise with concerned departments and address their comments. It was the fourth time that the applicants requested deferment of the application. Since the last deferment, the applicants had been liaising with concerned departments and more time was required to address their comments.

11. After deliberation, the Committee decided to defer a decision on the application as requested by the applicants pending the submission of further information from the applicants. 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

applicants. If the further information submitted by the applicants 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 applicants that two months were allowed for preparation of the submission of the further information. Since it was the fourth deferment and a total of eight months had been allowed for preparation of submission of further information, this was the last deferment and no further deferment would be granted.

### **Sai Kung and Islands District**

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

#### **Agenda Item 5**

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

[Open Meeting (Presentation and Question Sessions Only)]

A/TKO/118                      Proposed Temporary Massage Establishment (Spa Facility) for a Period of 5 Years in "Residential (Group A) 6" Zone, Retail 5, G/F and B2/F, Alto Residences, 29 Tong Yin Street, Tseung Kwan O  
(RNTPC Paper No. A/TKO/118)

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12.            The Secretary reported that the application site was in Tseung Kwan O and Mr L.T. Kwok had declared an interest on this item as he was the Chief Executive of the Christian Family Service Centre which had 14 social services units in Tseung Kwan O district. As the interest of Mr L.T. Kwok was remote, the Committee agreed that he could stay in the meeting.

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

13.            Ms Kitty S.T. Lam, STP/SKIs, presented the application and covered the following aspects as detailed in the Paper :

- (a) background to the application;
- (b) the proposed temporary massage establishment (spa facility) for a period of five years;
- (c) departmental comments – departmental comments were set out in paragraph 9 of the Paper. Concerned departments had no objection to or no adverse comments on the application;
- (d) during the first three weeks of the statutory publication period, one public comment supporting the application was received (Appendix III 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 application was considered in line with the assessment criteria of Town Planning Board Guidelines No. 14B. The proposed massage establishment was considered not incompatible with other non-domestic uses within the development and surrounding developments. The proposed use, with its small scale, individual direct entrance and small number of daily visitors, would unlikely cause nuisance to the residents of the subject residential estate. Relevant government departments had no objection to or no adverse comments on the application. The proposed development would also be subject to relevant licensing requirements of the Commissioner of Police. To ensure the compliance with fire safety requirements, an approval condition was recommended for the provision of fire service installations. One supporting public comment was received during the statutory public inspection period.

14. Members had no question on the application.



## Deliberation Session

15. The Committee noted that due to commercial consideration, the applicant applied for temporary use instead of permanent use at the site.

16. After deliberation, the Committee decided to approve the application on a temporary basis for a period of 5 years until 19.7.2024, on the terms of the application as submitted to the Town Planning Board (TPB) and subject to the following conditions :

- “(a) the provision of fire service installations and water supplies for firefighting within 6 months from the date of the approval to the satisfaction of the Director of Fire Services or of the TPB by 19.1.2020; and
- (b) if the above planning condition is not complied with by the specified date, the approval hereby given shall cease to have effect and shall on the same date be revoked without further notice.”

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

## **Agenda Item 6**

### **Section 16 Application**

[Open Meeting]

A/SK-CWBN/55 Proposed Temporary Private Car Park for a Period of 3 Years in “Green Belt” Zone, Lot 123 (Part) in D.D. 238, Pan Long Wan, Clear Water Bay, Sai Kung

(RNTPC Paper No. A/SK-CWBN/55A)

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18. The Secretary reported that the application site was in Clear Water Bay and Mr David Y.T. Lui had declared an interest on this item as he co-owned with spouse two houses in Clear Water Bay.

19. The Committee noted that the applicants had requested deferment of consideration of the application. As the properties co-owned by Mr David Y.T. Lui and his spouse had no direct view of the application site, the Committee agreed that he could stay in the meeting.

20. The Committee noted that the applicants requested on 2.7.2019 deferment of the consideration of the application for two months so as to allow time for preparation of technical assessments to address the comments from relevant government departments. It was the second time that the applicants requested deferment of the application to allow more time for preparation of further information to address departmental comments.

21. After deliberation, the Committee decided to defer a decision on the application as requested by the applicants 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 applicants 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 applicants that two months were allowed for preparation of the submission of the further information. Since it was the second deferment and a total of four months had been allowed for preparation of submission of further information, no further deferment would be granted unless under very special circumstances.

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

**Agenda Item 7**

**Section 16 Application**

[Open Meeting (Presentation and Question Sessions Only)]

A/SK-CWBS/31 Proposed House with Associated Excavation of Land in “Green Belt”  
Zone, Lot 264 in D.D. 233 and adjacent Government Land, Ha Yeung,  
Sai Kung, Clear Water Bay  
(RNTPC Paper No. A/SK-CWBS/31A)

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22. The Secretary reported that the application site was in Clear Water Bay and Mr David Y.T. Lui had declared an interest on this item as he co-owned with spouse two houses in Clear Water Bay. As the properties co-owned by Mr David Y.T. Lui and his spouse had no direct view of the application site, the Committee agreed that he could stay in the meeting.

**Presentation and Question Sessions**

23. Ms Jane W.L. Kwan, STP/SKIs, presented the application and covered the following aspects as detailed in the Paper :

- (a) background to the application;
- (b) the proposed house with associated excavation of land;
- (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. Local views conveyed by the District Officer (Sai Kung), Home Affairs Department were set out in paragraph 9.1.14 of the Paper;
- (d) during the first three weeks of the statutory publication period, 16 comments objecting to the application from The World Wide Fund for Nature Hong Kong, representatives from Ha Yeung Village Committee, residents of Ha Yeung Village and Sheung Sze Wan Village, and members of the public, and one public comment raising concerns on the application

were received from a member of the public. 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 house development was not in line with the planning intention of “Green Belt” zone. However, the site was subject of a previously approved planning application (No. A/DPA/SK-CWBS/4 allowed by Town Planning Appeal Board), approved general building plans for the approved scheme, as well as approved and executed land exchange for the proposed house development. Taking into account the unique development history and context, the current application for residential uses might warrant a special consideration. As compared with the previously approved scheme, the current application involved a reduction of application site area, and a major revision of the layout of the proposed development. There was also corresponding reduction in domestic gross floor area, and number of houses, blocks and car parking spaces, while the plot ratio, site coverage and number of storeys remained unchanged. Although there was an increase in absolute building height(BH) from 9m to 11.2m, the number of storeys (2 storeys over 1 storey of carport) remained unchanged. Concerned departments had no adverse comment on the application or no objection to the proposed development and approval conditions on technical requirements were recommended. Regarding the public comments objecting to the application, the comments of government departments and planning assessments above were relevant.

24. Noting that the site was subject of a previously approved application, a Member asked why the approved scheme had not been implemented. In response, Ms Jane W.L. Kwan, STP/SKIs, said that general building plans for the approved scheme were approved by the Building Authority in 2015. However, the applicant decided to revise the scheme mainly involving a change in the number of houses from five to two, while the plot ratio, site coverage and number of storeys remained unchanged.

25. In response to a Member's enquiry on whether the increase in BH from 9m to

11.4m, as compared with the last approved scheme, would cause any visual impact on the surroundings, Ms Jane W.L. Kwan, STP/SKIs, said that as advised by the Chief Town Planner/Urban Design and Landscape, PlanD, significant adverse visual impact induced by the proposed development on the surroundings was not anticipated. Although there was an increase in BH measured in terms of metre, the proposed site formation level of the current application was lower than that of the last approved scheme. Furthermore, the BH of the current application in terms of metres above Principal Datum (mPD) (i.e. about 116mPD) was in line with the lease restriction.

### Deliberation Session

26. 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 19.7.2023, 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;
- (b) the submission and implementation of a landscape proposal to the satisfaction of the Director of Planning or of the TPB; and
- (c) the provision of water supplies for firefighting and fire service installations to the satisfaction of the Director of Fire Services or of the TPB.”

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

**Agenda Item 8**

**Section 16 Application**

[Open Meeting]

A/SK-HC/301            Proposed Temporary Private Car Park (Private Cars Only) and Public Utility Installation (Solar Photovoltaic System) for a Period of 3 Years in “Village Type Development” Zone and an area shown as ‘Road’, Various Lots in D.D. 244, Ho Chung, Sai Kung  
(RNTPC Paper No. A/SK-HC/301B)

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28.            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 to address the concerns of the relevant government departments. 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.

29.            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 9**

**Section 16 Application**

[Open Meeting (Presentation and Question Sessions Only)]

A/SK-HC/311            Proposed House (New Territories Exempted House - Small House) in  
                                 “Agriculture” Zone, Lot 445 S.D in D.D. 244, Ho Chung, Sai Kung  
                                 (RNTPC Paper No. A/SK-HC/311)

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**Presentation and Question Sessions**

30.            Ms Jane W.L. Kwan, STP/SKIs, presented the application and covered the following aspects as detailed in the Paper :

- (a) background to the application;
- (b) the proposed house (New Territories Exempted House (NTEH)- Small House);
- (c) departmental comments – departmental comments were set out in paragraph 9 of the Paper. The Director of Agriculture, Fisheries and Conservation (DAFC) did not support the application from agricultural point of view as the site possessed potentials for agricultural rehabilitation. The Commissioner for Transport (C for T) had reservation but considered that the application could be tolerated. 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, two public comments objecting to the application were received from Designing Hong Kong Limited and an individual. 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 the proposed Small House development was not in line with the

planning intention of the “Agriculture” (“AGR”) zone and DAFC did not support the application, there was no active farming within the site. The application generally complied with the Interim Criteria in that the proposed Small House footprint fell entirely within the ‘Village Environs’ of Ho Chung and there was a general shortage of land in meeting Small House development in the “Village Type Development” (“V”) zone. As a new village cluster had been established in the locality and land available within the “V” zone of Ho Chung Village was only slightly more than the number of outstanding Small House applications, sympathetic consideration might be given to the application. The proposed development was not incompatible with the surrounding areas. Concerned government departments had no adverse comment/objection to the application. Regarding the adverse public comments, the comments of government departments and planning assessments above were relevant.

31. Noting that the land available within the “V” zone of Ho Chung Village was slightly more than the number of outstanding Small House applications, a Member enquired whether there was any criterion in recommending sympathetic consideration to the application. In response, the Chairman said that the Committee had adopted a more cautious approach in considering applications for Small House in recent years, and more weighting had been put on the number of outstanding Small House applications provided by Lands Department in considering whether there was a general shortage of land in meeting Small House demand. Nevertheless, other factors should also be taken into account when assessing a planning application for Small House development. Concerning this application, the similar applications within the same “AGR” zone approved by the Committee and the establishment a new village cluster in the locality were also relevant factors for consideration.

32. The Chairman and a Member raised the following questions:

- (a) whether due consideration had been given to the archaeological value of the site as it fell within the Ho Chung Site of Archeological Interest; and
- (b) the status of the Site of Archeological Interest.



33. Ms Jane W.L. Kwan, STP/SKIs, made the following responses:
- (a) the Executive Secretary (Antiquities and Monuments) of Antiquities and Monuments Office (AMO), Development Bureau had been consulted and raised no objection to the application in view of the location and the findings of the recent archaeological surveys; and
  - (b) Sites of Archaeological Interest were delineated/recorded by the AMO for areas of archaeological potential or significance. That was an administrative measure adopted by the government departments to assess the archaeological impact that might be caused by any proposed development which fell within the boundary of Site of Archaeological Interest.

#### Deliberation Session

34. 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 19.7.2023, 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 condition :

“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.”

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

**Agenda Items 10, 11 and 12**

**Section 16 Applications**

[Open Meeting (Presentation and Question Sessions Only)]

A/SK-PK/248            Renewal of Planning Approval for Temporary Eating Place (Outside Seating Accommodation of Restaurant) for a Period of 3 Years in an area shown as 'Road', Open Area in Front of Shops 10A and 10B, G/F, Po Tung Road, Lot 1827 (Part) in D.D. 221, Sai Kung  
(RNTPC Paper No. A/SK-PK/248)

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A/SK-PK/249            Renewal of Planning Approval for Temporary Eating Place (Outside Seating Accommodation of Restaurant) for a Period of 3 Years in an area shown as 'Road', Open Area in Front of Shop 10C, G/F, Po Tung Road, Lot 1827 (Part) in D.D. 221, Sai Kung  
(RNTPC Paper No. A/SK-PK/249)

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A/SK-PK/250            Renewal of Planning Approval for Temporary Eating Place and Outside Seating Accommodation of Restaurant for a Period of 3 Years in an area shown as 'Road', Shop 10D and open area in front of the Shop, G/F, Po Tung Road, Lot 1827 (Part) in D.D. 221 and adjoining government land, Sai Kung  
(RNTPC Paper No. A/SK-PK/250)

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36.            The Committee agreed that the three applications for renewal of planning approvals in respect of two applications for temporary eating place (outside seating accommodation of restaurant) and one application for temporary eating place (including seating accommodation of restaurant) for a period of three years were similar in nature and the application sites were located in close proximity to one another within an area shown as 'Road' and could be considered together.

**Presentation and Question Sessions**

37.            Ms Jane W.L. Kwan, STP/SKIs, presented the applications and covered the following aspects as detailed in the Papers :

- (a) background to the applications;
- (b) the renewal of planning approvals for temporary eating place (outside seating accommodation of restaurant) and temporary eating place (including outside seating accommodation of restaurant) for a period of three years;
- (c) departmental comments – departmental comments were set out in paragraph 9 of the Papers. Concerned government departments had no objection to or no adverse comment on the applications;
- (d) during the first three weeks of the statutory publication period, one public comment objecting to each application was received from an individual. Major objection grounds were set out in paragraph 10 of the Papers; and
- (e) the Planning Department (PlanD)'s views – PlanD considered that the proposed uses could be tolerated for a further period of three years based on the assessments set out in paragraph 11 of the Papers. Although the proposed uses were not in line with the planning intention of the area shown as 'Road', given the temporary nature of the applications, the long-term planning intention of the area shown as 'Road' would not be frustrated. The proposed uses were considered not incompatible with the surrounding uses. Relevant government departments had no adverse comment on/ objection to the applications. All of the application sites were subject of previously approved applications for the same use and there had been no material change in the planning circumstances in the area since the previous approvals were granted. The applications were generally in line with the Town Planning Board Guidelines No. 34C. Regarding the adverse public comment, the comments of government departments and planning assessments above were relevant.

38. In response to Members' enquiry on whether these applications could be submitted as one application given they were similar in nature and were located in close proximity to one another, Ms Jane W.L. Kwan, STP/SKIs, said that application No.

A/SK-PK/250 involved ground floor of an existing 3-storey village house and its open area for temporary eating place and outside eating accommodation of restaurant while the other two applications, i.e. No. A/SK-PK/248 and 249 only involved outside eating accommodation of restaurant. As applications No. A/SK-PK/248 and 249 were submitted by different applicants and the nature of application No. A/SK-PK/250 was slightly different from the two above-mentioned applications, they were submitted under different applications.

39. Noting that approvals had been granted for same use at the same sites since 2004 (applications No. A/SK-PK/248 and 249) and all of the three application sites had been part of an area reserved for further widening and junction improvement of Hiram's Highway, a Member enquired the programme of the improvement work and if PlanD would review the land use zoning of the sites concerned. Ms Kwan, said that as advised by the Chief Highway Engineer/New Territories East, Highways Department (CHE/NTE, HyD), the sites were outside the proposed boundary of the Hiram's Highway Improvement Project Stage 2 (the Project). Referring to the layout plan of Hiram's Highway Improvement Stage 2, Ms Jane W.L. Kwan, STP/SKIs, supplemented that the design and investigation works of the Project were still in progress. Subject to the design and alignment of the Project by HyD be finalised, PlanD would review the land use zonings of the areas involved to reflect the latest circumstances.

#### Deliberation Session

40. Members noted that normally a large area would be reserved on statutory plans to allow greater design flexibility for the planned road works.

41. The Chairman said that appropriate amendments would be made to the Outline Zoning Plan to reflect the finalised road alignment at an appropriate juncture.

#### For Applications No. A/SK-PK/248 and 249

42. After deliberation, the Committee decided to approve the applications on a temporary basis for a period of 3 years from 17.8.2019 to 16.8.2022, each on the terms of the applications as submitted to the Town Planning Board (TPB) and subject to the following conditions :

- “(a) no operation between 2:00 a.m. and 1:00 p.m., as proposed by the applicant, is allowed on the application site during the planning approval period;
- (b) the provision of fire service installations within 6 months from the date of commencement of the renewed planning approval to the satisfaction of the Director of Fire Services or of the TPB by 17.2.2020;
- (c) if the above planning condition (a) is not complied with at any time during the approval period, the approval hereby given shall cease to have effect and shall be revoked immediately without further notice; and
- (d) if the above planning condition (b) is not complied with by the specified date, the approval hereby given should cease to have effect and should on the same date be revoked without further notice.”

43. The Committee also agreed to advise each of the applicant to note the advisory clauses as set out at Appendix VI of the Papers.

For Application No. A/SK-PK/250

44. After deliberation, the Committee decided to approve the application on a temporary basis for a period of 3 years from 30.7.2019 to 29.7.2022, on the terms of the application as submitted to the Town Planning Board (TPB) and subject to the following conditions :

- “(a) no operation between 2:00 a.m. to 1:00 p.m., as proposed by the applicant, is allowed on the application site during the planning approval period;
- (b) the provision of fire service installations within 6 months from the date of commencement of the renewed planning approval to the satisfaction of the Director of Fire Services or of the TPB by 30.1.2020;
- (c) if the above planning condition (a) is not complied with at any time during

the approval period, the approval hereby given shall cease to have effect and shall be revoked immediately without further notice; and

- (d) if the above planning condition (b) is not complied with by the specified date, the approval hereby given should cease to have effect and should on the same date be revoked without further notice.”

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

### **Agenda Item 13**

#### **Section 16 Application**

[Open Meeting]

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

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

- Mr Ivan C.S. Fu - having current business dealings with NWD, Arup and MVA;
- Mr Stephen L.H. Liu - having past business dealings with NWD;
- Mr K.K. Cheung - having past business dealings with Automall Limited, which was a subsidiary of NWD, and his firm having current business dealings with NWD and Arup;

- Dr C.H. Hau - being a principal lecturer and programme director of the University of Hong Kong (HKU). K11 Concept Limited of NWD had been sponsoring his student learning projects in HKU since 2009; and
- Mr Ricky W.Y. Yu - being the Director and Chief Executive Officer of Light Be which had received donations from Chow Tai Fook Charity Foundation (related to NWD).

47. The Committee noted that the applicants had requested deferment of consideration of the application and Dr C.H. Hau had tendered an apology for being unable to attend the meeting. As the interest of Mr Ivan C.S. Fu was direct, the Committee agreed that he could stay in the meeting but should refrain from participating in the discussion. As the interest of Mr Ricky W.Y. Yu was indirect, and 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.

48. The Committee noted that the applicants' representative requested on 4.7.2019 deferment of the consideration of the application for two months so as to allow time to prepare supplementary materials to address comments from various government departments. It was the third time that the applicants requested deferment of the application. Since the last deferment, the applicants had submitted further information to address departmental comments.

49. After deliberation, the Committee decided to defer a decision on the application as requested by the applicants 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 applicants. If the further information submitted by the applicants 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

applicants 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 Ms Kitty S.T. Lam and Ms Jane W.L. Kwan, STPs/SKIs, for their attendance to answer Members' enquiries. They left the meeting at this point.]

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

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

#### **Agenda Item 14**

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

[Open Meeting (Presentation and Question Sessions Only)]

A/ST/972                      Shop and Services (Money Exchange) in "Industrial" Zone, Portion of Workshop F9, LG/F, Wah Lok Industrial Centre Phase 2, 31-35 Shan Mei Street, Sha Tin  
(RNTPC Paper No. A/ST/972)

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50.            The Secretary reported that the application site was in Sha Tin and Ms Joyce S.Y. Ng had declared an interest on this item for owning a car parking space and co-owning with spouse two properties in Sha Tin. As the properties owned/co-owned by Ms Joyce S.Y. Ng and her spouse had no direct view of the application site, the Committee agreed that she could stay in the meeting.

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

51.            Mr Kenny C.H. Lau, STP/STN, presented the application and covered the



following aspects as detailed in the Paper :

- (a) background to the application;
- (b) the shop and services (money exchange);
- (c) departmental comments – departmental comments were set out in paragraph 9 of the Paper. Concerned departments had no objection to or no adverse comments on the application;
- (d) no public comment was received during the first three weeks of the statutory publication period; and
- (e) the Planning Department (PlanD)'s views – PlanD had no objection to the application on a temporary basis for a period of five years based on the assessments set out in paragraph 11 of the Paper. The proposed use was small in scale and considered not incompatible with the industrial and industrial-related uses in the subject industrial building and the surrounding developments. The aggregate commercial floor area of the subject building was within the maximum permissible limit of 460m<sup>2</sup> after including the floor area of the application premises. The application generally complied with the relevant considerations set out in the Town Planning Board Guidelines No. 25D including fire safety and traffic aspects. Relevant government departments had no objection to or no adverse comment on the application. A temporary approval of five years was recommended in order not to jeopardise the long-term planning intention of industrial use for the premises and to allow the Committee to monitor the supply and demand of industrial floor space in the area. No public comment was received during the statutory public inspection period.

52. Members had no question on the application.

## Deliberation Session

53. After deliberation, the Committee decided to approve the application on a temporary basis for a period of 5 years until 19.7.2024, on the terms of the application as submitted to the Town Planning Board (TPB) and subject to the following conditions :

- “(a) the submission and implementation of the fire safety measures within 6 months from the date of the approval to the satisfaction of the Director of Fire Services or of the TPB by 19.1.2020;
  
- (b) if the above planning condition is not complied with by the specified date, the approval hereby given shall cease to have effect and shall on the same date be revoked without further notice.”

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

## **Agenda Item 15**

### Section 16 Application

[Open Meeting (Presentation and Question Sessions Only)]

A/NE-SSH/131      Temporary Open Storage of Construction Materials, Tools and Parts with Ancillary Site Office and Staff Car Park for a Period of 3 Years in “Village Type Development” Zone, Lots 1034 S.A (Part), 1035 S.A (Part), 1036 S.A, 1037 S.A (Part), 1038, 1039 (Part), 1040 (Part), 1041 (Part), 1042 (Part), 1043 S.A (Part), 1043 S.A ss.1 (Part), 1043 S.B ss.1 (Part), 1043 S.C and 1044 S.A (Part) in D.D. 218, Shap Sz Heung, Tai Po  
  
(RNTPC Paper No. A/NE-SSH/131)

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### Presentation and Question Sessions

55. Mr Tony Y.C. Wu, STP/STN, presented the application and covered the

following aspects as detailed in the Paper :

- (a) background to the application;
- (b) the temporary open storage of construction materials, tools and parts with ancillary site office and staff car park for a period of three years;
- (c) departmental comments – departmental comments were set out in paragraph 10 of the Paper. The Commissioner for Transport (C for T) did not support the application and advised that the applicant should carry out assessment to demonstrate no adverse traffic impact would be caused and provide justifications for the proposed traffic arrangements. The Director of Environmental Protection (DEP) also did not support the application as there were domestic structures in the vicinity of the site;
- (d) during the first three weeks of the statutory publication period, one public comment objecting to the application was received. Major objection grounds were set out in paragraph 11 of the Paper; and
- (e) the Planning Department (PlanD)’s views – PlanD did not support the application based on the assessments set out in paragraph 12 of the Paper. The development was not in line with the planning intention of “Village Type Development” (“V”) zone. No strong planning justification had been given in the submission to justify a departure from the planning intention, even on a temporary basis. The site was subject of an active enforcement case and the unauthorised development had not been discontinued after the expiry date of the Enforcement Notice. Prosecution action was being considered by the Planning Authority. The District Land Officer/Tai Po, Lands Department also advised that appropriate lease enforcement action would be taken in respect of the unauthorised erection of structures at the site. The applied temporary use was considered incompatible with the surrounding area. Both DEP and C for T did not support the application as explained above. Other concerned government departments had no objection to or no adverse comment on the application.

The application did not comply with the Town Planning Board Guidelines No. 13E in that the site fell within Category 4 areas where applications would normally be rejected except under exceptional circumstances. Approval of the application would set an undesirable precedent for similar applications in the “V” zone. Regarding the adverse public comment, the comments of government departments and planning assessments above were relevant.

56. Members had no question on the application.

#### Deliberation Session

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

- “(a) the development is not in line with the planning intention of the “Village Type Development” (“V”) zone which is to designate both recognized villages and areas of land considered suitable for village expansion. Land within this zone is primarily intended for development of Small Houses by indigenous villagers. There is no strong planning justification in the submission for a departure from such planning intention, even on a temporary basis;
- (b) the development does not comply with the Town Planning Board Guidelines No. 13E for Application for Open Storage and Port Back-up Uses under Section 16 of the Town Planning Ordinance in that no previous planning approval for open storage use has been granted at the site and there are adverse departmental comments on the application;
- (c) the applicant fails to demonstrate that the development would not generate adverse traffic and environmental impacts on the surrounding areas; and
- (d) the approval of the application, even on a temporary basis, would set an undesirable precedent for other similar applications within the “V” zone.

The cumulative effect of approving such applications would result in a general degradation of the environment in the area.”

### **Agenda Items 16 and 17**

#### **Section 16 Applications**

[Open Meeting (Presentation and Question Sessions Only)]

A/NE-LYT/698      Temporary Public Vehicle Park (Private Car) for a Period of 3 Years in  
“Agriculture” Zone, Various Lots in D.D. 76, Kan Tau Tsuen, Fanling  
(RNTPC Paper No. A/NE-LYT/698)

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A/NE-LYT/699      Temporary Public Vehicle Park (Private Car) for a Period of 3 Years in  
“Agriculture” Zone, Lot 1532 RP (Part) in D.D. 76, Kan Tau Tsuen,  
Fanling  
(RNTPC Paper No. A/NE-LYT/699)

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58.            The Committee agreed that the two applications for temporary public vehicle park (private car) for a period of three years were similar in nature and the application sites were located in close proximity to one another within the same “Agriculture” zone and could be considered together.

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

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

- (a)    background to the applications;
- (b)    the proposed temporary public vehicle park (private car) for a period of three years;
- (c)    departmental comments – departmental comments were set out in paragraph 9 of the Papers. The Commissioner for Transport (C for T) did not support to the applications as the applicants could not satisfactorily

address his concerns. The Director of Agriculture, Fisheries and Conservation (DAFC) did not support the applications as the sites possessed potential for agricultural rehabilitation. Other concerned government departments had no objection to or no adverse comment on the applications. Local supporting views conveyed by the District Officer (North), Home Affairs Department were set out in paragraph 9.1.11 of the Papers;

- (d) during the first three weeks of the statutory publication period, for each of the application, three public comments were received from World Wide Fund For Nature Hong Kong, The Hong Kong Bird Watching Society and an individual objecting to the application, while one public comment was received from the Chairman of Sheung Shui District Rural Committee indicating no comment on the applications. The major views 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 Papers. The developments were not in line with the planning intention of the “Agriculture” (“AGR”) zone. DAFC did not support the applications from the agricultural development point of view. The applicants had not provided any strong justifications in the submissions to justify a departure from the planning intention of the “AGR” zone, even on a temporary basis. Although the temporary public vehicle parks were considered not entirely incompatible with the surrounding areas, C for T did not support the applications as the applicants failed to demonstrate that the applied uses would not cause adverse traffic impact on the surrounding areas. Other concerned government departments had no adverse comment on or no objection to the applications. The application sites were entirely/part of the subject of an active enforcement case. Approval of the applications would set an undesirable precedent for similar applications and encourage “destroy first, built later” activities. The cumulative effect of approving similar applications would inevitably degrade the landscape character of the “AGR” zone. Although there were similar approved applications

within the same “AGR” zone, the applicants failed to demonstrate no adverse traffic impact on the area. As such, the circumstance of the subject applications was different from those approved applications. Regarding the adverse public comments, the comments of government departments and planning assessments above were relevant.

60. Members had no question on the applications.

### Deliberation Session

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

- “(a) the development is not in line with the planning intention of the “Agriculture” zone which is to primarily retain and safeguard good quality agricultural land/farm/fish ponds for agricultural purposes. It is also intended to retain fallow arable land with good potential for rehabilitation for cultivation and other agricultural purposes. There is no strong planning justification in the submission to justify a departure from the planning intention, even on a temporary basis; and
- (b) the applicant fails to demonstrate in the submission that the development would not cause adverse traffic impact on the surrounding areas.”

### **Agenda Item 18**

#### Section 16 Application

[Open Meeting]

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

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62. The Committee noted that the applicant’s representative requested on 5.7.2019

deferment of the consideration of the application for two months so as to allow time to address the departmental comments received. 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.

63. 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 19**

#### **Section 16 Application**

[Open Meeting]

A/NE-TKL/618      Proposed Temporary Logistic Centre for a Period of 3 Years in  
"Agriculture" and "Open Storage" Zones and an area shown as 'Road',  
Taxlord Lot 483 S.B RP (Part) in D.D.83 and Adjoining Government  
Land, Kwan Tei North, Fanling  
(RNTPC Paper No. A/NE-TKL/618)

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64. The Committee noted that the applicant's representative requested on 4.7.2019 deferment of the consideration of the application for two months so as to allow time to prepare further information to address the departmental comments. It was the first time that the applicant requested deferment of the application.

65. After deliberation, the Committee decided to defer a decision on the application



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

### **Agenda Item 20**

#### **Section 16 Application**

[Open Meeting]

A/NE-TKLN/14 Proposed Filling of Ponds for Permitted Agricultural Use in  
"Agriculture" Zone, Lots 777 (Part) and 969 (Part) in D.D. 78, Ta Kwu  
Ling North  
(RNTPC Paper No. A/NE-TKLN/14B)

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66. The Committee noted that the applicant's representative requested on 27.6.2019 deferment of the consideration of the application for two months so as to allow time for preparation of further information to address comments of the Drainage Services Department. 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.

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

applicant that two months were allowed for preparation of the submission of the further information. Since it was the 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 21**

### **Section 16 Application**

[Open Meeting (Presentation and Question Sessions Only)]

A/NE-TK/671            Proposed Temporary Public Vehicle Park (Private Cars Only) for a Period of 3 Years in “Agriculture” Zone, Lots 246 S.A (Part), 247, 249 and 250 RP (Part) in D.D. 23, Ting Kok, Tai Po  
(RNTPC Paper No. A/NE-TK/671)

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### **Presentation and Question Sessions**

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

- (a) background to the application;
- (b) the proposed 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 Director of Agriculture, Fisheries and Conservation (DAFC) did not support the application as the site possessed potential for agricultural rehabilitation. The Chief Town Planner/Urban Design and Landscape, Planning Department (CTP/UD&L, PlanD) had some reservation on the application as approval of the application might encourage similar temporary use in the area, which would lead to degradation of the rural landscape character in the vicinity. Other concerned government departments had no objection to or no adverse

comment on the application;

- (d) during the first three weeks of the statutory publication period, three public comments objecting to the application were received from World Wide Fund for Nature Hong Kong, The Hong Kong Bird Watching Society and an individual. 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 “Agriculture” (“AGR”) zone. DAFC did not support the application as road access and water source was available, and the site possessed potential for agricultural rehabilitation. The applicant had not provided any strong planning justifications in the submission to justify a departure from the planning intention of “AGR” zone, even on a temporary basis. CTP/UD&L of PlanD advised that although significant adverse impact arising from the proposed development on landscape resources was not anticipated, he had some reservation on the application as approval of the application might encourage similar temporary use in the area. Approval of the application would set an undesirable precedent for similar applications. Other relevant government departments had no objection to or no adverse comment on the application. Regarding the adverse public comments, the comments of government departments and planning assessments above were relevant.

69. Members had no question on the application.

#### Deliberation Session

70. After deliberation, the 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. There is no strong planning justification in the submission for a departure from the planning intention of “AGR” zone, even on a temporary basis; and

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

## **Agenda Item 22**

### **Section 16 Application**

[Open Meeting (Presentation and Question Sessions Only)]

A/TP/652                      Religious Institution and Columbarium with Ancillary Quarters in “Green Belt” Zone, Lot 1171 (Part) in D.D. 6 and Adjoining Government Land, Shek Lin Road, Shek Kwu Lung, Tai Po  
(RNTPC Paper No. A/TP/652C)

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71.            The Secretary reported that the application was for religious institution and columbarium with ancillary quarters and the application site was in Tai Po. The following Members had declared interests on the item:

Mr H.W. Cheung            -    being a member of the Private Columbaria Licensing Board and owning a property in Tai Po Market; and

Mr Ivan C.S. Fu            -    being a member of the Private Columbaria Appeal Board.

72.            As the interests of Messrs H.W. Cheung and Ivan C.S. Fu were indirect, and the

property of Mr H.W. Cheung had no direct view of the application site, the Committee agreed that they could stay in the meeting.

### Presentation and Question Sessions

73. With the aid of the PowerPoint presentation, Ms Kathy C.L. Chan, STP/STN, presented the application and covered the following aspects as detailed in the Paper :

- (a) background to the application;
- (b) the religious institution and columbarium with ancillary quarters;
- (c) departmental comments – departmental comments were set out in paragraph 10 of the Paper. Concerned government departments had no objection to or no adverse comment on the application;
- (d) during the first three weeks of the statutory publication periods, a total of 150 public comments objecting to the application were received from Tai Po District Council Members, Lam Tsuen Valley Committee, Village Representatives of Lin Au Village and Shek Kwu Lung Village and individuals (with 82 public comments in the form of standard letters). 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. While the application was not in line with the planning intention of the “Green Belt” zone, the current application was not for a new development but to regularize the existing religious institution and columbarium use with minor conversion works for a proposed toilet building. The columbarium use under application was considered not incompatible with the surrounding land uses. To address the potential traffic problems caused by the columbarium use, the applicant had submitted a Traffic Impact Assessment (TIA) and proposed to implement a traffic management plan. Both the Commissioner of Police and Commissioner for Transport (C for T)

had no objection to application and the measures proposed under the traffic management plan. Also, the application was considered generally in line with the Town Planning Board Guidelines No. 10 as no existing trees would be affected by the proposed conversion works and other concerned departments had no adverse comment on or objection to the application. Regarding the adverse public comments, the comments of government departments and planning assessments above were relevant.

74. Some Members raised the following questions:

- (a) the private columbaria located in Kam Shan/Shek Kwu Lung cluster;
- (b) noting that C for T had no adverse comment on the revised TIA and there were other applications for columbarium use in proximity to the site, whether the cumulative traffic impacts of these private columbaria had been taken into account in the TIA;
- (c) traffic impact caused by the proposed provision of ancestor memorial tablet;
- (d) whether columbarium use was under Column 2 use (i.e. requiring planning permission) of the Notes for most of the zones on the Outline Zoning Plan;
- (e) whether the total number of niches proposed for licence application under the Private Columbaria Ordinance (PCO) tallied with that as proposed in the planning application; and
- (f) whether the columbarium use at the site was in existence before the publication of the first statutory plan covering the site.

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

- (a) including the subject columbarium, there were six known private columbaria located in the vicinity of Kam Shan/Shek Kwu Lung area.

Apart from the subject columbarium under the current application, there were three other planning applications (No. A/TP/657, Y/TP/27 and Y/TP/29) submitted by three of the above private columbaria in the Kam Shan/Shek Kwu Lung cluster area. These applications were being processed;

- (b) the TIA had not taken into account the traffic impacts of the other private columbaria proposals for new niches which were still being processed under planning applications in the Kam Shan/Shek Kwu Lung cluster area;
- (c) according to the information provided by the applicant, the ancestor memorial tablets would be put up in memory of respective families/their deceased members/individual deceased relatives/some deceased monks and nuns. It was not a common practice of their descendants/relatives to pay visit to the ancestor memorial tablets during festive days. As the number of visitors was small, the traffic impact caused by the provision of ancestor memorial tablets was considered minimal;
- (d) columbarium use was a Column 2 use under the Notes for various zones. However, in the case where columbarium use was neither a Column 1 nor Column 2 use, planning application for amendment of plan would be required;
- (e) as advised by the Director of Food and Environmental Hygiene, the total number of niches proposed for licence application under the PCO tallied with that as proposed in the planning application; and
- (f) the applicant claimed that the monastery was established in 1952. However, there was no land use survey record for the area before the gazettal of first statutory plan covering Tai Po area (i.e.12.12.1980). According to the aerial photo taken on 21.11.1980, some structures were found at the site but it was uncertain whether the structures were used for columbarium.

76. In response to a Member's enquiry, Mr B.K. Chow, Chief Traffic Engineer/New Territories West of Transport Department (CTE/NTW,TD), said that in general, assessment in TIA was based on the total number of niches and ancestor memorial tablets under the application, instead of the number of occupied or sold niches/ancestor memorial tablets.

#### Deliberation Session

77. In response to a Member's enquiry on whether the TIA had to take into account the traffic impact of the columbaria which were still under planning application, Mr B.K. Chow, CTE/NTW,TD, said that in general, TIA conducted for the proposed development under each application had to take into account the existing and committed developments in the area.

78. A Member said that the application warranted favourable consideration as it was more desirable to concentrate columbarium developments in a cluster from planning perspective and regularisation of existing development might warrant favourable consideration. Even though the columbarium use at the site might not be an 'Existing Use', the Committee could still decide whether the proposed development was acceptable based on the assessment from various perspectives. The Member also said that traffic arrangements for each columbarium should be assessed on a case-by-case basis.

79. In response to a Member's enquiry, the Chairman said that there was no population-based standard in the Hong Kong Planning Standards and Guidelines to determine the number of niches required in each district. Nevertheless, the Food and Environmental Hygiene Department had made projection on the long-term needs of columbarium facilities. The Government also strived to meet the demand of such needs by development of new and expansion of existing public columbaria as well as regulating operation of private columbaria through the licensing regime under PCO. Under the licensing regime, planning permission was a pre-requisite for obtaining the licence and the operators were required to submit various assessments or reports to demonstrate that the columbaria would not cause any adverse impact.

80. The Vice-chairman said that apart from the traffic impact caused by the columbarium, other factors such as compatibility with and impacts on the surrounding



developments needed to be taken into account when assessing applications for columbarium use and each application should be assessed based on its individual merits. As for this application, he considered that the proposed development was not incompatible with the surroundings.

81. 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 19.7.2023, 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 number of niches and ancestral cards within the site shall not exceed 757 and 1 782 respectively; and
- (b) the submission and implementation of fire service installations and water supplies for fire-fighting proposal to the satisfaction of the Director of Fire Services or of the TPB.”

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

## **Agenda Items 23 and 24**

### **Section 16 Applications**

[Open Meeting (Presentation and Question Sessions Only)]

A/TP/665                      Proposed House (New Territories Exempted House - Small House) in  
“Green Belt” and “Village Type Development” Zones, Lot 187 S.B in  
D.D. 21, San Uk Ka Village, Tai Po  
  
(RNTPC Paper No. A/TP/665 and 666)

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A/TP/666                      Proposed House (New Territories Exempted House - Small House) in  
“Green Belt” and “Village Type Development” Zones, Lot 187 S.C in  
D.D. 21, San Uk Ka Village, Tai Po  
  
(RNTPC Paper No. A/TP/665 and 666)

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83.            The Committee agreed that the two applications for proposed house (New Territories Exempted House - Small House) were similar in nature and the application sites were located in close proximity to one another within the same “Green Belt” (“GB”) and “Village Type Development” (“V”) zones and could be considered together.

84.            The Secretary reported that the application sites were in Tai Po and Mr H.W.Cheung had declared an interest on these items for owning a property in Tai Po Market. As the property owned by Mr. H.W. Cheung had no direct view of the application sites, the Committee agreed that he could stay in the meeting.

### **Presentation and Question Sessions**

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

- (a) background to the applications;
- (b) the proposed house (New Territories Exempted House - Small House);
- (c) departmental comments – departmental comments were set out in paragraph 10 of the Paper. The Commissioner for Transport (C for T) had

general reservation on the applications but considered the applications could be tolerated on traffic grounds. Other concern government departments had no objection to or no adverse comment on the applications;

- (d) during the first three weeks of the statutory publication period, two public comments objecting to each application were received from the Hong Kong Bird Watching Society and an individual. Major objection grounds were set out in paragraph 11 of the Paper; and
- (e) the Planning Department (PlanD)'s views – PlanD did not support the applications based on the assessments set out in paragraph 12 of the Paper. The proposed developments were not in line with the planning intention of the “GB” zone and there was a general presumption against development in the “GB” zone. C for T had general reservation on the applications but considered that the applications involving development of two Small Houses only could be tolerated on traffic grounds. Other relevant government department had no objection to or no adverse comment on the applications. Whilst land available within the “V” zone for Small House development was insufficient to fully meet the future Small House demand, it was capable to meet the 41 outstanding Small House applications. It should be noted that the Committee had adopted a more cautious approach in approving applications for Small House development since August 2015. In this regard, it was considered more appropriate to concentrate the proposed Small House developments within the “V” zone for more orderly development pattern, efficient use of land and provision of infrastructures and services. Regarding the adverse public comments, the comments of government departments and planning assessments above were relevant.

86. Members had no question on the applications.

#### Deliberation Session

87. After deliberation, the Committee decided to reject the applications. The

reasons for each of the application were :

- “(a) the proposed development is not in line with the planning intention of “Green Belt” zone, which is primarily for defining the limits of urban and sub-urban development areas by natural features and to contain urban sprawl as well as to provide passive recreational outlets. There is a general presumption against development within this zone. There is no strong planning justification in the submission to justify a departure from the planning intention; and
  
- (b) land is still available within the “Village Type Development” (“V”) zone of San Uk Ka, Cheung Uk Tei, Sheung Wun Yiu and Ha Wun Yiu 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.”

[The Chairman thanked Mr Kenny C.H. Lau, Mr Tony Y.C. Wu, Mr Tim T.Y. Fung and Ms Kathy C.L. Chan, 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 Emily P.W. Tong, Senior Town Planners/Fanling, Sheung Shui and Yuen Long East (STPs/FSYLE), were invited to the meeting at this point.]

**Agenda Item 25**

**Section 16 Application**

[Open Meeting (Presentation and Question Sessions Only)]

A/YL-SK/251            Proposed Temporary Shop and Services (Metalware Retail Shop) for a Period of 3 Years in “Residential (Group D)” Zone, Lot 1640 S.A (Part) in D.D. 114, Shek Kong, Yuen Long  
(RNTPC Paper No. A/YL-SK/251A)

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**Presentation and Question Sessions**

88.            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) the proposed temporary shop and services (metalware retail shop) for a period of three years;
- (c) departmental comments – departmental comments were set out in paragraph 9 of the Paper. Concerned government departments had no objection to or no adverse comment on the application. One objecting comment from the locals conveyed by the District Officer (Yuen Long), Home Affairs Department was set out in paragraph 9.1.9 of the Paper;
- (d) during the first three weeks of the statutory publication period, four public comments objecting to the application from two Indigenous Inhabitant Representative (IRRs) and two incoming IRRs of Sheung Tsuen, and one public comment expressing concerns on the application from a member of the public were received. 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 development was not entirely in line with the planning intention of “Residential (Group D)” (“R(D)”) zone, approval of the application on a temporary basis for a period of three years would not frustrate the long-term planning intention of the “R(D)” zone. The proposed development with low-rise structures was not incompatible with the surrounding land uses. Concerned government departments had no objection to or no adverse comment on the application. To mitigate potential traffic and environmental impacts on the surrounding areas, appropriate approval conditions were recommended. There was one approved similar application within the same “R(D)” zone. The considerations for the said application were generally applicable to the subject application and approval of the application was in line with the previous decision of the Committee. Regarding the adverse public comments, the comments of government departments and planning assessments above were relevant.

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 19.7.2022, 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 10:00 a.m., as proposed by the applicant, is allowed on the site during the planning approval period;
- (b) no operation on Sundays and public holidays, as proposed by the applicant, is allowed on the site during the planning approval period;
- (c) no dismantling, maintenance, repairing, cleansing, paint spraying or other workshop activities are allowed on the site at any time during the planning approval period;

- (d) no medium or heavy goods vehicles exceeding 5.5 tonnes, including container tractors/trailers, as defined in the Road Traffic Ordinance are allowed to be parked/stored on or enter/exit the site at any time during the planning approval period;
- (e) no vehicle is allowed to queue back to or reverse onto/from public road at any time during the planning approval period;
- (f) all existing trees within the site shall be maintained at all times during the planning approval period;
- (g) the submission of proposal for fire service installations and water supplies for fire-fighting within 6 months from the date of planning approval to the satisfaction of the Director of Fire Services or of the TPB by 19.1.2020;
- (h) in relation to (g) above, the implementation of proposal for fire service installations and water supplies for fire-fighting within 9 months from the date of planning approval to the satisfaction of the Director of Fire Services or of the TPB by 19.4.2020;
- (i) the submission of drainage proposal within 6 months from the date of planning approval to the satisfaction of the Director of Drainage Services or of the TPB by 19.1.2020;
- (j) in relation to (i) above, the implementation of drainage proposal with 9 months from the date of planning approval to the satisfaction of the Director of Drainage Services or of the TPB by 19.4.2020;
- (k) in relation to (j) above, the implemented drainage facilities on the site shall be maintained at all times during the planning approval period;
- (l) if any of the above planning conditions (a), (b), (c), (d), (e), (f) or (k) is not complied with during the planning approval period, the approval hereby given shall cease to have effect and shall be revoked without further notice;

and

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

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

### **Agenda Item 26**

#### **Section 16 Application**

[Open Meeting (Presentation and Question Sessions Only)]

A/NE-KTS/465 Proposed Residential Development and Minor Relaxation of Plot Ratio and Site Coverage Restrictions in “Comprehensive Development Area” Zone, Lots 1124 RP, 1125 RP, 1126 and 1127 RP (Part) in D.D. 92, Lots 343 RP, 344A S.1 RP (Part), 402 S.A RP, 404 RP, 407 S.A RP, 407 S.A ss.1 RP, 408 S.A RP, 408 S.C ss.2 RP, 408 S.D ss.1, 408 S.D RP and 408 RP in D.D. 94 and Adjoining Government Land, Hang Tau Tai Po, Kwu Tung South  
(RNTPC Paper No. A/NE-KTS/465B)

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92. The Secretary reported that the application site was in Kwu Tong South and LWK & Partners Architects Limited (LWK) and MVA Hong Kong Limited (MVA) were two of the consultants of the applicant. The following Members had declared interests on this item:

- Dr Lawrence K.C. Li - being a member of the Hong Kong Golf Club, which was located to the south of the site;
- Mr Ivan C.S. Fu - being a director of LWK, and having current business dealings with MVA;
- Mr Stephen L.H. Liu - having past business dealings with LWK; and



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

93. The Committee noted that Dr Lawrence K.C. Li had tendered an apology for being unable to attend the meeting. As the interest of the Mr Ivan C.S. Fu was direct, the Committee agreed that he should be invited to leave the meeting temporarily for this item. The Committee also agreed that Messrs Stephen L.H. Liu and Ricky W.Y. Yu could stay in the meeting as they had no involvement in the application.

[Mr Ivan C.S. Fu left the meeting temporarily and Mr David Y.T. Lui left the meeting at this point.]

#### Presentation and Question Sessions

94. With the aid of a PowerPoint presentation, Ms S.H. Lam, STP/FSYLE, presented the application and covered the following aspects as detailed in the Paper :

- (a) background to the application;
- (b) the proposed residential development and minor relaxation of plot ratio (PR) and site coverage (SC) restrictions;
- (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 objecting to the application conveyed by the District Officer (North), Home Affairs Department were set out in paragraph 10.1.13 of the Paper;
- (d) during the first three weeks of the statutory publication periods, a total of 9 public comments were received. Except one comment from an individual indicating no comment on the application, the remaining comments from a North District Council member, the Chairman of Sheung Shui Hang Tau Village Residents Welfare Association and individuals/local residents were

all objecting to the application. Major objection grounds were set out in paragraph 11 of the Paper; and

- (e) the Planning Department (PlanD)'s views – PlanD had no objection to the application based on the assessments set out in paragraph 12 of the Paper. The proposed development was in line with the planning intention of the “Comprehensive Development Area” (“CDA”) zone. Even with the proposed minor relaxation of PR and SC restrictions, the proposed development was compatible with the surrounding environment. The proposed development would provide more housing units and achieve better utilisation of land resource, which was generally in line with the Government's policy of allowing increasing the maximum domestic PR for housing developments, subject to technical feasibility. Relevant government departments had no adverse comment on the proposed minor relaxation of PR and SC restrictions. Moreover, the planning merits proposed by the applicant might help enhance the amenity of the area. According to the Master Layout Plan, separate vehicular access and sufficient private open space were provided for the 2 phases. As each phase could be independently developed, it was considered that the planning intention of the “CDA” and comprehensiveness of the development would not be adversely affected by the phased development. Regarding the adverse public comments, the comments of government departments and planning assessments above were relevant.

95. In response to a Member's enquiry, the Chairman said that if the current application was approved, the lot owner would apply to the Lands Department (LandsD) for land exchange, and LandsD would deal with the issue on missing land documents in the Land Registry at that stage.

96. In response to a Member's enquiry on the planning merits of the application, Ms S.H. Lam, STP/FSYLE, said that the application involved an increase in PR for 20% (about +1439.3m<sup>2</sup> in Phase 1 and +58.6m<sup>2</sup> in Phase 2) which could produce about 8 extra houses. Apart from the increase in flat supply, other planning merits included 4m set back at the eastern boundary for future widening of Haug Tau Road and provisions of pedestrian

crossing on Hau Tau Road, 5m house setback from the site boundary, and peripheral planting.

97. In response to a Member's enquiry on the design of the proposed peripheral wall, Ms S.H. Lam, STP/FSYLE, said that it was considered that the provision of peripheral planting and vertical greening would help soften the visual impact of the peripheral wall which was usually provided for security reason. The Member further asked if there were walls between the proposed houses. Ms Lam, responded that in addition to the peripheral wall, separation walls/fences between houses were also proposed.

98. In response to a Member's enquiry, Ms S.H. Lam, STP/FSYLE, said that the car parking provision in Phase 1 and Phase 2 was 81 and 2 respectively. However, the future car parking provision would be subject to the requirements of the Transport Department.

#### Deliberation Session

99. Regarding a Member's concern on the missing of land documents of the private lots concerned, Ms Joyce S.Y. Ng, Assistant Director/Regional 3, LandsD said that such situation could occur occasionally, especially for private lots in the New Territories. In case there was the need to take enforcement action from the lease aspect, LandsD would make reference to the internal records, land sale records or seek legal advice to ascertain the lease restrictions before taking further action. As for the case where redevelopment was contemplated and if planning permission was required, in general, after obtaining planning permission by the Committee, the applicant would need to apply to LandsD for a land exchange in order to implement the development proposal. If the land exchange application was approved, a new lease incorporating, among others, the development parameters set out in the planning application would be prepared. The premium payable for the proposed land exchange would be assessed having regard to the lease conditions of the surrounding lots. LandsD would follow the established procedures to determine the old lease conditions in case the lease was found missing.

100. A Member was doubtful whether the planning merits proposed in the scheme were sufficient to justify the proposed minor relaxation of development restrictions and raised concern on the traffic impact caused by the proposed development.

101. A Member supported the application as the proposal would maximise the utilisation of land resource and government departments had no adverse comment. Another Member had no objection to the application as the proposal would help enhance the amenity of the area and the traffic impact caused by the proposed development would be minimal.

102. Noting that some Members had concern on the traffic impact, the Chairman invited Mr B.K. Chow, CTE/NTW,TD to provide more information in this regard. In response, Mr Chow, said that the applicant had submitted a Traffic Impact Assessment (TIA) in support of the proposed development. TD had no objection to the TIA and considered that the traffic volume generated from the proposed development was not significant and there was sufficient capacity of the nearby road junctions to cater for the increase in traffic volume. The proposed 4m set back at the eastern boundary for future widening of Haug Tau Road (a public road) would also improve the road configuration. In response to the Chairman's enquiry, Mr Chow, said that in new development/redevelopment projects with adjacent narrow road/footpath, TD would take the opportunity to require the developer to provide a set back so that improvement works to the road/footpath could be carried out.

103. While Members generally had no objection to the application, the Committee agreed to include an additional advisory clause to remind the applicant to note Members' concern on the design of the peripheral wall and effort should be made to minimise the visual impact on the surrounding area.

104. 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 19.7.2023, 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 a revised Master Layout Plan to incorporate the approval conditions as stated in paragraphs (b) to (i) below to the satisfaction of the Director of Planning or of the TPB;
- (b) the submission and implementation of a Landscape Master Plan to the

satisfaction of the Director of Planning or of the TPB;

- (c) the design and provision of vehicular access, parking spaces and loading/unloading facilities to the satisfaction of the Commissioner for Transport or of the TPB;
- (d) the design and implementation of the proposed pedestrian crossing on Hang Tau Road and footpath abutting the site and Hang Tau Road to the satisfaction of the Commissioner for Transport or of the TPB;
- (e) the submission of a revised Noise Impact Assessment and the implementation of the mitigation measures identified therein to the satisfaction of the Director of Environmental Protection or of the TPB;
- (f) the submission of a revised Sewerage Impact Assessment and the implementation of the sewerage proposal and sewerage connection works identified therein to the satisfaction of the Director of Environmental Protection or of the TPB;
- (g) the submission of a revised Drainage Impact Assessment and the implementation of the drainage proposal and drainage upgrading/drainage connection works identified therein to the satisfaction of the Director of Drainage Services or of the TPB;
- (h) the provision of fire fighting access, water supplies for fire fighting and fire services installations to the satisfaction of the Director of Fire Services or of the TPB; and
- (i) the submission of an implementation programme including a phasing plan of the proposed development to the satisfaction of the Director of Planning or of the TPB.”

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

“to adopt proper design of the peripheral wall in order to minimise the visual impact on the surrounding areas.”

[Mr Ivan C.S. Fu returned to join the meeting and Mr Stephen L.H. Liu left the meeting at this point.]

### **Agenda Item 27**

#### **Section 16 Application**

[Open Meeting (Presentation and Question Sessions Only)]

A/YL-MP/283      Temporary Social Welfare Facility (Drug Dependent Persons Treatment and Rehabilitation Centre) for a Period of 3 Years in “Recreation” Zone, First Floor, Lot 4620 in D.D. 104, Mai Po, Yuen Long  
(RNTPC Paper No. A/YL-MP/283)

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106.      The Secretary reported that the application site was in Mai Po and Mr K.W. Leung had declared an interest on this item for owning a property in Fairview Park, Mai Po. As the property of Mr K.W. Leung had no direct view of the application site, the Committee agreed that he could stay in the meeting.

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

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

- (a) background to the application;
- (b) the temporary social welfare facility (drug dependent persons treatment and rehabilitation centre) for a period of three years;
- (c) departmental comments – departmental comments were set out in

paragraph 10 of the Paper. Concerned government departments had no objection to or no adverse comment on the application;

- (d) no public comment was received during the first three weeks of the statutory publication period; and
- (e) the Planning Department (PlanD)'s views – PlanD considered that the temporary social welfare facility (drug dependent persons treatment and rehabilitation centre) could be tolerated for a period of three years based on the assessments set out in paragraph 12 of the Paper. Although the proposed use was not in line with the planning intention of the “Recreation” (“REC”) zone, the temporary use for a period of three years would not jeopardize the long-term planning intention of the “REC” zone. The temporary social welfare facility within an existing church was considered not incompatible with the existing church use within the same building, as well as the land uses of the surrounding areas. Concerned government departments had no objection to or no adverse comment on the application. As the last approved planning application for the same use at the site was revoked due to non-compliance of approval condition, a shorter compliance period for closely monitoring of the progress on compliance with the approval conditions was recommended.

108. Members had no question on the application.

#### Deliberation Session

109. After deliberation, the Committee decided to approve the application on a temporary basis for a period of 3 years until 19.7.2022, on the terms of the application as submitted to the Town Planning Board (TPB) and subject to the following conditions :

- “(a) the submission of fire service installations proposal within 3 months from the date of planning approval to the satisfaction of the Director of Fire Services or of the TPB by 19.10.2019;

- (b) in relation to (a) above, the implementation of fire service installations proposal within 6 months from the date of planning approval to the satisfaction of the Director of Fire Services or of the TPB by 19.1.2020; and
- (c) if any of the above planning conditions (a) or (b) is not complied with by the specified date, the approval hereby given shall cease to have effect and shall on the same date be revoked without further notice.”

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

### **Agenda Item 28**

#### **Section 16 Application**

[Open Meeting]

A/YL-NSW/271 Proposed Temporary First Aid Post for a Period of 3 Years in “Conservation Area” Zone, Government Land in D.D. 123, Nam Sang Wai, Yuen Long  
(RNTPC Paper No. A/YL-NSW/271)

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111. The Committee noted that the applicant requested on 12.7.2019 deferment of the consideration of the application for one month so as to allow time for the applicant to await policy support from Food and Health Bureau (FEB). It was the first time that the applicant requested deferment of the application.

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



applicant that one month was allowed for the applicant to seek policy support for the application, and no further deferment would be granted unless under very special circumstances.

## **Agenda Item 29**

### **Section 16 Application**

[Open Meeting (Presentation and Question Sessions Only)]

A/YL-ST/551            Renewal of Planning Approval for Temporary Open Storage and Retail Sale of Construction Machinery for a Period of 3 Years in “Residential (Group D)” Zone, Lots 16 S.B ss.2 (Part), 16 S.B ss.3, 16 S.B RP (Part), 19 S.A and 19 RP (Part) in D.D. 105 and adjoining Government Land, San Tin, Yuen Long  
(RNTPC Paper No. A/YL-ST/551)

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113.            The Committee noted that a replacement page (P.14 of the Main Paper) for rectifying an editorial error in paragraph 13.2 had been dispatched to Members prior to the meeting.

### **Presentation and Question Sessions**

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

- (a) background to the application;
- (b) the renewal of planning approval for temporary open storage and retail sale of construction machinery 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 the applied use would generate traffic of heavy vehicles, there was sensitive use in the vicinity of the site

and environmental nuisance was expected. Other concerned government departments had no objection to or no adverse comment on the application;

- (d) during the first three weeks of the statutory publication period, one public comment objecting to the application was received from a member of the public. The major objection grounds 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 further period of three years based on the assessments set out in paragraph 12 of the Paper. Although the applied use was not in line with the planning intention of the “Residential (Group D)” (“R(D)”) zone, approval of the application on a temporary basis for a period of three years would not frustrate the long-term planning intention of the “R(D)” zone. The applied use was considered not incompatible with the surrounding land uses. The application was in line with the Town Planning Board Guidelines No. 13E in that the site fell within the Category 3 areas where previous planning approvals on the same site for the same use had been granted since 1998 and all approval conditions of these applications had been complied with. Except DEP, other concerned government departments had no objection to or no adverse comment on the application. DEP did not support the application as there were sensitive receivers in the vicinity of the site and environmental nuisance was expected. However, there was no substantiated environmental complaint related to the site in the past three years. To mitigate potential environmental impacts on the surrounding areas, appropriate approval conditions were recommended. The application was also in line with the Town Planning Board Guidelines No. 34C. The site (in whole or in part) was subject of previously approved applications, 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.

115. Members had no question on the application.

Deliberation Session

116. After deliberation, the Committee decided to approve the application on a temporary basis for a period of 3 years from 27.8.2019 to 26.8.2022, on the terms of the application as submitted to the Town Planning Board (TPB) and subject to the following conditions :

- “(a) no operation between 7:00 p.m. and 8:00 a.m., as proposed by the applicant, is allowed on the site during the planning approval period;
- (b) no operation on Sundays and public holidays, as proposed by the applicant, is allowed on the site during the planning approval period;
- (c) no washing, dismantling, repairing or workshop activity including metal cutting, drilling, hammering, paint spraying, and oil/lubricant changing 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 site at any time during the planning approval period;
- (e) loading/unloading activity is only allowed within the site at all times during the planning approval period;
- (f) the maintenance of boundary fencing on the site at all times during the planning approval period;
- (g) the existing drainage facilities on the site shall be maintained at all times during the planning approval period;
- (h) the maintenance of existing fire service installations implemented on the site in efficient working order at all times during the planning approval period;

- (i) the submission of an as-built drainage plan and photographic records of the existing drainage facilities within 3 months from the date of commencement of the renewed planning approval to the satisfaction of the Director of Drainage Services or of the TPB by 27.11.2019;
- (j) 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
- (k) if the above planning condition (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.”

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

[The Chairman thanked Mr Patrick M.Y. Fung, Ms S.H. Lam and Ms Emily P.W. Tong, STPs/FSYLE, for their attendance to answer Members’ enquiries. They left the meeting at this point.]

**Tuen Mun and Yuen Long West District**

**Agenda Item 30**

**Section 16 Application**

[Open Meeting]

A/TM-SKW/103      Temporary Private Vehicle Park for Private Cars and Light Goods Vehicles (Excluding Container Vehicles) for a Period of 3 Years in “Village Type Development” Zone, Lot 241 in D.D.385, So Kwun Wat, Tuen Mun  
(RNTPC Paper No. A/TM-SKW/103)

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118.      The Secretary reported that the application site was in Tuen Mun and Dr Jeanne C.Y. Ng had declared an interest on this item as she co-owned with spouse a flat in Tuen Mun.

119.      The Committee noted that the applicant had requested deferral of consideration of the application and Dr Jeanne C.Y. Ng had tendered an apology for being unable to join the meeting.

120.      The Committee noted that the applicant’s representative requested on 20.6.2019 deferment of the consideration of the application for two months so as to allow time to respond to departmental comments. It was the first time that the applicant requested deferment of the application.

121.      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 31**

**Section 16 Application**

[Open Meeting (Presentation and Question Sessions Only)]

A/TM/527                      Proposed Columbarium and Religious Institution in “Government, Institution or Community” Zone, Filial Park, 25 Yeung Tsing Road, Tuen Mun  
(RNTPC Paper No. A/TM/527C)

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122.            The Secretary reported that the application was for columbarium and religious institution use and the application site was in Tuen Mun. The following Members had declared interests on the item:

- Mr H.W. Cheung            -    being a member of the Private Columbaria Licensing Board;
  
- Mr Ivan C.S. Fu            -    being a member of the Private Columbaria Appeal Board; and
  
- Dr Jeanne C.Y. Ng        -    co-owning with spouse a flat in Tuen Mun.

123.            The Committee noted that Dr Jeanne C.Y. Ng had tendered an apology for being unable to attend the meeting. As the interests of Messrs H.W. Cheung and Ivan C.S. Fu were indirect, the Committee agreed that they could stay in the meeting.

**Presentation and Question Sessions**

124.            The following government representatives were invited to the meeting at this point:

- Mr David Y.M. Ng            -    District Planning Officer/ Tuen Mun and

Yuen Long West (DPO/TMYLW), Planning Department (PlanD);

- Ms Jessica Y.C. Ho - Senior Town Planner/Tuen Mun and Yuen Long West (STP/TMYLW), PlanD;
- Mr L.P. Wong - Officer/District Traffic Team, Tuen Mun, Hong Kong Police Force (O/DTT(TM), HKPF); and
- Mr. M.F. Chu - Officer/Columbaria Licensing, Tuen Mun (O/CL(TM)), HKPF.

125. Ms Jessica Y.C. Ho, STP/TMYLW, drew Members' attention that three replacement pages (P.12 and 18 of the Main Paper and P.2 of Appendix VI) arising from further comments from the Transport Department were tabled for Member's reference. With the aid of a PowerPoint presentation, she then presented the application and covered the following aspects as detailed in the Paper :

- (a) background to the application;
- (b) the proposed columbarium and religious institution;
- (c) departmental comments – departmental comments were set out in paragraph 10 of the Paper. Concerned government departments had no objection to or no adverse comment on the application;
- (d) during the first three weeks of the statutory publication periods, a total of 314 public comments were received from Tuen Mun District Council member, Incorporated Owners of Glorious Garden, representative of Yeung Siu Hang Tsuen, CCC Hoh Fuk Tong Primary School, concern group (關注炒賣陰宅聯席), a school principal, representative of Hong Kong Institute of Vocational Education (Tuen Mun), residents of Tsing Shan Tsuen and individuals. Among the 314 public comments received, 311 of

them objected to the application while the remaining three did not indicate support/objection to the application. The major views were set out in paragraph 11 of the Paper; and

- (e) PlanD's views – PlanD had no objection to the application based on the assessments set out in paragraph 12 of the Paper. The proposal would generally not contravene the planning intention of the “Government, Institution or Community” (“G/IC”) zone. The columbarium use was generally not incompatible with the religious institution developments in the “G/IC” zone. The applicants proposed several arrangements under the transport and management plan to address the additional traffic generated by the proposed columbarium. The Commissioner for Transport and Commissioner of Police had no objection to the proposed arrangements. Other concern government departments had no adverse comment on the proposal. The current application complied with the Town Planning Board Guidelines No. 16 in that the proposed development was not incompatible with religious institution developments in the “G/IC” zone and there would be no adverse traffic and environmental impacts. Regarding the public comments received, the comments of government departments and planning assessments above were relevant.

126. Members had no question on the application.

#### Deliberation Session

127. 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 19.7.2023, 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 maximum number of niches within the site shall not exceed 6,265 and the number of ancestral tablets should not exceed 7,150; and



- (b) the submission and implementation of water supply for firefighting and fire services installations proposal to the satisfaction of the Director of Fire Services or of the TPB.”

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

[The Chairman thanked Mr David Y.M. Ng, DPO/TMYLW, Ms Jessica Y.C. Ho, STP/TMYLW, Mr L.P. Wong, O/DTT(TM), HKPF and Mr. M.F. Chu, O/CL(TM), HKPF, for their attendance to answer Members’ enquiries. They left the meeting at this point.]

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

### **Agenda Item 32**

#### **Section 16 Application**

[Open Meeting (Presentation and Question Sessions Only)]

A/YL-PS/589 Temporary Public Vehicle Park for Private Car and Light Goods Vehicle for a Period of 3 Years in “Comprehensive Development Area” and “Residential (Group B) 1” and “Residential (Group E)2” and “Village Type Development” Zones, Lots 568 (Part), 569 RP (Part), 585 (Part), 586, 590 (Part) and 591 (Part) in D.D. 122 and Adjoining Government Land, Ping Hing Lane, Ping Shan, Yuen Long  
(RNTPC Paper No. A/YL-PS/589)

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129. The Committee noted that two additional pages to Appendix I, as well as replacement pages for rectifying editorial errors in paragraph 9.1.1 (b) of the Main Paper and paragraph (c) of Appendix V had been dispatched to Members prior to the meeting.

Presentation and Question Sessions

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

- (a) background to the application;
- (b) the temporary public vehicle park for private car and light goods vehicle for a period of three years;
- (c) departmental comments – departmental comments were set out in paragraph 9 of the Paper. Concerned departments had no objection to or no adverse comments on the application;
- (d) during the first three weeks of the statutory publication period, three public comments objecting to/expressing concern were received from Ka On Garden Owners' Corporation and individuals. The 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 applied use was not entirely in line with the planning intentions of “Village Type Development” (“V”), “Residential (Group E) 2”, “Residential (Group B) 1” and “Comprehensive Development Area” zones, the development could provide vehicle parking spaces to meet any such parking demand in the area. There was no permanent development proposal and programme at the site. Approval of the application on a temporary basis would not jeopardize the long-term planning intention of the four zones. The proposed development was considered not incompatible with the surrounding land uses. Relevant government departments had no objection to or no adverse comments on the application. To minimise any potential environmental nuisances and to address the technical requirements of concerned government departments, appropriate approval conditions were recommended. There were similar applications

approved by the Committee, approval of the application was in line with the previous decisions of the Committee. For the public comments received, the comments of government departments and planning assessments above were relevant. Regarding the concern on potential light pollution, the applicant confirmed that the lighting facilities would be removed.

131. Noting that 48% of the application site area fell within “V” zone (about 1992m<sup>2</sup>), a Member asked whether there was any Small House application received in the vicinity of the site. In response, Ms Stella Y. Ng, STP/TMYLW, said that there were three villages which were covered by the subject “V” zone, namely, Hang Mei Tsuen, Sheung Cheung Wai and Hang Tau Tsuen. She did not have information regarding the number of Small House application in these villages at hand. However, as advised by District Lands Officer/Yuen Long, Lands Department (LandsD), there was no Small House application received or approved at the site and in its vicinity (30m). As for Small House development entirely falling within “V” zone, planning permission was not required. The concerned party could submit a Small House grant application to LandsD directly.

#### Deliberation Session

132. While supporting the application, a Member found it strange that no Small House application was received within this large piece of “V” zone notwithstanding the common phenomenon that there was insufficient land within “V” zones for Small House development as claimed by local villagers in other areas. Another Member shared the same view as the area was close to major public transportation and residential clusters.

133. A Member was of a view that a review of this “V” zone was necessary if there was no strong demand for Small House development in this area. Another Member pointed out that there was a Small House under construction in the vicinity of the site as shown on Plan A-2 of the Paper.

134. Some Members said that it was the lot owners’ decision on how to utilise their land although it would be more desirable for them to use the land within “V” zone for Small House development. As for this application, a Member was of a view that temporary

public vehicle park for private car and light goods vehicle was not unacceptable in terms of land utilisation.

135. After deliberation, the Committee decided to approve the application on a temporary basis for a period of 3 years until 19.7.2022, 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 medium and heavy goods vehicles exceeding 5.5 tonnes, including container tractors/trailers, as defined in the Road Traffic Ordinance are allowed to be parked/stored on or enter/exit the site, as proposed by the applicant, at any time during the planning approval period;
- (c) no vehicle without valid licence issued under the Road Traffic Ordinance is allowed to be parked/stored on the site, as proposed by the applicant, at any time during the planning approval period;
- (d) a notice shall be posted at a prominent location of the site at all times to indicate that no medium and heavy goods vehicles exceeding 5.5 tonnes, container tractors/trailers, as defined in the Road Traffic Ordinance are allowed to be parked/stored on or enter/exit the site at all times during the planning approval period;
- (e) no vehicle washing, repairing, dismantling, paint spraying 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 is allowed to queue back to or reverse onto/from public roads at any time during the planning approval period;
- (g) the existing fencing of the site shall be maintained at all times during the planning approval period;

- (h) the existing vegetation within the site shall be maintained in good condition at all times during the planning approval period;
- (i) the existing drainage facilities shall be maintained at all times during the planning approval period;
- (j) the submission of a condition record of the existing drainage facilities within 3 months to the satisfaction of the Director of Drainage Services or of the TPB by 19.10.2019;
- (k) the submission of a fire service installations proposal within 6 months from the date of the planning approval to the satisfaction of the Director of Fire Services or of the TPB by 19.1.2020;
- (l) in relation to (k) above, the implementation of the fire service installations proposal within 9 months from the date of the planning approval to the satisfaction of the Director of Fire Services or of the TPB by 19.4.2020;
- (m) if any of the above planning conditions (a), (b), (c), (d), (e), (f), (g), (h) or (i) is not complied with during the planning approval period, the approval hereby given shall cease to have effect and shall be revoked immediately without further notice; and
- (n) if any of the above planning conditions (j), (k) or (l) is not complied with by the specified date, the approval hereby given shall cease to have effect and shall on the same date be revoked without further notice.”

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

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

**Agenda Item 33**

**Section 16 Application**

[Open Meeting (Presentation and Question Sessions Only)]

A/YL-PS/590            Renewal of Planning Approval for Temporary Rural Communal Public Vehicle Park for Private Cars, 5.5 Tonnes Goods Vehicles, Coaches and 24 Tonnes Goods Vehicles for a Period of 3 Years in “Village Type Development” Zone, Lots 429, 430 (Part), 431 (Part), 436 (Part), 437 (Part), 438 S.A, 438 RP (Part), 446 (Part), 447 (Part) and 449 RP (Part) in D.D. 122, Hang Mei Tsuen, Ping Shan, Yuen Long  
(RNTPC Paper No. A/YL-PS/590)

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**Presentation and Question Sessions**

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

- (a)    background to the application;
- (b)    the renewal of planning approval for temporary rural communal public vehicle park for private cars, 5.5 tonnes goods vehicles, coaches and 24 tonnes goods vehicles for a period of three years;
- (c)    departmental comments – departmental comments were set out in paragraph 10 of the Paper. The Director of Environmental Protection (DEP) did not support the application as the development involved traffic of heavy vehicles, and there were sensitive users (residential dwellings) in the vicinity of the site and environmental nuisance was expected. Other concerned government departments had no objection to or no adverse comment on the application;
- (d)    during the first three weeks of the statutory publication period, one public comment objecting to the application was received. The 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. Whilst the development was not entirely in line with the planning intention of the “Village Type Development” (“V”) zone, according to the District Lands Officer/Yuen Long of Lands Department, there was no Small House application approved or under processing at the site. Approval of the application on a temporary basis would not frustrate the planning intention of the “V” zone. The development was not incompatible with the surrounding land uses. The application was generally in line with the Town Planning Board Guidelines No. 34C in that there was no material change in planning circumstances since the previous temporary approval was granted. All conditions under previous approval had been complied with. There was no adverse comment on the application from relevant government departments, except DEP. DEP did not support the application as there were sensitive receivers of residential use in the vicinity and environmental nuisance was expected. However, there had been no environmental complaint concerning the site received in the past 3 years. To address the concerns on the possible environmental nuisances generated by the temporary use or to address the technical requirements of other concerned government departments, relevant approval conditions were recommended. The Committee had approved previous applications at the site and similar applications. Approval of the application was in line with the previous decisions of the Committee. Regarding the adverse public comments received, the comments of government departments and planning assessments above were relevant.

138. Members had no question on the application.

#### Deliberation Session

139. After deliberation, the Committee decided to approve the application on a temporary basis for a period of 3 years from 30.7.2019 to 29.7.2022, 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 heavy goods vehicles exceeding 24 tonnes, including container tractors/trailers as defined in the Road Traffic Ordinance are allowed to be parked/stored on or enter/exit the site, as proposed by the applicant, during the planning approval period;
- (c) a notice should be posted at a prominent location of the site to indicate that no heavy goods vehicles exceeding 24 tonnes, including container tractors/trailers as defined in the Road Traffic Ordinance are allowed to be parked/stored on or enter/exit the site, as proposed by the applicant, during the planning approval period;
- (d) no vehicle without valid licence issued under the Road Traffic Ordinance is allowed to be parked/stored on the site at any time during the planning approval period;
- (e) no vehicle washing, vehicle repair, dismantling, paint spraying or other workshop activity, as proposed by the applicant, is allowed on the site at any time during the planning approval period;
- (f) no vehicle is allowed to queue back to public roads or reverse onto/from public roads;
- (g) the existing drainage facilities on the site shall be maintained at all times during the planning approval period;
- (h) the existing vegetation within the site shall be maintained in good condition during the planning approval period;



- (i) the existing boundary fencing shall be maintained during the planning approval period;
- (j) the submission of a condition record of the existing drainage facilities within 3 months from the date of commencement of the renewed planning approval to the satisfaction of the Director of Drainage Services or of the TPB by 30.10.2019;
- (k) the submission of a fire service installations proposal within 6 months from the date of commencement of the renewed planning approval to the satisfaction of the Director of Fire Services or of the TPB by 30.1.2020;
- (l) in relation to (k) above, the implementation of the fire service installations proposal within 9 months from the date of commencement of the renewed planning approval to the satisfaction of the Director of Fire Services or of the TPB by 30.4.2020;
- (m) if any of the above planning conditions (a), (b), (c), (d), (e), (f), (g), (h) or (i) is not complied with during the planning approval period, the approval hereby given shall cease to have effect and shall be revoked immediately without further notice; and
- (n) if any of the above planning conditions (j), (k) or (l) is not complied with by the specified date, the approval hereby given shall cease to have effect and shall on the same date be revoked without further notice.”

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

**Agenda Item 34**

**Section 16 Application**

[Open Meeting (Presentation and Question Sessions Only)]

A/YL/257                      Proposed Flat, Shop and Services, Eating Place and Public Vehicle Park (excluding Container Vehicle) in “Residential (Group E)1” Zone, 21 Wang Yip Street West, Yuen Long (Yuen Long Town Lot No. 461) (RNTPC Paper No. A/YL/257)

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141.            The Secretary reported that Aurecon Hong Kong Ltd. (Aurecon), Landes Ltd. (Landes), MVA Hong Kong Ltd. (MVA), Star Properties (H.K.) Limited (Star) and Rider Levett Bucknall Limited (RLB) were five of the consultants of the applicant. The following Members had declared an interest on this item:

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

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

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

142.            Members noted that Stephen L.H. Liu had left the meeting. As Messrs Ivan C.S. Fu and K.K. Cheung had no involvement in the application, the Committee agreed that they could stay in the meeting.

**Presentation and Question Sessions**

143.            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) the proposed flat, shop and services, eating place and public vehicle park (excluding container vehicle);

- (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, two public comments objecting to the application were received from 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 had no objection to the application based on the assessments set out in paragraph 11 of the Paper. The applied use were generally in line with the planning intention of the “Residential (Group E)” zone and would help achieve gradual transformation of the Tung Tau Industrial Area. The proposed development was considered not incompatible with the surrounding uses. The proposed scheme would provide building set-backs mainly for landscaping purposes. Together with the proposed shop and services and eating places uses, the current proposal demonstrated clear comparative design merits to the nearby residential developments. The applicant also pledged to carry out off-site road improvement works to improve the nearby streets at his own cost, which could hasten improvement of the local street environment to the benefit of existing and future users. Concerned government departments had no objection to or adverse comment on the application. To address the technical requirements of concerned government departments, relevant approval conditions were recommended. 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 19.7.2023, 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 of a consolidated Traffic Impact Assessment (TIA) and the design and implementation of the road improvement measures as proposed in the TIA to the satisfaction of the Commissioner for Transport and Director of Highways, or of the TPB;
- (b) the design and implementation of road widening proposal at Kwong Yip Street and Leung Yip Street to the satisfaction of the Commissioner for Transport or of the TPB;
- (c) the design and provision of vehicular access and car parking and loading/unloading facilities for the proposed development to the satisfaction of the Commissioner for Transport or of the TPB;
- (d) the design and provision of public vehicular parkings to the satisfaction of the Commissioner for Transport or of the TPB;
- (e) the submission of a Noise Impact Assessment (NIA) and implementation of noise mitigation measures as proposed in the NIA to the satisfaction of the Director of Environmental Protection or of the TPB;
- (f) the submission of a Drainage Impact Assessment (DIA) with due consideration of both the runoff and the water generated from the swimming pool operation to the stormwater public drainage system and implementation of the drainage proposal identified in the DIA to the satisfaction of the Director of Drainage Services or of the TPB;
- (g) the submission of a revised Sewerage Impact Assessment (SIA) and implementation of the sewerage proposal identified in the revised SIA to the satisfaction of the Director of Environmental Protection and the

Director of Drainage Services, or of the TPB;

- (h) the submission of a documentary justification to substantiate whether there is any land contamination issue for the site and, where appropriate, the implementation of appropriate land decontamination in accordance with relevant prevailing guidelines prior to the construction works or development of the site to the satisfaction of the Director of Environmental Protection or of the TPB; and
- (i) the submission and implementation of water supplies for firefighting and fire service installations proposal to the satisfaction of the Director of Fire Services or of the TPB.”

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

### **Agenda Item 35**

#### **Section 16 Application**

[Open Meeting]

A/YL-TT/470            Proposed Temporary Shop and Services (Grocery Store) for a Period of 3 Years in “Other Specified Uses” annotated “Rural Use” Zone, Lots 1005 S.A (Part), 1005 S.B (Part), 1018 (Part) and 1019 (Part) in D.D. 118, Yau Cha Po, Yuen Long  
(RNTPC Paper No. A/YL-TT/470)

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147. The Committee noted that the applicant’s representative requested on 11.7.2019 deferment of the consideration of the application for two months so as to allow time to prepare an updated landscape proposal and fire services installation proposal. It was the first time that the applicant requested deferment of the application.

148. After deliberation, the Committee decided to defer a decision on the application as requested by the applicant pending the submission of further information from the

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

### **Agenda Item 36**

#### **Section 16 Application**

[Open Meeting]

A/YL-TT/471            Temporary Office and Vehicle Park for Company Cars for a Period of  
3 Years in "Open Space" Zone, Lots 2865 RP and 2990 in D.D. 120,  
Tin Liu Tsuen, Yuen Long  
(RNTPC Paper No. A/YL-TT/471)

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149.            The Committee noted that the applicant requested on 2.7.2019 deferment of the consideration of the application for two months so as to allow time to prepare further information for addressing departmental comments. It was the first time that the applicant requested deferment of the application.

150.            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 37**

**Section 16 Application**

[Open Meeting (Presentation and Question Sessions Only)]

A/YL-TT/472            Renewal of Planning Approval for Temporary Shop and Services  
(Local Provision Store with Ancillary Storage Area and Real Estate  
Agency) for a Period of 3 Years in “Village Type Development” Zone,  
Lots 266 RP (Part) and 268 (Part) in D.D. 117 and Adjoining  
Government Land, Tai Tong, Yuen Long  
(RNTPC Paper No. A/YL-TT/472)

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**Presentation and Question Sessions**

151.        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) the renewal of planning approval for temporary shop and services (local provision store with ancillary storage area and real estate agency) for a period of three years;
- (c) departmental comments – departmental comments were set out in paragraph 10 of the Paper. Concerned government departments had no objection to or no adverse comment on the application;
- (d) no public comment was received during the first three weeks of the statutory publication period; and
- (e) the Planning Department (PlanD)’s views – PlanD had no objection to the application based on the assessments set out in paragraph 12 of the Paper. Although the applied use was not entirely in line with the planning intention of the “Village Type Development” zone, the proposed use was intended to serve the local residents and could meet any such demand in the

area. As advised by the District Lands Officer/Yuen Long, Lands Department, no Small House applications had been received/under processing within the site. As such, approval of the application on a temporary basis for a further period of three years would not frustrate the long-term planning intention of the area. The applied use was generally not incompatible with the surrounding uses and in line with the Town Planning Board Guidelines No. 34C. Concerned government departments had no objection to or no adverse comment on the application and relevant approval conditions were recommended to address the technical requirements of the concerned departments and to minimise any possible environmental concerns arising from the proposal. Given that previous applications and similar applications for various shop and services uses had been approved, approval of the subject application was considered in line with the Committee's previous decisions.

152. Members had no question on the application.

#### Deliberation Session

153. After deliberation, the Committee decided to approve the application on a temporary basis for a period of 3 years from 30.7.2019 to 29.7.2022, on the terms of the application as submitted to the Town Planning Board (TPB) and subject to the following conditions :

- “(a) no operation between 10:00 p.m. and 8:00 a.m., as proposed by the applicant, is allowed on the site during the planning approval period;
- (b) no vehicle is allowed to be parked/stored on or enter/exit the site, as proposed by the applicant, at any time during the planning approval period;
- (c) the existing trees and landscape planting on the site shall be maintained at all times during the approval period;
- (d) the existing drainage facilities on the site shall be maintained at all times



during the planning approval period;

- (e) the implementation of the accepted fire service installations proposal within 6 months from the date of commencement of the renewed planning approval to the satisfaction of the Director of Fire Services or of the TPB by 30.1.2020;
- (f) the submission of a condition record of the existing drainage facilities on the site within 3 months from the date of commencement of the renewed planning approval to the satisfaction of the Director of Drainage Services or of the TPB by 30.10.2019;
- (g) if any of the above planning conditions (a), (b), (c) or (d) is not complied with during the planning approval period, the approval hereby given shall cease to have effect and shall be revoked immediately without further notice; and
- (h) if any of the above planning conditions (e) or (f) is not complied with by the specified date, the approval hereby given shall cease to have effect and shall on the same date be revoked without further notice.”

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

**Agenda Item 38**

**Section 16 Application**

[Open Meeting (Presentation and Question Sessions Only)]

A/YL-TYST/968      Renewal of Planning Approval for Temporary Dog Kennel cum Dog Recreation Centre for a Period of 3 Years in “Residential (Group D)” Zone, Lots 702 RP (Part), 705 RP (Part), 706 RP (Part), 707, 708, 709, 710, 711, 712, 713, 714 (Part), 715, 716, 717, 718, 719 (Part), 720 (Part), 752 (Part), 753 (Part), 754 RP (Part) and 757 RP in D.D. 121 and Adjoining Government Land, Tong Yan San Tsuen, Yuen Long (RNTPC Paper No. A/YL-TYST/968)

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**Presentation and Question Sessions**

155.            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) the renewal of planning approval for temporary dog kennel cum dog recreation centre for a period of three years;
- (c) departmental comments – departmental comments were set out in paragraph 10 of the Paper. Concerned government departments had no objection to or no adverse comment on the application;
- (d) no public comment was received during the first three weeks of the statutory publication period; and
- (e) the Planning Department (PlanD)’s views – PlanD considered that the proposed uses could be tolerated for a further period of three years based on the assessments set out in paragraph 12 of the Paper. Although the applied use was not in line with the planning intention of the “Residential (Group D)” zone, it could provide service to meet any such demand in the

area. Approval of the application on a temporary basis of three years would not jeopardise the long-term development of the area. The applied use was generally not incompatible with the surrounding uses and in line with the Town Planning Board Guidelines No. 34C. Concerned government departments had no objection to or no adverse comment on the application. To address the concerns on the possible environmental nuisances generated by the temporary use and to address the technical requirements of other concerned government departments, relevant approval conditions were recommended. Given that the Committee had approved an application (No. A/YL-TYST/784) for the same use covering the same site, approval of the renewal application was also in line with the Committee's previous decision.

156. Members had no question on the application.

#### Deliberation Session

157. After deliberation, the Committee decided to approve the application on a temporary basis for a period of 3 years from 29.7.2019 to 28.7.2022, 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 9:00 a.m. (except overnight boarding of dogs), as proposed by the applicant, is allowed on the site during the planning approval period;
- (b) all dogs shall be kept inside the enclosed boarding facilities between 7:00 p.m. and 9:00 a.m., as proposed by the applicant, during the planning approval period;
- (c) no public announcement system, whistle blowing, dog training and dog beauty service, as proposed by the applicant, are allowed on the site during the planning approval period;

- (d) no medium or heavy goods vehicles exceeding 5.5 tonnes, including container tractors/trailers, as defined in the Road Traffic Ordinance, are allowed to be parked/stored on or enter/exit the site, as proposed by the applicant, at any time during the planning approval period;
- (e) no vehicle is allowed to queue back to or reverse onto/from public road at any time during the planning approval period;
- (f) the existing boundary fencing on the site shall be maintained at all times during the planning approval period;
- (g) the existing trees within the site shall be maintained at all times during the approval period;
- (h) the existing drainage facilities on the site shall be maintained at all times during the planning approval period;
- (i) the submission of a condition record of the existing drainage facilities on the site within 3 months from the date of commencement of the renewed planning approval to the satisfaction of the Director of Drainage Services or of the TPB by 29.10.2019;
- (j) the existing fire service installations implemented on the site should be maintained in efficient working order at all times during the planning approval period;
- (k) if any of the above planning conditions (a), (b), (c), (d), (e), (f), (g), (h) or (j) is not complied with during the planning approval period, the approval hereby given shall cease to have effect and shall be revoked immediately without further notice; and
- (l) if the above planning condition (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.”

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

**Agenda Item 39**

**Section 16 Application**

[Open Meeting (Presentation and Question Sessions Only)]

A/HSK/159                      Temporary Open Storage of Construction Machinery and Material for a Period of 3 Years in “Government, Institution or Community” Zone and an area shown as ‘Road’, Lots 39 (Part), 40 (Part) , 41(Part), 52 S.A (Part), 52 S.B (Part) and 53 (Part) in D.D. 128, Ha Tsuen, Yuen Long  
  
(RNTPC Paper No. A/HSK/159)

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**Presentation and Question Sessions**

159. 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) the temporary open storage of construction machinery and materials for a period of three years;
- (c) departmental comments – departmental comments were set out in paragraph 10 of the Paper. The Director of Environmental Protection (DEP) did not support the application as there were sensitive uses in the vicinity of the site and environmental nuisance was expected. Other concerned government departments had no objection to or no adverse comment on the application;
- (d) no public comment was received during the first three weeks of the

statutory publication period; and

- (e) the Planning Department (PlanD)'s views – PlanD considered that the proposed use could be tolerated for a period of three years based on the assessments set out in paragraph 12 of the Paper. Whilst the development was not in line with the planning intention of the “Government, Institution or Community” zone, the detailed implementation programme for this part of New Development Area was still being formulated, and the Project Manager (West), Civil Engineering and Development Department had no objection to the proposed temporary use for three years. Approval of the application would not jeopardize the long-term development of the site. The applied use was not incompatible with the surrounding land uses and generally in line with the Town Planning Board Guidelines No. 13E. There was no major adverse comment from concerned government departments, except DEP. DEP did not support the application because there were sensitive uses in the vicinity and environmental nuisance was expected. However, there had not been any substantiated environmental complaint against the site over the past three years. To address the concerns on the possible environmental nuisances or the technical requirements of the other concerned government departments, relevant approval conditions had been recommended. As the Committee had approved previous applications at the site and similar applications, approval of the application was in line with the previous decisions of the Committee.

160. Members had no question on the application.

#### Deliberation Session

161. After deliberation, the Committee decided to approve the application on a temporary basis for a period of 3 years until 19.7.2022, 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 planning approval period;

- (b) no operation on Sundays or public holidays, as proposed by the applicant, is allowed on the site during the planning approval period;
- (c) no cutting, cleansing, melting, dismantling or any other workshop activity is allowed to be carried out on the site, as proposed by the applicant, during the planning approval period;
- (d) no vehicle is allowed to queue back to or reverse onto/from the public road at any times during the planning approval period;
- (e) the existing drainage facilities on site shall be maintained at all times during the planning approval period;
- (f) the submission of a condition record of the existing drainage facilities within 3 months from the date of planning approval to the satisfaction of the Director of Drainage Services or of the TPB by 19.10.2019 ;
- (g) the provision of fire extinguisher(s) and the submission of a valid fire certificate (FS251) within 6 weeks from the date of planning approval to the satisfaction of the Director of Fire Services or of the TPB by 30.8.2019;
- (h) the submission of a fire service installations proposal within 6 months from the date of planning approval to the satisfaction of the Director of Fire Services or of the TPB by 19.1.2020;
- (i) in relation to (h) above, the implementation of the fire service installations proposal within 9 months from the date of planning approval to the satisfaction of the Director of Fire Services or of the TPB by 19.4.2020;
- (j) if any of the above planning conditions (a), (b), (c), (d) or (e) is not complied with during the approval period, the approval hereby given shall cease to have effect and shall be revoked immediately without further notice; and

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

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

#### **Agenda Item 40**

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

[Open Meeting (Presentation and Question Sessions Only)]

A/HSK/160 Proposed Temporary Logistics Centre for a Period of 3 Years in “Government, Institution or Community” and “Open Space” and “Residential (Group B) 2” Zones and an area shown as ‘Road’, Various Lots in D.D. 128 and D.D. 129 and Adjoining Government Land, Lau Fau Shan, Yuen Long  
(RNTPC Paper No. A/HSK/160)

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163. The Committee noted that replacement pages (P.10 to 14 of the Main Paper) for rectifying editorial errors in paragraph 11 had been dispatched to Members prior to the meeting.

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

164. 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) the proposed temporary logistics centre for a period of three years;
- (c) departmental comments – departmental comments were set out in



paragraph 10 of the Paper. The Director of Environmental Protection (DEP) did not support the application as there were sensitive receivers in the vicinity of the site and environmental nuisance was expected. Other concerned government departments had no objection to or no adverse comment on the application;

- (d) during the first three weeks of the statutory publication period, two public comments objecting to the application were received from individuals. Major objection grounds were set out in paragraph 11 of the Paper; and
- (e) the Planning Department (PlanD)'s views – PlanD considered that the proposed uses could be tolerated for a period of three years based on the assessments set out in paragraph 12 of the Paper. Whilst the applied use was not in line with the planning intentions of the “Open Space” and “Residential (Group B)2” zones, the implementation programme for this part of New Development Area was still being formulated, and relevant government departments had no objection to the applied use on the site for three years. In this regard, approval of the application would not jeopardize the long-term development of the site. The applied use was not incompatible with the surrounding land uses and in line with the Town Planning Board Guidelines No. 13E. There was no major adverse comment from concerned government departments, except DEP who did not support the application because there were sensitive uses in the vicinity of the site and environmental nuisance was expected. Whilst there was a substantiated noise nuisance complaint concerning the site since 2016, no workshop activity was proposed in the application or found on site. Furthermore, relevant approval conditions were recommended to address the concerns on the possible environmental nuisances or the technical requirements of the other concerned government departments. As there were a previously approved application within the site and similar applications, approval of the subject application was in line with the Committee's previous decisions. Regarding the adverse public comments, the comments of government departments and planning assessments above were relevant.

165. Members had no question on the application.

Deliberation Session

166. After deliberation, the Committee decided to approve the application on a temporary basis for a period of 3 years until 19.7.2022, 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 public holidays, as proposed by the applicant, is allowed on the site during the planning approval period;
- (c) no cutting, dismantling, cleansing, repairing, compaction, tyre repair, vehicle repair, container repair 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 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 19.1.2020;
- (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 19.4.2020;
- (g) in relation to (f) above, the implemented drainage facilities on the site should be maintained at all times during the planning approval period;

- (h) the submission of a fire service installations proposal within 6 months from the date of the planning approval to the satisfaction of the Director of Fire Services or of the TPB by 19.1.2020;
- (i) in relation to (h) above, the implementation of the fire service installations proposal within 9 months from the date of the planning approval to the satisfaction of the Director of Fire Services or of the TPB by 19.4.2020;
- (j) if any of the above planning conditions (a), (b), (c), (d) or (g) is not complied with during the approval period, the approval hereby given shall cease to have effect and shall be revoked immediately without further notice; and
- (k) if any of the above planning conditions (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.”

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

#### **Agenda Item 41**

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

[Open Meeting (Presentation and Question Sessions Only)]

A/HSK/161                      Temporary Open Storage of Containers for a Period of 3 Years in “Open Space” and “Residential (Group B) 2” 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/161)

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

168. 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) the temporary open storage of containers for a period of three years;
- (c) departmental comments – departmental comments were set out in paragraph 10 of the Paper. The Director of Environmental Protection (DEP) did not support the application as there were sensitive uses in the vicinity of the site and environmental nuisance was expected. Other concerned government departments had no objection to or no adverse comment on the application;
- (d) during the first three weeks of the statutory publication period, one public comment objecting to the application from an individual was received. The major objection grounds were set out in paragraph 11 of the Paper; 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. Whilst the development was not in line with the planning intentions of the “Residential (Group B) 2” and “Open Space” zones, 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 the Director of Leisure and Cultural Services had no objection to the proposed temporary use for three years. Approval of the application would not jeopardize the long-term development of the site. The applied use was not incompatible with the surrounding land uses and in line with the Town Planning Board Guidelines No. 13E. There was no adverse comment from concerned government departments, except DEP. DEP did not support the application because there were sensitive uses in the vicinity and environmental nuisance was expected. However, there had not been any substantiated environmental complaint against the site in the past three years. To address the concerns on the possible

environmental nuisances or the technical requirements of the other concerned government departments, relevant approval conditions had been recommended. As the Committee had approved previous applications at the site and similar applications, approval of the application was in line with the previous decisions of the Committee. Regarding the adverse public comment, the comments of government departments and planning assessments above were relevant.

169. Members had no question on the application.

### Deliberation Session

170. After deliberation, the Committee decided to approve the application on a temporary basis for a period of 3 years until 19.7.2022, on the terms of the application as submitted to the Town Planning Board (TPB) and subject to the following conditions :

- “(a) no operation from 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, dismantling, cleaning, repairing, compacting, tyre repair, vehicle repair, container repair and any other workshop activity, as proposed by the applicant, is allowed at any times on the site 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 stacking height of containers stored on the site shall not exceed 8 units, as proposed by the applicant, at all times during the planning approval period;

- (f) no stacking of containers within 5m of the periphery of the site is allowed, as proposed by the applicant, 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) all 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 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 19.10.2019;
- (k) the provision of fire extinguisher(s) and the submission of a valid fire certificate (FS251) within 6 weeks from the date of commencement of the renewed planning approval to the satisfaction of the Director of Fire Services or of the TPB by 30.8.2019;
- (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 19.1.2020;
- (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 19.4.2020;
- (n) if any of the above planning conditions (a), (b), (c), (d), (e), (f), (g), (h) or (i) is not complied with during the approval period, the approval hereby given shall cease to have effect and shall be revoked immediately without further notice; and

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

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

## **Agenda Item 42**

### **Section 16 Application**

[Open Meeting (Presentation and Question Sessions Only)]

A/HSK/162 Temporary Open Storage of Construction Material for a Period of 3 Years in “Other Specified Uses” annotated “Port Back-up, Storage and Workshop Uses” and “Other Specified Uses” annotated “Refuse Transfer Station” Zones and an area shown as ‘Road’, Lots 495 (Part), 496 (Part) and 497 RP (Part) in D.D. 125, Hung Shui Kiu, Yuen Long (RNTPC Paper No. A/HSK/162)

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### **Presentation and Question Sessions**

172. 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) the temporary open storage of construction material for a period of three years;
- (c) departmental comments – departmental comments were set out in paragraph 10 of the Paper. Concerned government departments had no objection to or no adverse comment on the application;

- (d) no public comment was received during the first three weeks of the statutory publication period; and
- (e) the Planning Department (PlanD)'s views – PlanD considered that the 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 applied use was not in line with the planning intention of the “Other Specified Uses” annotated “Refuse Transfer Station” zone and the area shown as ‘Road’, the Project Manager (New Territories West), Civil Engineering and Development Department had no adverse comment on the application. In this regard, approval of the application would not jeopardize the long-term development of the site. The applied use was not incompatible with the surrounding land uses. While the proposed use was generally not in line with the Town Planning Board Guidelines No. 13E, the planning circumstance of the area had been changed, sympathetic consideration might be given to the application. There was no major adverse comment from concerned government departments. Relevant approval conditions were recommended to address the concerns on the possible environmental nuisances or the technical requirements of the other concerned government departments.

173. Members had no question on the application.

#### Deliberation Session

174. After deliberation, the Committee decided to approve the application on a temporary basis for a period of 3 years until 19.7.2022, 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. to 9:00 a.m., as proposed by the applicant, is allowed on the site during the approval period;
- (b) no operation on Sundays and public holidays, as proposed by the applicant, is allowed on the site during the planning approval period;



- (c) no workshop activity, as proposed by the applicant, is allowed on the site during the planning approval period;
- (d) no vehicle is allowed to queue back to or reverse onto/from the public roads at any time during the planning approval period;
- (e) the existing fencing on the site shall be maintained at all times during the approval period;
- (f) the submission of a revised drainage proposal within 6 months from the date of planning approval to the satisfaction of the Director of Drainage Services or of the TPB by 19.1.2020;
- (g) in relation to (f) above, the implementation of the drainage proposal within 9 months from the date of planning approval to the satisfaction of the Director of Drainage Services or of the TPB by 19.4.2020;
- (h) in relation to (g) above, the implemented drainage facilities on the site should be maintained at all times during the planning approval period;
- (i) the provision of the fire extinguisher(s) and the submission of a valid fire certificate (FS 251) within 6 weeks from the date of planning approval to the satisfaction of the Director of Fire Services or of the TPB by 30.8.2019;
- (j) 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 19.1.2020;
- (k) in relation to (j) above, the implementation of the fire service installations proposal within 9 months from the date of planning approval to the satisfaction of Director of Fire Services or of the TPB by 19.4.2020;
- (l) if any of the above planning conditions (a), (b), (c), (d), (e) or (h) is not

complied with during the approval period, the approval hereby given shall cease to have effect and shall be revoked immediately without further notice; and

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

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

### **Agenda Item 43**

#### **Section 16 Application**

[Open Meeting (Presentation and Question Sessions Only)]

A/HSK/163 Temporary Warehouse and Logistics Centre for a Period of 3 Years in “Commercial (4)” and “Government, Institution or Community” Zones and an area shown as ‘Road’, Various Lots in D.D. 125 and D.D.129 and Adjoining Government Land, Hung Shui Kiu, Yuen Long  
(RNTPC Paper No. A/HSK/163)

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

176. 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) the temporary warehouse and logistics centre for a period of three years;
- (c) departmental comments – departmental comments were set out in paragraph 10 of the Paper. The Director of Environmental Protection did not support the application as there were sensitive uses in the vicinity of the

site and environmental nuisance was expected. Other concerned government departments had no objection to or no adverse comment on the application;

- (d) no public comment was received during the first three weeks of the statutory publication period; and
- (e) the Planning Department (PlanD)'s views – PlanD considered that the applied use could be tolerated for a period of three years based on the assessments set out in paragraph 12 of the Paper. Whilst the development was not in line with the planning intentions, 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 had no objection to the proposed temporary use for a period of three years. Approval of the application would not jeopardize the long-term development of the site. The applied use was not incompatible with the surrounding land uses and in line with the Town Planning Board Guidelines No. 13E. There was no adverse comment from concerned government departments, except DEP. DEP did not support the application because there were sensitive uses in the vicinity and environmental nuisance was expected. However, there had not been any substantiated environmental complaint against the site in the past three years. To address the concerns on the possible environmental nuisances or the technical requirements of the other concerned government departments, relevant approval conditions had been recommended. Shorter compliance period was recommended in order to closely monitor the progress on compliance with the associated approval conditions. As the Committee had approved previous applications at the site and similar applications, approval of the application was in line with the previous decisions of the Committee.

177. Members had no question on the application.

Deliberation Session

178. After deliberation, the Committee decided to approve the application on a temporary basis for a period of 3 years until 19.7.2022, on the terms of the application as submitted to the Town Planning Board (TPB) and subject to the following conditions :

- “(a) no operation from 8:00 p.m. to 8:00 a.m., as proposed by the applicant, is allowed on the site during the planning approval period;
- (b) no operation on Sundays and public holidays, as proposed by the applicant, is allowed on the site during the planning approval period;
- (c) no workshop activity, as proposed by the applicant, is allowed at any times on the site 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 existing fencing on the site shall be maintained at all times during the planning approval period;
- (f) all existing trees and landscape plants on the site shall be maintained at all times during the planning approval period;
- (g) the existing drainage facilities on the site shall be maintained at all times during the planning approval period;
- (h) the 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 19.10.2019;
- (i) 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 19.10.2019;

- (j) in relation to (i) 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 19.1.2020;
- (k) if any of the above planning conditions (a), (b), (c), (d), (e), (f) or (g) is not complied with during the approval period, the approval hereby given shall cease to have effect and shall be revoked immediately without further notice; and
- (l) if any of the above planning conditions (h), (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.”

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

#### **Agenda Item 44**

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

[Open Meeting (Presentation and Question Sessions Only)]

A/HSK/164            Proposed Utility Installation for Private Project (Electricity Transformer Room) and Excavation of Land in “Village Type Development” Zone, Lot 2009 RP (Part) in D.D.124, Tin Ha Road, Ha Tsuen, Yuen Long  
(RNTPC Paper No. A/HSK/164)

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

180. 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) the proposed utility installation for private project (electricity transformer room) and excavation of land;
- (c) departmental comments – departmental comments were set out in paragraph 9 of the Paper. Concerned government departments had no objection to or no adverse comment on the application;
- (d) no public comment was received during the first three weeks of the statutory publication period; and
- (e) the Planning Department (PlanD)’s views – PlanD had no objection to the application based on the assessments set out in paragraph 11 of the Paper. Although the proposed development was not totally in line with the planning intention of “Village Type Development” zone, it was required for the provision of the necessary electricity supply to support the nearby Small House developments. It was considered that the proposed development was small in scale and would not cause any significant adverse impacts on the surrounding areas. Concerned government departments had no objection to or no adverse comment on the application.

181. Members had no question on the application.

#### Deliberation Session

182. 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 19.7.2023, 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.”

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

### **Agenda Item 45**

#### **Section 16 Application**

[Open Meeting (Presentation and Question Sessions Only)]

A/HSK/165                      Temporary Open Storage of Vehicle with Site Office, Storage of Vehicle Parts, Vehicle Inspection and Repairing Workshop for a Period of 3 Years in “Open Space” and “Residential (Group A) 3” Zones and an area shown as ‘Road’, Lots 823 S.B RP (Part), 826 S.B ss.1 RP (Part), 829 S.A (Part), 829 S.B (Part), 830 RP (Part), 831, 832, 833 RP, 834, 837 S.B RP (Part), 838 (Part) and 839 (Part) in D.D. 125, Ha Tsuen, Yuen Long  
(RNTPC Paper No. A/HSK/165)

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

184. 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) the temporary open storage of vehicle with site office, storage of vehicle parts, vehicle inspection and repairing workshop for a period of three years;
- (c) departmental comments – departmental comments were set out in paragraph 10 of the Paper. The Director of Environmental Protection (DEP) did not support the application as there were sensitive receivers in

the vicinity of the site and environmental nuisance was expected. Other concerned government departments had no objection to or no adverse comment on the application;

- (d) no public comment was received during the first three weeks of the statutory publication period; and
- (e) the Planning Department (PlanD)'s views – PlanD considered that the 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, the implementation programme for this part of New Development Area was still being formulated, and relevant government departments had no objection to the proposed temporary use for a period of three years. Approval of the application would not jeopardize the long-term development of the site. The applied use was not incompatible with the surrounding land uses and generally in line with the Town Planning Board Guidelines No. 13E. There was no adverse comment from concerned government departments, except DEP. DEP did not support the application because there were sensitive receivers in the vicinity and environmental nuisance was expected. However, there had not been any substantiated environmental complaint against the site in the past three years. The applicant had provided peripheral tree planting for landscape treatment and fencing as buffer to the surrounding areas. To address the concerns on the possible environmental nuisances or the technical requirements of the other concerned government departments, relevant approval conditions had been recommended. Shorter compliance period was recommended in order to closely monitor the progress on compliance with associated approval conditions. As the Committee had approved previous applications at the site and similar application, approval of the application was in line with the previous decisions of the Committee.

185. Members had no question on the application.



Deliberation Session

186. After deliberation, the Committee decided to approve the application on a temporary basis for a period of 3 years until 19.7.2022, 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 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 vehicle is allowed to queue back to or reverse onto/from the public road at all times during the planning approval period;
- (d) the existing drainage facilities shall be maintained at all times during the planning approval period;
- (e) 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 19.10.2019;
- (f) 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 30.8.2019;
- (g) 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 19.10.2020;
- (h) in relation to (g) 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 19.1.2020;

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

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

[The Chairman thanked Ms Stella Y. Ng, Mr Steven Y.H. Siu and Mr Simon P.H. Chan, STPs/TMYLW, for their attendance to answer Members’ enquiries. They left the meeting at this point.]

**Agenda Item 46**

**Any Other Business**

188. There being no other business, the meeting closed at 5:15 p.m..