

TOWN PLANNING BOARD

**Minutes of 633rd Meeting of the
Rural and New Town Planning Committee held at 2:30 p.m. on 6.9.2019**

Present

Director of Planning
Mr Raymond K.W. Lee

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

Dr C.H. Hau

Dr Lawrence K.C. Li

Mr Stephen L.H. Liu

Miss Winnie W.M. Ng

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

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

Assistant Director/Regional 1,
Lands Department
Mr Simon S.W. Wang

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

Secretary

Absent with Apologies

Mr H.W. Cheung

Vice-chairman

Dr F.C. Chan

Mr L.T. Kwok

Dr Jeanne C.Y. Ng

In Attendance

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

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

Town Planner/Town Planning Board
Mr Terence H.Y. Sit

Agenda Item 1

Confirmation of the Draft Minutes of the 632nd RNTPC Meeting held on 16.8.2019

[Open Meeting]

1. The draft minutes of the 632nd RNTPC meeting held on 16.8.2019 were confirmed without amendments.

Agenda Item 2

Matters Arising

[Open Meeting]

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

Sai Kung and Islands District

Agenda Item 3

Section 12A Application

[Open Meeting]

Y/TKO/5 Application for Amendment to the Approved Tseung Kwan O Outline Zoning Plan No. S/TKO/26, to Rezone the Application Site from “Residential (Group C)1”, “Green Belt” and an area shown as ‘Road’ to “Residential (Group C)2” and “Green Belt”, Lot 310 in D.D. 224 and Adjoining Government Land, Hang Hau Road, Tseung Kwan O (RNTPC Paper No. Y/TKO/5B)

3. The Secretary reported that the application site was located in Tseung Kwan O and CYS Associates (Hong Kong) Limited (CYS) was one of the consultants of the applicant. The following Members have declared interests on this item:

- Mr K. K. Cheung - his firm having current business dealings with CYS;
- Mr Stephen L.H. Liu - having past business dealings with CYS; and
- Mr L.T. Kwok - being the Chief Executive of Christian Family Service Centre which had 14 social service units in Tseung Kwan O;

4. The Committee noted that the applicant had requested deferment of consideration of the application and Mr L.T. Kwok had tendered an apology for being unable to join the meeting. As Messrs K.K. Cheung and Stephen L.H. Liu had no involvement in the application, the Committee agreed that they could stay in the meeting.

5. The Committee noted that the applicant’s representative requested on 14.8.2019 deferment of consideration of the application for a period of two months so as to allow time to prepare further information to address departmental comments. It was the third time that the applicant requested deferment of the application. Since the last deferment, the applicant

had submitted further information to address departmental comments.

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

[Messrs Peter K.T. Yuen and K. K. Cheung arrived to join the meeting at this point.]

Tuen Mun and Yuen Long West District

Agenda Item 4

Section 12A Application

[Open Meeting (Presentation and Question Sessions only)]

Y/TM/22 Application for Amendment to the Approved Tuen Mun Outline Zoning Plan No. S/TM/35, To Amend the Notes of the "Government, Institution or Community (1)" Zone on the Approved Tuen Mun Outline Zoning Plan No. S/TM/35, Lots 491 (Part), 492 (Part), 495 RP (Part), 498 RP, 500 (Part), 501 (Part), 502 RP (Part), 503 and 717 RP in D.D. 374 and Adjoining Government Land, So Kwun Wat, Tuen Mun (RNTPC Paper No. Y/TM/22A)

7. The Secretary reported that the application site (the Site) was located in Tuen Mun and MVA Hong Kong Limited (MVA) was one of the consultants of the applicant.

The following Members had declared interests on this item:

- Mr Ivan C.S. Fu - having current business dealings with MVA; and
- Dr Jeanne C.Y. Ng - co-owning with spouse a flat in Tuen Mun.

8. The Committee noted that Dr Jeanne C.Y. Ng had tendered an apology for being unable to join the meeting. As Mr Ivan C.S. Fu had no involvement in the application, the Committee agreed that he could stay in the meeting.

Presentation and Question Sessions

9. The following representatives from the Planning Department (PlanD) and the applicant were invited to the meeting at this point:

- Mr David Y.M. Ng - District Planning Officer/Tuen Mun and Yuen Long West (DPO/TMYLW), PlanD
- Ms Jessica Y.C. Ho - Senior Town Planner/Tuen Mun and Yuen Long West (STP/TMYLW), PlanD
- Mr C.W. Tai]
- Mr T.C. Sham] Applicant's representatives
- Mr W.M. Tso]

10. The Chairman extended a welcome and explained the procedure of the hearing. He then invited PlanD's representative to brief Members on the background of the application.

11. With the aid of a PowerPoint presentation, Ms Jessica Y.C. Ho, STP/TMYLW, presented the application and covered the following aspects as detailed in the Paper:

- (a) background to the application;
- (b) the proposed amendments to the Notes of the "Government, Institution or

Community (1)” (“G/IC(1)”) zone on the Approved Tuen Mun Outline Zoning Plan (OZP) No. S/TM/35;

- (c) departmental comments – departmental comments were set out in paragraph 9 and Appendix III of the Paper. The Chief Town Planner/Urban Design & Landscape, Planning Department (CTP/UD&L, PlanD) had reservation on the application as the applicant failed to adequately assess the visual implications of the proposed development, and considered the current scheme was inferior to the previous development proposals with regard to the deletion of public open space (POS) and pedestrian access. From landscape planning point of view, other than the loss of public open space, the applicant’s planting proposal was considered impractical and there were discrepancies between the applicant’s submission and the actual site conditions in respect of the number of existing trees. The Director of Leisure and Cultural Services advised that although there was no plan on the development of the “Open Space” (“O”) site to the east of the Site, the proposed development would shape the concerned “O” site into a linear and irregular piece of land, and would hinder the potential for the development of open space facilities therein. The District Officer (Tuen Mun), Home Affairs Department considered that the concerned Tuen Mun District Council (TMDC) members, Tuen Mun Rural Committee and locals would likely have reservation on the application with regard to their concerns on the existing congested traffic conditions and insufficient supporting facilities in the area. Other concerned departments had no objection to or no adverse comments on the application;
- (d) during the first three weeks of the statutory publication periods, ten public comments were received from owners’ corporations/owners’ committees of Aegean Coast, a TMDC member and individuals. 9 public comments objected to the application while the remaining one expressed concern on the development. Major views and objection grounds were set out in paragraph 10 of the Paper;

- (e) the PlanD's views – based on the assessments set out in paragraph 11 of the Paper, PlanD did not support the application. The Committee approved a s.16 application (No. A/TM/440) for church development and agreed to a s.12A application (No. Y/TM/14) to rezone the site from “O” to “G/IC” to facilitate church development in respect of the Site in 2013 and 2014 respectively. Both applications were submitted by the United Christian Faith Limited (UCF). Since the agreement to the s.12A application, UCF also submitted applications to rezone the Site between 2015 to 2017 to facilitate other development proposals including private primary school (applications No. Y/TM/17 and Y/TM/18) and elderly centre (application No. Y/TM/19). Y/TM/18 was rejected by the Committee while Y/TM/17 and Y/TM/19 were withdrawn by UCF. With regard to the current application, although the proposed use was considered not incompatible with its surroundings, the current proposed RCHE development was inferior to the previous proposed church development since no public open space within the Site and no public access to the nearby open space would be provided. CTP/UD&L, PlanD had reservation on the application due to the impact on accessibility and connectivity to the remaining “O” zone. In addition, she had concerns on the practicality and sustainability of the planting proposal submitted by the applicant and considered that the applicant failed to adequately assess the visual implications of the proposed development. Besides, there was insufficient information to support the prospect of implementation of the proposed RCHE since there was no detailed information on development programme, fund raising or financial arrangements and implementation agents for the RCHE. Regarding the public comments, the comments of government departments and the planning assessments above were relevant.

12. The Chairman then invited the applicant's representatives to elaborate on the application. Mr C.W. Tai, the applicant's representative, tabled at the meeting a hardcopy set of PowerPoint slide showing the applicant's responses to the main points of the Paper. With the aid of a PowerPoint presentation, Mr C.W. Tai, the applicant's representative, made the following main points:

Provision of POS

- (a) the deletion of the POS previously provided under the proposed church development was mainly due to the provision of ambulance parking spaces and loading/unloading facilities at ground floor and security concern for the elderly. Besides, DLCS had no implementation plan for the nearby “O” site and considered the provision of POS in Tuen Mun had already exceeded the requirements of the Hong Kong Planning Standards and Guidelines (HKPSG);

Visual and Landscape Impacts

- (b) photomontages from various viewpoints showed that the proposed scheme could blend in well with the surrounding environment. The existing trees within the Site were found to be poor to fair in terms of tree form and health condition and were proposed to be felled. The same arrangement was proposed under the previous approved s.12A application for church. While visual/landscape matters were subjective in nature, the consideration of the current application should focus on the suitability of the Site for the proposed Residential Care Homes for the Elderly (RCHE) development. To take forward the proposed development, lease modification would be required and it was common that relevant clauses would be included under the lease to handle related visual/landscape matters;

Prospect of Implementation

- (c) the applicant was currently negotiating with several RCHE operators to develop and operate the future RCHE. The future RCHE would be subject to relevant licensing requirements monitored by the Social Welfare Department; and
- (d) other than CTP/UD&L, PlanD, relevant departments had no adverse comments on the application and PlanD considered the proposed use was not incompatible with the surroundings. Should the Committee agree to the application, it was suggested that the Committee could incorporate in the revised Notes the requirement for submission of a Master Layout Plan for the Committee’s consideration.

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

13. As the presentations of the representatives from PlanD and the applicant were completed, the Chairman invited questions from Members. The Chairman and some Members raised the following questions:

- (a) the relationship between Mascot Enterprise Limited (the current applicant and land owner) and UCF (applicant of the previous s.16 and s.12A applications for church development, primary school and elderly centre);
- (b) whether there were any specific requirements in selecting sites for Church development;
- (c) rationale for not providing POS under the current scheme and the overall provision of POS in Tuen Mun district; and
- (d) implementation and operation details of the RCHE and how the implementation prospect of the RCHE should affect the consideration on the current application.

14. In response, Mr C.W. Tai, the applicant's representative, made the following main points:

- (a) the current applicant acquired the Site in around 2002/2003. There was no direct relationship between the current applicant and UCF;
- (b) the church proposal was not taken forward because of fund raising issue. The land owner subsequently proposed to develop a private primary school at the Site but the corresponding s.12A application was rejected by the Committee. Recently, some investors who had experience in operating RCHE had come forward to the land owner for the current proposed RCHE development;

- (c) the non-provision of POS under the current proposal was mainly because the ground floor space would be fully occupied by the required loading/unloading bays, ambulance parking spaces, car ramp to the basement carpark as well as manoeuvring space for fire engine. Besides, because of security reason, not opening the ground floor as POS could prevent outsider from trespassing and the elderly from wandering off from the RCHE and getting lost; and
- (d) trees were also proposed to be provided on podium under the previous approved application for church development. If required, the applicant could provide the compensatory trees at one of the lots under the applicant's ownership to the north of the Site (i.e. Lot 496 RP). At-grade planting within the Site was considered infeasible as the site area was small and the available ground floor space for planting was constrained by the basement carpark.

15. In response, Mr David Y.M. Ng, DPO/TMYLW, made the following main points:

- (a) there was no specific requirement for the provision of church under the HKPSG and its provision was primarily demand driven;
- (b) the "O" site abutting the Site was to serve the nearby residential and school developments. Under the s.16 application (No. A/TM/440) for church development approved by the Committee in 2013, a POS would be provided at ground floor which would also serve as a pedestrian access enhancing the connectivity between the "O" zone and the school sites across So Kwun Wat Road. If the current application was approved, the "O" site would only be accessible via the areas further south of the Site; and
- (c) with regard to the implementation prospect of the current application, no information including the future implementation agent, funding arrangements and operation details had been provided by the applicant.

16. With reference to the accessibility to health care services and hence the suitability of the Site for RCHE development, a Member asked the applicant about the distance between the Site and the nearest hospital. Mr C.W. Tai, the applicant's representative, replied that the distance between the Site and the nearest hospital, i.e. Tuen Mun Hospital, was about 15km. In response to the same Member's enquiry, Mr David Y.M. Ng, DPO/TMYLW, supplemented that the travelling time from the Site to the hospital would be around 10 minutes assuming no traffic jam.

17. In response to another Member's enquiry, Mr David Y.M. Ng, DPO/TMYLW, replied that although it was not desirable from land use point of view that the Site was in close proximity to a petrol filling station to its immediate north and an electricity substation to the west, relevant government departments (including the Fire Services Department) had no adverse comments on the current proposed development as the technical requirements in relation to site disposition could be met.

18. As the applicant's representatives had no further points to raise and there were no further questions from Members, the Chairman informed the applicant's representatives that the hearing procedure for the application had been completed and the Committee would deliberate on the application in their absence and inform them of the Committee's decision in due course. The Chairman thanked the representatives from PlanD and the applicant for attending the meeting. They left the meeting at this point.

Deliberation Session

19. The Chairman explained and Members noted that the prospect of implementation was a major consideration in the plan-making process, including consideration of application for amendment to statutory plan, as the designation of a zoning and its provision would specify the permissible uses and the extent to which planning permission could be granted. On the other hand, in the consideration of application for planning permission, after taking into account all relevant material planning considerations, and if considered appropriate, planning permission might be granted to the extent shown or provided for in the statutory plan. Whether the planning permission could be implemented would, however, also depend on compliance with other applicable legislative and administrative requirements. Members noted the large number of previous applications for the Site, and generally agreed that the

applicant had failed to demonstrate the prospect of implementation of the RCHE proposed under the current rezoning application. In particular, a Member pointed out that the applicant was unable to provide any information to demonstrate the level of expertise in operating RCHE and failed to provide adequate justifications in selecting the Site for RCHE development.

20. A Member stated that the previous s.12A application for rezoning the Site from “O” to “G/IC(1)” was approved having taken into account the proposed provision of not less than 615m² POS within the Site, which could also allow the accessibility of the adjacent planned ‘O’ site and thus had been regarded as a planning merit. In comparison with the previous scheme, the current scheme without the provision of POS was considered inferior and would defeat the original intention of maintaining some open space provision within the Site for public enjoyment. Besides, the applicant failed to address the related visual and landscape concerns. Other Members concurred.

21. Another Member pointed out that the GFA, site coverage (SC) and building height (BH) for the approved church development was 2,825m², 60% and 35mPD whereas the current RCHE proposal involved a GFA of 4,812m², SC of 65% and BH of 40mPD. There was a substantial increase in terms of development intensity. Some Members remarked that the applicant’s proposal by putting ‘Social Welfare Facility’ use under Column 1 of the subject “G/IC(1)” zone implied that social welfare facilities other than RCHE would be always permitted without the Committee’s approval. The Committee should take note of this when considering this application.

22. Members generally did not support the rezoning application. Members then examined the rejection reasons in paragraph 12.1 of the Paper. For rejection reason (a), Members agreed that it should be revised to highlight the Committee’s concern on the increased development intensity and deletion of POS provision within the Site.

23. After deliberation, the Committee decided not to agree to the application for the following reasons:

- “(a) the proposed amendments to the Notes of the “Government, Institution or Community (1)” (“G/IC(1)”) zone to facilitate the proposed Residential Care

Homes for Elderly (RCHE) development without the provision of public open space (POS) and with increased development intensity are not acceptable as it is against the original intention of rezoning the site to “G/IC(1)”;

- (b) the applicant fails to demonstrate that the proposed amendments to the Notes to facilitate RCHE development will not cause unacceptable visual and landscape impact on the surrounding areas; and
- (c) the applicant fails to demonstrate the prospect of implementation of the proposed RCHE.”

Sai Kung and Islands District

[Ms Katherine H.Y. Wong, Senior Town Planner/Sai Kung and Islands (STP/SKIs), was invited to the meeting at this point.]

Agenda Item 5

Section 16 Application

[Open Meeting (Presentation and Question Sessions Only)]

A/SK-CWBN/57 Proposed 2 Houses (New Territories Exempted Houses - Small Houses), Sitting Out Area, Slope Stability Works and associated Excavation and Filling of Land in “Green Belt” Zone, Lots 416 S.A ss.1, 416 S.B, 416 S.C ss.1, 416 S.C ss.2, 416 S.C RP, 416 RP, 417 S.A ss.1, 417 S.A ss.2 S.A, 417 S.A ss.2 S.B, 417 S.A ss.2 RP, 417 S.A RP & 417 S.B in D.D. 238 and Adjoining Government Land (Site A), and Lots 322 S.A, 322 RP and 416 S.A. RP in D.D. 238 (Site B), Ng Fai Tin, Clear Water Bay, Sai Kung
(RNTPC Paper No. A/SK-CWBN/57)

Presentation and Question Sessions

24. The Secretary reported that the application site was located in Clear Water Bay and Landes Limited (Landes) was one of the consultants of the applicant. The following Members have declared interests on this item:

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

Mr David Y.T. Lui - co-owning with spouse two houses in Clear
Water Bay.

25. The Committee agreed that as Mr Ivan C.S. Fu had no involvement in the application and the property of Mr David Y.T. Lui did not have a direct view of the application site, they could be allowed to stay in the meeting.

26. Ms Katherine H.Y. Wong, STP/SKIs, presented the application and covered the following aspects as detailed in the Paper:

- (a) background to the application;
- (b) the proposed two houses (New Territories Exempted Houses - Small Houses), sitting out area, slope stability works and associated excavation and filling of land;
- (c) departmental comments – departmental comments were set out in paragraph 10 and Appendix V of the Paper. The Commissioner for Transport (C for T) had reservation on the application but considered the application involving construction of two Small Houses could be tolerated. The Chief Town Planner/Urban Design and Landscape, Planning Department (CTP/UD&L, PlanD) had reservation on the application as significant adverse landscape impact would be imposed to the application site and surrounding, which deviated undesirably from the planning intention of “Green Belt” (“GB”) zone. 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 periods, 38 public comments were received. 33 objecting comments were received from the Kadoorie Farm & Botanic Garden Corporation, Designing Hong Kong Limited, World Wide Fund for Nature Hong Kong, the Hong Kong Bird Watching Society and individuals, with one supporting comment from the Chairman of the Hang Hau Rural Committee and four individuals raising concerns on the application. Major views were set out in paragraph 11 of the Paper; and
- (e) the PlanD's views – PlanD did not support the application based on the assessments set out in paragraph 12 of the Paper.

Site A

the proposed Small Houses were not in line with the planning intention of the “GB” zone. CTP/UD&L, PlanD had reservation on the application as the proposed development would involve permanent change in landform within the “GB” zone and cause significant adverse landscape impact on Site A and the surrounding. In this connection, the proposed Small Houses development was not in line with the Town Planning Board Guidelines No. 10 and the Interim Criteria for Consideration of Application for New Territories Exempted House/Small House in the New Territories (the Interim Criteria). Although land available within the “Village Type Development” (“V”) zone was insufficient to fully meet the future Small House demand, it was capable to meet the 56 outstanding Small House applications. It should be noted that the Committee had adopted a more cautious approach in approving applications for Small House development in recent years and it was considered more appropriate to concentrate the proposed Small House developments within the “V” zone. C for T had reservation on the application but considered that the application could be tolerated. Other relevant government departments had no objection to or no comment on the application. Previous applications at Site A and similar application within the “GB” zone were rejected and there was no change in the planning circumstances since the rejection of the last

application. Approval of the application would set an undesirable precedent for other similar applications and the cumulative effect of which would result in a general degradation of the natural landscape character of the area. Regarding the public comments, the comments of government departments and the planning assessments above were relevant.

Site B

although relevant government departments consulted had no comment on the proposed sitting-out area at Site B, the applicants had not provided strong reason to develop Site B as a sitting-out area at the expense of the existing natural landscape. The District Officer (Sai Kung), Home Affairs Department had not received any request for provision of sitting-out area and the applicants had not demonstrated there was demand for such sitting-out area. Regarding the public comments, the planning assessments above were relevant.

27. Members had no question on the application.

Deliberation Session

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

- “(a) the proposed New Territories Exempted Houses (NTEHs) (Small Houses) development at Site A is not in line with the planning intention of the “Green Belt” (“GB”) zone which is primarily for defining the limits of urban and sub-urban development areas by natural features and to contain urban sprawl as well as to provide passive recreational outlets. There is a general presumption against development within this zone. No strong planning grounds and justifications have been provided in the submission for a departure from the planning intention;
- (b) the proposed NTEHs (Small House) development at Site A is not in line with the Town Planning Board Guidelines No. 10 for ‘Application for

Development within “GB” Zone’ and the ‘Interim Criteria for Consideration of Application for NTEH/Small House in the New Territories’ in that the proposed development would cause adverse landscape impact on the surrounding areas;

- (c) land is still available within the “Village Type Development” (“V”) zone of Pan Long Wan Village, which is primarily intended for NTEH/Small House development. It is considered more appropriate to concentrate the village type development within the “V” zone for an orderly development pattern, efficient use of land and provision of infrastructure and services; and
- (d) approval of the application in particular the proposed NTEHs (Small Houses) development at Site A would set an undesirable precedent for other similar applications within the “GB” zone. The cumulative effect of approving similar applications will result in encroachment of green belt area by development and a general degradation of the natural landscape character of the area.”

Agenda Item 6

Section 16 Application

[Open Meeting (Presentation and Question Sessions Only)]

A/SK-PK/253 Proposed House (New Territories Exempted House - Small House) in
“Green Belt” Zone, Lot 470 S.B ss.2 in D.D. 222, Pak Kong, Sai Kung
(RNTPC Paper No. A/SK-PK/253)

Presentation and Question Sessions

29. Ms Katherine H.Y. Wong, 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 - Small House);
- (c) departmental comments – departmental comments were set out in paragraph 10 and Appendix V of the Paper. The Commissioner for Transport had reservation on the application but considered the application involving one Small House could be tolerated. The Chief Town Planner/Urban Design and Landscape, Planning Department (CTP/UD&L, PlanD) had reservation on the application as approval of the proposed Small House would encourage the spreading of village houses into the “Green Belt” (“GB”) zone leading to cumulative deterioration of the landscape character. Other concerned government departments had no objection to or no adverse comment on the application;
- (d) during the first three weeks of the statutory publication period, three public comments were received from the Kadoorie Farm & Botanic Garden Corporation, the Hong Kong Bird Watching Society and an individual objecting to the application. Major objection grounds were set out in paragraph 11 of the Paper; and
- (e) the PlanD’s views – PlanD did not support the application based on the assessment set out in paragraph 12 of the Paper. The proposed Small House development was not in line with the planning intention of the “GB” zone. CTP/UD&L, PlanD had reservation on the application as it would lead to cumulative deterioration of the landscape character. Regarding the Interim Criteria for Consideration of Application for NTEH/Small House in New Territories, land available within the “Village Type Development” (“V”) zone was insufficient to fully meet the future Small House demand, but was capable to meet the 17 outstanding Small House applications. It should be noted that the Committee had adopted a more cautious approach in approving applications for Small House development in recent years and it was considered more appropriate to concentrate the proposed Small House developments within the “V” zone. The site was the subject of three previous applications rejected by the Committee or the Town

Planning Board upon review. There was no change in planning circumstances since the rejection of the last application. As the site fell entirely within the “GB” zone with no exceptional circumstance that warranted sympathetic consideration, approval of the application would set an undesirable precedent for other similar applications within the “GB” zone. Regarding the public comments, the planning assessments above were relevant.

30. Members had no question on the application.

Deliberation Session

31. 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 “Green Belt” (“GB”) zone which is primarily for defining the limits of urban and sub-urban development areas by natural features and to contain urban sprawl as well as to provide passive recreational outlets. There is a general presumption against development within this zone. There is no strong justification in the submission for a departure from the planning intention;
- (b) land is still available within the “Village Type Development” zone of Pak Kong where land is primarily intended for Small House development. It is considered more appropriate to concentrate the proposed Small House development close to the existing village cluster for orderly development pattern, efficient use of land and provision of infrastructures and services; and
- (c) approval of the application will set an undesirable precedent for other similar applications within the “GB” zone. The cumulative effect of approving such applications will result in a general degradation of the landscape character of the area.”

[The Chairman thanked Ms Katherine H.Y. Wong, STP/SKIs, for her attendance to answer Members' enquiries. She left the meeting at this point.]

Sha Tin, Tai Po and North District

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

Agenda Items 7 and 8

Section 16 Applications

[Open Meeting (Presentation and Question Sessions Only)]

A/NE-KLH/572 Proposed House (New Territories Exempted House - Small House) in
"Agriculture" Zone, Lot 310 S.B in D.D.9, Kau Lung Hang Village,
Kau Lung Hang, Tai Po
(RNTPC Paper No. A/NE-KLH/572)

A/NE-KLH/573 Proposed House (New Territories Exempted House - Small House) in
"Agriculture" Zone, Lot 310 S.C in D.D.9, Kau Lung Hang Village,
Kau Lung Hang, Tai Po
(RNTPC Paper No. A/NE-KLH/573)

32. The Committee noted that the two section 16 applications for New Territories Exempted Houses (NTEH) – Small Houses were similar in nature and the application sites (the Sites) were abutting each other and falling within the same "Agriculture" ("AGR") zone, and agreed that they could be considered together.

Presentation and Question Sessions

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

- (a) background to the applications;

- (b) the proposed houses (NTEHs - Small Houses);
- (c) departmental comments – departmental comments were set out in paragraph 9 and Appendix V (for application No. A/NE-KLH/572), as well as paragraph 9 and Appendix IV (for application No. A/NE-KLH/573) of the Papers. The Director of Agriculture, Fisheries and Conservation (DAFC) did not support the applications as the Sites possessed potential for agricultural rehabilitation. The Commissioner for Transport (C for T) had reservation on the applications but considered the applications involving the development of one Small House each could be tolerated. Other 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, three and four public comments were received on application No. A/NE-KLH/572 and application No. A/NE-KLH/573 respectively. All the seven comments from the World Wild Fund for Nature Hong Kong, Designing Hong Kong Limited, the Hong Kong Bird Watching Society and an individual objected to applications. Major objection grounds were set out in paragraph 10 of the Papers; and
- (e) the Planning Department (PlanD)’s views – PlanD had no objection to the applications based on the assessments set out in paragraph 11 of the Papers. Although the proposed developments were not in line with the planning intention of the “AGR” zone and DAFC did not support the applications, the proposed developments were not incompatible with the surrounding rural setting. Regarding the Interim Criteria for Consideration of Application for NTEH/Small House in New Territories, more than 50% of the footprint of each of the proposed Small Houses fell within the village ‘environ’ (‘VE’) of Yuen Leng, Kau Lung Hang San Wai and Lo Wai. Although land available within the “Village Type Development” (“V”) zone was insufficient to fully meet the future Small House demand, it was capable to meet the 133 outstanding Small House applications. It should

be noted that the Committee had adopted a more cautious approach in approving applications for Small House development in recent years and it was considered more appropriate to concentrate the proposed Small House developments within the “V” zone. Nevertheless, for application No. A/NE-KLH/572, the Site was the subject of a previous approved application from the same applicant and the processing of the Small House grant was on-going. For application No. A/NE-KLH/573, the Site was sandwiched by three approved applications (one of which was the previous application for application No. A/NE-KLH/572). Should application No. A/NE-KLH/572 be approved by the Committee, the proposed Small House could be considered as an infill development. Hence, sympathetic considerations might be given to the two current applications. There were similar applications for Small House developments in the close proximity to the Sites. Regarding the adverse public comments, the comments of government departments and the planning assessments above were relevant.

34. In response to some Members’ enquiries, Ms Kathy C.L. Chan, STP/STN, said that PlanD’s recommended approval of the two applications was based on site specific considerations and the approval of the two applications would not set an undesirable precedent. In addition, the area was not wetland and according to the information submitted by the applicants, no land filling was required for the proposed Small Houses developments.

Deliberation Session

Application No. A/NE-KLH/572

35. Members noted that the application was the subject of a previous approved planning application for Small House but the permission had lapsed since 2015 while the relevant Small House grant application was still being processed by Lands Department (LandsD). A Member considered it was undesirable to approve both applications (No. A/NE-KLH/572 and A/NE-KLH/573) as there were no existing developments around the Sites and DAFC did not support the applications as the Sites had possessed potential for agricultural rehabilitation. While a Member considered that the length of time after the

expiry of previous planning permission should also be taken into account as one of the considerations, another Member opined that giving sympathetic consideration to the application was in line with the previous decisions of the Committee.

36. A Member enquired and Mr Simon S.W. Wang, Assistant Director/Regional 1, (AD/R1), LandsD replied that for sites requiring planning permissions, LandsD would not approve a Small House grant without a valid planning permission and the processing of Small House grant might take some time. Members agreed that consideration on the applications should be in line with the cautious approach in approving applications for Small House developments recently adopted by the Committee. However, Members discussed and generally agreed that although land available within the “V” zone was capable to meet the outstanding Small House applications, sympathetic consideration could be given on the current application since the Site was the subject of a previous approved planning application and the Small House grant for the Site was still under processing.

Application No. A/NE-KLH/573

37. Some Members agreed with PlanD’s recommendation that if application No. A/NE-KLH/572 was to be approved by the Committee, sympathetic consideration could be given to application No. A/NE-KLH/573 as it was an infill development. It would not set an undesirable precedent to encourage the spreading of Small Houses into the “AGR” zone given the specific site conditions. However, some Members noted that the Site was different from other infill sites in that it was not completely surrounded by developments as other than the Site of application No. A/NE-KLH/572 to its north and two other previously approved applications to its south, the surrounding areas were predominantly rural in character and covered by vegetation. Given the above, those Members generally considered that the current application should not be approved even if the approval of application No. A/NE-KLH/572 was granted on consideration that a more cautious approach had been adopted by the Committee in approving applications for Small House development and that there was no previous planning approval for Small House at the subject Site.

38. A Member remarked that regular site inspection by relevant authorities should be conducted for the surrounding areas of the application sites as the natural landscape of the area might be subject to potential vandalism.

For Application No. A/NE-KLH/572

39. After deliberation, the Committee decided to approve the application, on the terms of the application as submitted to the Town Planning Board (TPB). The permission should be valid until 6.9.2023, 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 connection of the foul water drainage system to the public sewers to the satisfaction of the Director of Water Supplies or of the TPB; and
- (c) the provision of protective measures to ensure no pollution or siltation occurs to the water gathering grounds to the satisfaction of the Director of Water Supplies or the TPB.”

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

For Application No. A/NE-KLH/573

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

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

- (b) land is still available within the “Village Type Development” (“V”) zones of Yuen Leng and Kau Lung Hang which is primarily intended for Small House development. It is considered more appropriate to concentrate the proposed Small House development within the “V” zone for more orderly development pattern, efficient use of land and provision of infrastructure and services.”

Agenda Item 9

Section 16 Application

[Open Meeting (Presentation and Question Sessions Only)]

A/NE-LT/667 Proposed House (New Territories Exempted House - Small House) in
“Agriculture” and “Village Type Development” Zones, Lot 882 RP in
D.D. 19, She Shan Village, Tai Po
(RNTPC Paper No. A/NE-LT/667A)

Presentation and Question Sessions

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

- (a) background to the application;
- (b) the proposed house (New Territories Exempted House - Small House);
- (c) departmental comments – departmental comments were set out in paragraph 9 and Appendix IV of the Paper. The Director of Agriculture, Fisheries and Conservation (DAFC) did not support the application as the site possessed potential for agricultural rehabilitation. The District Lands Officer/Tai Po, Lands Department (DLO/TP, LandsD) and the Chief Engineer/Construction, Water Supplies Department (CE/C, WSD) objected to the application as it did not comply with the Interim Criteria for Consideration of Application for New Territories Exempted House/Small

House in New Territories (the Interim Criteria) in that more than 50% of the proposed Small House footprint falling outside both the village 'environ' ('VE') and "Village Type Development" ("V") zone. Other 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, two public comments were received from the Hong Kong Bird Watching Society and an individual objecting to the application. Major objection grounds were set out in paragraph 10 of the Paper; and
- (e) the Planning Department (PlanD)'s views – PlanD did not support the application based on the assessments set out in paragraph 11 of the Paper. The proposed development was not in line with the planning intention of the "Agriculture" ("AGR") zone. Although the proposed development was not incompatible with the surrounding area which was predominantly rural in character, DAFC, DLO/TP, LandsD and CE/C, WSD did not support the application. The application did not comply with the Interim Criteria as more than 50% of the proposed Small House footprint fell outside both the 'VE' and the "V" zone of She Shan Tsuen. While land available within the "V" zone was insufficient to fully meet the future Small House demand, it was capable to meet the 21 outstanding Small House applications. It should be noted that the Committee had adopted a more cautious approach in approving applications for Small House development in recent years and it was considered more appropriate to concentrate the proposed Small House developments within the "V" zone. There were eight similar applications in the close vicinity of the site and the planning circumstances of the current application were similar to the rejected applications. Regarding the adverse public comments, the comments of government departments and the planning assessments above were relevant.

43. Members had no question on the application.

Deliberation Session

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

- “(a) the proposed development is not in line with the planning intention of the “Agriculture” zone, which is primarily to retain and safeguard good quality agricultural land/farm/fish ponds for agricultural purposes. It is also intended to retain fallow arable land with good potential for rehabilitation for cultivation and other agricultural purposes. There is no strong planning justification in the current submission for a departure from the planning intention;
- (b) the proposed development does not comply with the Interim Criteria for Consideration of Application for New Territories Exempted House/Small House in New Territories in that more than 50% of the footprint of the proposed Small House falls outside the “Village Type Development” (“V”) zone and the village ‘environs’ of She Shan Tsuen; and
- (c) land is still available within the “V” zone of She Shan Tsuen which is primarily intended for Small House development. It is considered more appropriate to concentrate the proposed Small House development within the “V” zone for more orderly development pattern, efficient use of land and provision of infrastructure and services.”

Agenda Item 10

Section 16 Application

[Open Meeting (Presentation and Question Sessions Only)]

A/NE-TK/673 Proposed Temporary Storage Area for Community Event Materials for a Period of 3 Years in “Agriculture” Zone, Lots 422 (Part), 423 (Part), 426 (Part), 427 (Part), 428 (Part) and 429 (Part) in D.D. 17, Ting Kok, Tai Po

(RNTPC Paper No. A/NE-TK/673)

Presentation and Question Sessions

45. 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 storage area for community event materials for a period of three years;
- (c) departmental comments – departmental comments were set out in paragraph 9 and Appendix III of the Paper. The Director of Agriculture, Fisheries and Conservation (DAFC) did not support the application as the site possessed potential for agricultural rehabilitation. Other concerned government departments had no objection to or no adverse comment on the application;
- (d) during the first three weeks of the statutory publication period, one public comment was received from an individual objecting to the application. Major objection grounds were set out in paragraph 10 of the Paper; and
- (e) the Planning Department (PlanD)’s views – PlanD did not support the application based on the assessments set out in paragraph 11 of the Paper. The proposed development was not in line with the planning intention of

the “Agriculture” (“AGR”) zone and DAFC did not support the application. Although the proposed development was considered not incompatible with its surrounding uses, there was no strong justification to demonstrate that the site was the only available land for the proposed development nor the application warranted a departure from the planning intention of “AGR” zone. Approving the application would set an undesirable precedent for other similar applications in the zone. While major development parameters under the current application were the same as the previous approved application, the nature of the proposed development was different. Regarding the public comment, the comments of government departments and the planning assessments above were relevant.

46. Members had no question on the application.

Deliberation Session

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

“the development is not in line with the planning intention of the “Agriculture” zone which is primarily to retain and safeguard good quality agricultural land/farm/fish ponds for agricultural purposes. It is also intended to retain fallow arable land with good potential for rehabilitation for cultivation and other agricultural purposes. No strong planning justification has been given in the submission to justify a departure from the planning intention, even on a temporary basis.”

[Dr Lawrence K.C. Li left the meeting at this point.]

Agenda Item 11

Section 16 Application

[Open Meeting (Presentation and Question Sessions Only)]

A/TP/668 Proposed 4 Houses (New Territories Exempted Houses - Small Houses) and Minor Relaxation of Building Height and Plot Ratio Restrictions in “Comprehensive Development Area (1)” Zone, Lots 208 S.A RP, 208 S.A ss.2, 208 S.A ss.1 RP and 208 S.A ss.1 S.A in D.D. 11, Fung Yuen, Tai Po
(RNTPC Paper No. A/TP/668)

48. The Secretary reported that the application site (the Site) was located in Tai Po. Mr H.W. Cheung (the Vice-chairman) had declared an interest on this item as he owned a flat in Tai Po. The Committee noted that Mr Cheung had tendered an apology for being unable to attend the meeting.

Presentation and Question Sessions

49. 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 four houses (New Territories Exempted Houses - Small Houses) and minor relaxation of building height and plot ratio restrictions;
- (c) departmental comments – departmental comments were set out in paragraph 10 and Appendix VI of the Paper. Concerned government departments had no objection to or no adverse comments on the application;
- (d) during the first three weeks of the statutory publication period, one public comment was received from an individual objecting to the application. Major 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 did not meet the Interim Criteria for Consideration of Application for New Territories Exempted House/Small House in New Territories in that there was sufficient land available within the “Village Type Development” (“V”) zone to meet the 24 outstanding Small House applications as well as to fully meet the future Small House demand. Nevertheless, the site was the subject of a previously approved planning application for the same use submitted by the same applicants with no change to the footprints and the development parameters. Moreover, as advised by District Lands Officer/Tai Po, Lands Department, the Small House grant applications had been approved and execution of the Small House grant documents was pending. Hence, sympathetic consideration could be given to the current application. There were 14 similar applications within the same “Comprehensive Development Area (1)” (“CDA(1)”) zone in close vicinity of the site in which nine of them were approved and the remaining five were rejected. The planning circumstances of the current application were similar to the latest approved application in that the site was the subject of a previous approved application. Regarding the public comments, the comments of government departments and the planning assessments above were relevant.

50. In response to a Member's enquiry, Ms Kathy C.L. Chan, STP/STN replied that the proposed Small Houses under the current application were standard Small House structures of three-storeys in height. Minor relaxation of building height (BH) restriction was necessary as the BH restriction for this part of the subject “CDA(1)” zone was one storey only. Besides, there were previous approved planning applications within the same “CDA(1)” zone.

Deliberation Session

51. A Member remarked that the Committee had adopted a more cautious approach

in approving applications for Small House development and it was considered more appropriate to concentrate the proposed Small House developments within the “V” zone for more orderly development pattern. However, sympathetic consideration could be given to the current application given that the implementation of the Small House developments was at an advance stage.

52. Members noted that although the planning intention of the subject “CDA(1)” site was for comprehensive development/redevelopment of the area, according to the latest approved Master Layout Plan (MLP) for the “CDA(1)” zone (application No. A/TP/333), no specific use had been proposed at the Site since the proponent of application No. A/TP/333 was unable to acquire that part of the land. Given the above and that previous application for Small House development lapsed only in March 2019, sympathetic consideration could be given to the current application.

53. After deliberation, the Committee decided to approve the application, on the terms of the application as submitted to the Town Planning Board (TPB). The permission should be valid until 6.9.2023, and after the said date, the permission should cease to have effect unless before the said date, the development permitted was commenced or the permission was renewed. The permission was subject to the following conditions:

- “(a) the provision of septic tanks, as proposed by the applicants, at locations to the satisfaction of the Director of Lands or of the TPB; and
- (b) the submission and implementation of drainage proposals to the satisfaction of the Director of Drainage Services or of the TPB.”

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

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

Agenda Item 12

Section 16 Application

[Open Meeting (Presentation and Question Sessions Only)]

A/NE-HLH/36 Proposed Temporary Logistics Centre for a Period of 3 Years in
“Agriculture” Zone, Lot 396 in D.D. 87, Hung Lung Hang
(RNTPC Paper No. A/NE-HLH/36)

Presentation and Question Sessions

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

- (a) background to the application;
- (b) the proposed temporary logistics centre 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) could not render support to the application as the applicant failed to demonstrate the temporary logistics centre would not cause adverse traffic impact. The Director of Agriculture, Fisheries and Conservation (DAFC) did not support the application as the site possessed potential for agricultural rehabilitation. Local views conveyed by the District Officer (North), Home Affairs Department (DO(N), HAD) were set out in paragraph 10.1.10 of the Paper. Other 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, six public comment was received. While the Chairman of Sheung Shui District Rural Committee indicated no comment on the application, the Designing Hong Kong Limited, Kadoorie Farm and Botanic Garden Corporation, World Wide Fund for Nature Hong Kong, the Hong Kong Bird Watching Society and an individual objected to the application. Major 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 temporary logistics centre was not in line with the planning intention of the “Agriculture” (“AGR”) zone and DAFC did not support the application. While the logistics centre was considered not entirely incompatible with the surrounding areas, C for T did not support the application from traffic engineering viewpoint. According to the Town Planning Board Guidelines No. 13E (TPB PG-No. 13E), the site fell within Category 3 areas. The application did not comply with the TPB PG-No. 13E in that the site was not the subject of any previous planning approval and there were adverse departmental and public comments. There were no similar applications within the same “AGR” zone. Approval of the current application would set an undesirable precedent for similar applications and the cumulative effect of approving such similar applications would result in a general degradation of the rural environment of the area. Regarding the local objection conveyed by DO(N), HAD and the adverse public comments, the comments of government departments and the 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 “Agriculture” (“AGR”) zone for the Hung Lung Hang area, which is primarily to retain and safeguard good quality agricultural land/farm/fish ponds for agricultural purposes and to retain fallow arable land with good potential for rehabilitation for cultivation and other agricultural purposes. There is no strong justification in the submission for a departure from such planning intention, even on a

temporary basis;

- (b) the application does not comply with the Town Planning Board Guidelines No. 13E in that there is no previous approval granted for the site and there are adverse departmental and public comments on the application; and
- (c) the approval of the application would set an undesirable precedent for similar applications within the “AGR” zone. The cumulative effect of approving such applications would result in a general degradation of the rural environment of the area.”

Agenda Item 13

Section 16 Application

[Open Meeting (Presentation and Question Sessions Only)]

A/NE-LK/121 Proposed House (New Territories Exempted House - Small House) in
“Agriculture” and “Village Type Development” Zones, Lot 1512 RP
in D.D. 39, Ma Tseuk Leng, Sha Tau Kok
(RNTPC Paper No. A/NE-LK/121)

Presentation and Question Sessions

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

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

for Transport (C for T) had reservation on the application but considered the application involving construction of one Small House could be tolerated. Local views conveyed by the District Officer (North), Home Affairs Department (DO(N), HAD) were set out in paragraph 9.1 of the Paper. Other 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, six public comments were received. While a member of North District Council supported the application, the Hong Kong Bird Watching Society, Kadoorie Farm and Botanic Garden Corporation, Designing Hong Kong Limited, a local villager and an individual objected to the application. Major views were set out in paragraph 10 of the Paper; and
- (e) the Planning Department (PlanD)'s views – PlanD did not support the application based on the assessments set out in paragraph 11 of the Paper. The proposed Small House development was not in line with the planning intention of the “Agriculture” (“AGR”) zone and DAFC did not support the application. C for T had reservation on the application but considered that Small House development could be tolerated. Other relevant government departments had no adverse comment on or no objection to the application. Regarding the Interim Criteria for Consideration of Application for New Territories Exempted House/Small House in the New Territories, more than 50% of the footprint of the proposed Small House fell within the village ‘environ’ of Ma Tseuk Leng, Ma Tseuk Leng San Uk Ha and Wo Tong Kong. While land available within the “V” zone was insufficient to fully meet the future Small House demand, land was still available within the “Village Type Development” (“V”) zone to meet the 56 outstanding Small House applications. It should be noted that the Committee had adopted a more cautious approach in approving applications for Small House development in recent years. In this regard, it was considered more appropriate to concentrate the proposed Small House developments within the “V” zone. The circumstances of the current application were similar to those recently rejected similar applications within the “AGR” zone.

Regarding the local objection conveyed by DO(N), HAD and the adverse public comments, the comments of government departments and the planning assessments above were relevant.

59. Members had no question on the application.

Deliberation Session

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

- “(a) the proposed development is not in line with the planning intention of the “Agriculture” zone in the Luk Keng and Wo Hang area which is primarily to retain and safeguard good quality agricultural land/farm/fish ponds for agricultural purposes and to retain fallow arable land with good potential for rehabilitation for cultivation and other agricultural purposes. There is no strong planning justification in the submission for a departure from the planning intention; and
- (b) land is still available within the “Village Type Development” zone of Ma Tseuk Leng, Ma Tseuk Leng San Uk Ha and Shek Kiu Tau village cluster where land is primarily intended for Small House development. It is considered more appropriate to concentrate the proposed Small House development close to the existing village cluster for orderly development pattern, efficient use of land and provision of infrastructures and services.”

Agenda Item 14

Section 16 Application

[Open Meeting (Presentation and Question Sessions Only)]

A/NE-LYT/706 Temporary Public Vehicle Park (Private Car) for a Period of 3 Years in
“Agriculture” Zone, Lot 1508 S.A (Part) in D.D.83, Lung Yeuk Tau,
Fanling
(RNTPC Paper No. A/NE-LYT/706)

Presentation and Question Sessions

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

- (a) background to the application;
- (b) the temporary public vehicle park (private car) 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. Local views conveyed by the District Officer (North), Home Affairs Department (DO(N), HAD) were set out in paragraph 9.1.11 of the Paper. 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, eleven public comments were received. While a North District Council member supported the application, the Chairman of Sheung Shui District Rural Committee had no comment. The Chairman, 1st Vice-Chairman and Vice-Chairman of Fanling District Rural Committee, Kadoorie Farm and Botanic Garden Corporation, Designing Hong Kong Limited, two villagers from Lung Yeuk Tau and two individuals objected to the application. Major views were set out in paragraph 10 of the Paper; and

- (e) the Planning Department (PlanD)'s views – PlanD considered the temporary use could be tolerated for a period of three years. The proposed development was not in line with the planning intention of the “Agriculture” (“AGR”) zone and DAFC did not support the application. Nevertheless, given its temporary nature and small scale, approval of the application on a temporary basis would not frustrate the long-term planning intention of the “AGR” zone. The proposed development was considered not incompatible with the surrounding land uses. Other relevant government departments had no adverse comment on or no objection to the application. There were seven similar applications approved within the same “AGR” zone. Since the approval of the similar applications, there had not been major change in planning circumstances. Regarding the local objection conveyed by DO(N), HAD and the adverse public comments, the comments of government departments and the planning assessments above were relevant.

62. Members had no question on the application.

Deliberation Session

63. After deliberation, the Committee decided to approve the application on a temporary basis for a period of 3 years until 6.9.2022, on the terms of the application as submitted to the Town Planning Board (TPB) and subject to the following conditions:

- “(a) no vehicle without valid licence issued under the Road Traffic (Registration and Licensing of Vehicles) Regulations is allowed to be parked/stored on or enter/exit the site at any time during the planning approval period;
- (b) no medium or heavy goods vehicle exceeding 5.5. tonnes, including container tractor/trailer, as defined in the Road Traffic Ordinance is allowed to be parked/stored on or enter/exit the site at any time during the planning approval period;

- (c) only private car as defined in the Road Traffic Ordinance is allowed to be parked/stored on or enter/exit the Site at any time during the planning approval period;
- (d) a notice should be posted at a prominent location of the site to indicate that only private car as defined in the Road Traffic Ordinance is allowed to be parked/stored on or enter/exit the site at any time during the planning approval period;
- (e) no car washing, vehicle repair, dismantling, paint spraying or other workshop activities is allowed on the site at any time during the planning approval period;
- (f) the provision of boundary fencing on the site within 6 months from the date of planning approval to the satisfaction of the Director of Planning or of the TPB by 6.3.2020;
- (g) the submission of drainage proposal within 6 months from the date of planning approval to the satisfaction of the Director of Drainage Services or of the TPB by 6.3.2020;
- (h) in relation to (g) above, the provision of drainage facilities within 9 months from the date of planning approval to the satisfaction of the Director of Drainage Services or of the TPB by 6.6.2020;
- (i) the submission of proposals for water supplies for firefighting and fire service installations within 6 months from the date of planning approval to the satisfaction of the Director of Fire Services or of the TPB by 6.3.2020;
- (j) in relation to (i) above, the provision of water supplies for firefighting and fire service installations within 9 months from the date of planning approval to the satisfaction of the Director of Fire Services or of the TPB by 6.6.2020;

- (k) the submission of traffic management measures within 6 months to the satisfaction of the Commissioner for Transport or of the TPB by 6.3.2020;
- (l) in relation to (k) above, the implementation of traffic management measures within 9 months to the satisfaction of the Commissioner for Transport or of the TPB by 6.6.2020;
- (m) if any of the above planning conditions (a), (b), (c), (d) or (e) is not complied with during the planning approval period, the approval hereby given shall cease to have effect and shall be revoked immediately without further notice; and
- (n) if any of the above planning conditions (f), (g), (h), (i), (j), (k) or (l) is not complied with by the specified date, the approval hereby given shall cease to have effect and shall on the same date be revoked without further notice.”

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

Agenda Item 15

Section 16 Application

[Open Meeting (Presentation and Question Sessions Only)]

A/NE-LYT/708 Proposed House (New Territories Exempted House - Small House) in
“Agriculture” Zone, Lot 1748 S.A in D.D. 76, Leng Pei Tsuen, Fanling
(RNTPC Paper No. A/NE-LYT/708)

Presentation and Question Sessions

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

- (a) background to the application;
- (b) the proposed house (New Territories Exempted House - Small House);
- (c) departmental comments – departmental comments were set out in paragraph 9 and Appendix V of the Paper. The Director of Agriculture, Fisheries and Conservation (DAFC) did not support the application as the site possessed potential for agricultural rehabilitation. The Commissioner for Transport (C for T) had reservation on the application but considered that the application involving construction of one Small House could be tolerated. Local views conveyed by the District Officer (North), Home Affairs Department (DO(N), HAD) were set out in paragraph 9.1 of the Paper. Other concerned government departments had no objection to or no adverse comment on the application;
- (d) during the first three weeks of the statutory publication period, three public comments were received. While the Chairman of Sheung Shui District Rural Committee indicated no comment on the application, Designing Hong Kong Limited and an individual objected to the application. Major objection grounds were set out in paragraph 10 of the Paper; and
- (e) the Planning Department (PlanD)'s views – PlanD had no objection to the application based on the assessments set out in paragraph 11 of the Paper. The proposed Small House development was not in line with the planning intention of the “Agriculture” (“AGR”) zone and DAFC did not support the application. C for T had reservation on the application but considered that Small House development could be tolerated. Other relevant government departments had no adverse comment on or no objection to the application. Regarding the Interim Criteria for Consideration of Application for New Territories Exempted House/Small House in the New Territories (the Interim Criteria), more than 50% of the footprint of the proposed Small House fell within the village ‘environ’ of Ma Mei Ha Leng Tsui and Leng Pei Tsuen. Land available within the “Village Type Development” zone was insufficient to fully meet the 45 outstanding Small House applications

and the future Small House demand. The site was the subject of a previously approved planning application (No. A/NE-LYT/558) submitted by the same applicant as the current application which lapsed on 17.1.2019. As advised by District Lands Officer/North, LandsD, the Small House application at the site was approved in-principle but yet to be executed. Given the above, the application generally complied with the Interim Criteria and sympathetic consideration might be given to the application. There were ten similar applications for Small House in the vicinity of the site and nine of which were approved. The planning circumstances of the current application were similar to the approved applications. Regarding the adverse public comments, the comments of government departments and the planning assessments above were relevant.

66. Members had no question on the application.

Deliberation Session

67. After deliberation, the Committee decided to approve the application, on the terms of the application as submitted to the Town Planning Board (TPB). The permission should be valid until 6.9.2023, and after the said date, the permission should cease to have effect unless before the said date, the development permitted was commenced or the permission was renewed. The permission was subject to the following conditions:

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

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

[Mr Ricky W.Y. Yu left the meeting temporarily at this point.]

Agenda Item 16

Section 16 Application

[Open Meeting (Presentation and Question Sessions Only)]

A/NE-LYT/709 Proposed House (New Territories Exempted House - Small House) in
“Agriculture” and “Village Type Development” Zones, Lot 1776 in
D.D. 76, Leng Tsui, Fanling
(RNTPC Paper No. A/NE-LYT/709)

Presentation and Question Sessions

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

- (a) background to the application;
- (b) the proposed house (New Territories Exempted House - Small House);
- (c) departmental comments – departmental comments were set out in paragraph 9 and Appendix V of the Paper. The Commissioner for Transport (C for T) had reservation on the application but considered that the application involving construction of one Small House could be tolerated. Local views conveyed by the District Officer (North), Home Affairs Department (DO(N), HAD) were set out in paragraph 9.1 of the Paper. Other concerned government departments had no objection to or no adverse comment on the application;
- (d) during the first three weeks of the statutory publication period, three public comments were received. While the Chairman of Sheung Shui District Rural Committee had no comment on the application, two individuals objected to the application. Major objection grounds were set out in paragraph 10 of the Paper; and
- (e) the Planning Department (PlanD)’s views – PlanD had no objection to the

application based on the assessments set out in paragraph 11 of the Paper. Although the proposed Small House development was not in line with the planning intention of the “Agriculture” (“AGR”) zone, the Director of Agriculture, Fisheries and Conservation had no strong view against the application. C for T had reservation on the application but considered that Small House development could be tolerated. Other relevant government departments had no adverse comment on or no objection to the application. Regarding the Interim Criteria for Consideration of Application for New Territories Exempted House/Small House in the New Territories (the Interim Criteria), the site fell entirely within the village ‘environ’ of Ma Mei Ha Leng Tsui and Leng Pei Tsuen. The application generally complied with the Interim Criteria in that land available within the “Village Type Development” zone was insufficient to fully meet the 45 outstanding Small House applications and the future Small House demand. In this regard, sympathetic consideration might be given to the application. There were 35 similar applications for Small House approved in the vicinity of the site. The planning circumstances of the current application were similar to the approved applications. Regarding the local objection conveyed by DO(N), HAD and the adverse public comments, the comments of government departments and the planning assessments above were relevant.

70. Members had no question on the application.

Deliberation Session

71. After deliberation, the Committee decided to approve the application, on the terms of the application as submitted to the Town Planning Board (TPB). The permission should be valid until 6.9.2023, and after the said date, the permission should cease to have effect unless before the said date, the development permitted was commenced or the permission was renewed. The permission was subject to the following conditions:

- “(a) the provision of septic tank, as proposed by the applicant, at a location to the satisfaction of the Director of Lands or of the TPB; and

- (b) the submission and implementation of drainage proposal to the satisfaction of the Director of Drainage Services or of the TPB.”

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

Agenda Item 17

Section 16 Application

[Open Meeting (Presentation and Question Sessions Only)]

A/NE-TKL/622 Renewal of Planning Approval for Temporary Open Storage of Construction Equipment and Materials for a Period of 3 Years in “Agriculture” Zone, Lots 1344 (Part) and 1345 (Part) in D.D. 82, Ping Che

(RNTPC Paper No. A/NE-TKL/622)

Presentation and Question Sessions

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

- (a) background to the application;
- (b) the renewal of planning approval for temporary open storage of construction equipment and materials for a period of three years;
- (c) departmental comments – departmental comments were set out at paragraph 10 of the Paper. The Director of Environmental Protection (DEP) did not support the application as there were domestic structures in the vicinity of the site. Local views conveyed by the District Officer (North), Home Affairs Department (DO(N), HAD) were set out in paragraph 10.1.10 of the Paper. 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 from a North District Council member and the Chairman of Sheung Shui District Rural Committee indicating no comment were received;
- (e) the Planning Department (PlanD)'s views – PlanD considered the temporary use could be tolerated for a period of three years based on the assessments set out in paragraph 12 of the Paper. The temporary development was not in line with the planning intention of the “Agriculture” (“AGR”) zone. However, the Director of Agriculture, Fisheries and Conservation had no strong view against the renewal application. Approval of the application on a temporary basis would not frustrate the long-term planning intention of the area. Although DEP did not support the application as there were temporary domestic structures in the vicinity of the site, there was no record of environmental complaint for the site in the past three years. To address the concerns of DEP, relevant approval conditions were recommended. Other government departments had no objection to or no adverse comment on the application. The application generally complied with the Town Planning Board Guidelines No. 13E (TPB PG-No. 13E) in that there were previous approvals for similar use on the site and no major adverse departmental comments had been received. The application also complied with the TPB PG-No. 34B in that there had been no material change in the planning circumstances of the area since the approval of the last application, all the approval conditions for the last application had been complied with and the approval period sought was not unreasonable. Of the 16 similar applications in the vicinity of the site, seven were approved by the Committee. The circumstances of the current application were similar to those approved applications.

74. Members had no question on the application.

Deliberation Session

75. After deliberation, the Committee decided to approve the application on a temporary basis for a period of 3 years from 15.10.2019 to 14.10.2022, 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) the stacking height of the materials stored within five meters of the periphery of the site shall not exceed the height of the boundary fence at any time during the planning approval period;
- (d) the peripheral fencing and paving of the site shall be maintained at all times during the planning approval period;
- (e) the setting back of the site boundary to avoid encroachment on the project limit of “PWP Item 119CD – Drainage Improvement in Northern New Territories – Package C (Remaining Works)” as and when required by the Director of Drainage Services;
- (f) the existing drainage facilities implemented under Application No. A/NE-TKL/553 on-site should be maintained properly at all times during the planning approval period;
- (g) existing trees on the site shall be maintained in good condition 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 commencement of the renewed planning

approval to the satisfaction of the Director of Drainage Services or of the TPB by 15.1.2020;

- (i) the provision of fire extinguisher(s) 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 26.11.2019;
- (j) the submission of proposals for water supplies for fire-fighting and 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 15.4.2020;
- (k) in relation to (j) above, the provision of water supplies for fire-fighting and fire service installations 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 15.7.2020;
- (l) if any of the above planning conditions (a), (b), (c), (d), (e), (f) or (g) is not complied with during the planning approval period, the approval hereby given shall cease to have effect and shall be revoked immediately without further notice;
- (m) if any of the above planning conditions (h), (i), (j) or (k) is not complied with by the specified date, the approval hereby given shall cease to have effect and shall on the same date be revoked without further notice; and
- (n) upon expiry of the planning permission, the reinstatement of the site to an amenity area to the satisfaction of Director of Planning or of the TPB.”

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

Agenda Item 18

Section 16 Application

[Open Meeting]

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

77. The Committee noted that the applicant’s representative requested on 22.8.2019 deferment of consideration of the application for a period of two months so as to allow time to prepare further information to address departmental comments. It was the third time that the applicant requested deferment of the application. Since the last deferment, the applicant had submitted further information to address departmental comments.

78. After deliberation, the Committee decided to defer a decision on the application as requested by the applicant pending the submission of further information from the applicant. The Committee agreed that the application should be submitted for its consideration within two months from the date of receipt of further information from the applicant. If the further information submitted by the applicant was not substantial and could be processed within a shorter time, the application could be submitted to an earlier meeting for the Committee’s consideration. The Committee also agreed to advise the applicant that two months were allowed for preparation of the submission of the further information. Since it was the 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 19

Section 16 Application

[Open Meeting (Presentation and Question Sessions Only)]

A/NE-TKLN/22 Renewal of Planning Approval for Temporary Canteen and Ancillary Office for a Period of 3 Years in “Green Belt” Zone, Lots 410 S.B ss.2 and 410 S.B RP in D.D. 78, Tsung Yuen Ha, Ta Kwu Ling North
(RNTPC Paper No. A/NE-TKLN/22)

Presentation and Question Sessions

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

- (a) background to the application;
- (b) the renewal of planning approval for temporary canteen and ancillary office for a period of three years;
- (c) departmental comments – departmental comments were set out in paragraph 9 of the Paper. Local views conveyed by the District Officer (North), Home Affairs Department (DO(N), HAD) were set out in paragraph 9.1.12 of the Paper. 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 from the Chairman of Sheung Shui District Rural Committee indicating no comment and an individual objecting to the application were received. Major objection grounds were set out in paragraph 10 of the Paper;
- (e) the Planning Department (PlanD)’s views – PlanD considered the temporary use could be tolerated for a further period of three years based on the assessments set out in paragraph 11 of the Paper. Although the

development was not in line with the planning intention of “Green Belt” zone (“GB”), the Director of Agriculture, Fisheries and Conservation had no comment on the renewal of the planning approval. Approval of the application on a temporary basis would not frustrate the long-term planning intention of the area. Other government departments had no objection to or no adverse comment on the application. The application generally complied with the Town Planning Board Guidelines No. 34C in that there had been no material change in the planning circumstances of the area since the approval of the last application, there were no major adverse departmental comments, all the approval conditions for the last application had been complied with and the approval period sought was not unreasonable. There was one similar application within the “Recreation” and “GB” zones in the vicinity of the site. There had not been major change in planning circumstances since the approval of the previous and similar applications. Regarding the adverse public comment, the comments of government departments and the planning assessments above were relevant.

80. Members had no question on the application.

Deliberation Session

81. After deliberation, the Committee decided to approve the application on a temporary basis for a period of 3 years from 15.9.2019 to 14.9.2022, on the terms of the application as submitted to the Town Planning Board (TPB) and subject to the following conditions:

- “(a) no operation between 3:00 p.m. and 7:00 a.m. on weekdays, as proposed by the applicant, is allowed on the site during the planning approval period;
- (b) no operation on Saturdays, Sundays and public holidays, as proposed by the applicant, is allowed on the site during the planning approval period;
- (c) the boundary fence on the site should be maintained at all times during the

planning approval period;

- (d) all existing trees shall be maintained at all times during the approval period;
- (e) the existing drainage facilities should be maintained properly at all times during the planning approval period and rectified if they are found inadequate/ineffective during operation;
- (f) the existing fire service installations implemented on the site should be maintained in efficient working order at all times;
- (g) if any of the above planning conditions (a), (b), (c), (d), (e) or (f) 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
- (h) upon expiry of the planning permission, the reinstatement of the site to an amenity area to the satisfaction of the Director of Planning or of the TPB.”

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

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

Fanling, Sheung Shui and Yuen Long East District

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

Agenda Item 20

Section 16 Application

[Open Meeting (Presentation and Question Sessions Only)]

A/KTN/65 Temporary Warehouse of Industrial and Construction Materials and Ancillary Workshop for a Period of 3 Years in “Open Space” and “Other Specified Uses” annotated “Nature Park” Zones and an area shown as ‘Road’, Lots 744 and 749 in D.D. 92 and Adjoining Government Land, Yin Kong, Sheung Shui
(RNTPC Paper No. A/KTN/65)

83. The Secretary reported that the application site (the Site) was located in Kwu Tung North. Dr C.H. Hau had declared an interest on this item as he owned a property in Kwu Tung North. The Committee agreed that as the property of Dr C.H. Hau had no direct view of the Site, he could be allowed to stay in the meeting.

Presentation and Question Sessions

84. 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) temporary warehouse of industrial and construction materials and ancillary workshop for a period of three years;
- (c) departmental comments – departmental comments were set out in paragraph 9 of the Paper. The Project Manager/North, Civil Engineering and Development Department (PM/N, CEDD) objected to the application as the Site would encroach the works area of Kwu Tung North & Fanling North New Development Area (KTN & FLN NDA), Phase 1: Development of Long Valley Nature Park scheduled to commence in December 2019. The Chief Estate Surveyor/Acquisition, Lands Department (CES/A, LandsD) did not support the application as part of the Site fell within the

project limit for the KTN NDA – Advance Stage and First Stage which would commence soon. Imminent resumption of the concerned land within this year was anticipated. The Commissioner for Transport (C for T) did not support the application as the applicant had not submitted the required traffic related information. The Director of Environmental Protection (DEP) did not support the application as there were sensitive uses in the vicinity of the Site. Local views conveyed by the District Officer (North), Home Affairs Department (DO(N), HAD) were set out in paragraph 9.1.13 of the Paper. 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 from the Indigenous Inhabitant Representative of Yin Kong and Kadoorie Farm & Botanic Garden Corporation objecting to the application were received. Major objection grounds were set out in paragraph 10 of the Paper;
- (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 applied temporary use was not in line with the planning intention of the Site. Taking into account the imminent land resumption and implementation programme of KTN NDA as advised by CEDD and LandsD, approval of the application for three years would jeopardize the implementation of the planned development of the site under the KTN NDA project. Both C for T and DEP did not support the application. The Site was the subject of seven previous applications approved by the Committee. Given the firm development programme of KTN NDA, the planning circumstance of the application was different from that of the previous approved applications. Regarding the local objection conveyed by DO(N), HAD and the adverse public comments, the comments of government departments and the planning assessments above were relevant.

85. The Chairman enquired and Ms S.H. Lam, STP/FSYLE, replied that the

construction works for KTN & FLN NDA was scheduled to commence in end 2019 and land resumption would be announced in due course.

Deliberation Session

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

- “(a) part of the site falls within the First Phase of the Kwu Tung North New Development Area (KTN NDA) development project with imminent land resumption and development programme. Approval of the application would jeopardize the planned development of the site under the KTN NDA project; and
- (b) the applicant fails to demonstrate that the applied development would not generate adverse traffic impact on the surrounding areas.”

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

Agenda Item 21

Section 16 Application

[Open Meeting (Presentation and Question Sessions Only)]

A/NE-KTS/476 Proposed House (New Territories Exempted House - Small House) in
“Agriculture” Zone, Lot 496 S.F in D.D. 94, Hang Tau, Sheung Shui
(RNTPC Paper No. A/NE-KTS/476)

Presentation and Question Sessions

87. 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 house (New Territories Exempted House - Small House);
- (c) departmental comments – departmental comments were set out in paragraph 10 and Appendix V of the Paper. The Director of Agriculture, Fisheries and Conservation (DAFC) did not support the application as the site possessed potential for agricultural rehabilitation. The Commissioner for Transport had reservation on the application but considered that the application only involving construction of one Small House 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, eight public comments were received. Two individuals indicated no comment while the other six public comments from Kadoorie Farm & Botanic Garden Corporation, Designing Hong Kong Limited, Hong Kong Bird Watching Society and individuals (including local villagers) objected to the application. Major objection grounds were set out in paragraph 11 of the Paper;
- (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 proposed development was not in line with the planning intention of the “Agriculture” (“AGR”) zone and DAFC did not support the application. Regarding the Interim Criteria for Consideration of Application for New Territories Exempted House/Small House in the New Territories (the Interim Criteria), 100% of the footprint of the proposed Small House fell entirely within the village ‘environ’ of Hang Tau. Although land available within the “Village Type Development” zone was insufficient to fully meet the future Small House demand, it was capable to meet the 53 outstanding Small House applications. According to the Interim Criteria, application for Small House with previous planning permission lapsed would be considered on its own merits and there was no special circumstance to support the application. There were 45 similar

applications for Small House within the same “AGR” zone in the vicinity of Hang Tau Village. Five applications were rejected by the Committee and there had been no material change in planning circumstances since the last rejected application. Regarding the adverse public comments, the comments of government departments and the planning assessments above were relevant.

88. Members had no question on the application.

Deliberation Session

89. Members noted that the previous rejected application was submitted by the same applicant of the current application and there had not been any change in the planning circumstances since the last application was rejected in May 2019.

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

- “(a) the proposed development is not in line with the planning intention of the “Agriculture” zone which is primarily to retain and safeguard good quality agricultural land/farm/fish ponds for agricultural purposes and to retain fallow arable land with good potential for rehabilitation for cultivation and other agricultural purposes. There is no strong planning justification in the submission for a departure from the planning intention; and
- (b) land is still available within the “Village Type Development” (“V”) zone of Hang Tau Village which is primarily intended for Small House development. It is considered more appropriate to concentrate the proposed Small House development within the “V” zone for more orderly development pattern, efficient use of land and provision of infrastructures and services.”

Agenda Item 22

Section 16 Application

[Open Meeting (Presentation and Question Sessions Only)]

A/NE-KTS/477 Proposed Temporary Office and Ancillary Toilet for a Period of 3 Years in “Agriculture” Zone, Lot 1060 RP (Part) in D.D. 100, Tong Kung Leng, Kwu Tung South, Sheung Shiu
(RNTPC Paper No. A/NE-KTS/477)

Presentation and Question Sessions

91. 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 temporary office and ancillary toilet for a period of three years;
- (c) departmental comments – departmental comments were set out in paragraph 9 of the Paper. Local views conveyed by the District Officer (North), Home Affairs Department (DO(N), HAD) were set out in paragraph 9.1.11 of the Paper. Other concerned government departments had no objection to or no adverse comment on the application;
- (d) during the first three weeks of the statutory publication period, three public comments were received. One individual indicated no comment while the Designing Hong Kong Limited and an individual objected to the application. Major objection grounds were set out in paragraph 10 of the Paper; and
- (e) the Planning Department (PlanD)’s views – PlanD considered the temporary use could be tolerated for a period of three years. The Director of Agriculture, Fisheries and Conservation considered that there was an

operational need to set up the office and the toilet as proposed and supported the application. In this connection, the proposed use was considered as supporting the planning intention of the “AGR” zone. Given the small scale of the proposed development, it was considered not incompatible with the surrounding environment. Concerned government departments had no objection to or no adverse comment on the application. Regarding the local objection conveyed by DO(N), HAD and the adverse public comments, the comments of government departments and the planning assessments above were relevant.

92. Members had no question on the application.

Deliberation Session

93. After deliberation, the Committee decided to approve the application on a temporary basis for a period of 3 years until 6.9.2022, on the terms of the application as submitted to the Town Planning Board (TPB) and subject to the following conditions:

- “(a) the submission of proposal for fire service installations within 6 months from the date of planning approval to the satisfaction of the Director of Fire Services or of the TPB by 6.3.2020;
- (b) in relation to (a) above, the implementation of proposal for fire service installations within 9 months from the date of planning approval to the satisfaction of the Director of Fire Services or of the TPB by 6.6.2020;
- (c) the submission of drainage proposal within 6 months from the date of planning approval to the satisfaction of the Director of Drainage Services or of the TPB by 6.3.2020;
- (d) in relation to (c) above, the implementation of drainage proposal within 9 months from the date of planning approval to the satisfaction of the Director of Drainage Services or of the TPB by 6.6.2020;

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

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

Agenda Item 23

Section 16 Application

[Open Meeting]

A/NE-KTS/478 Temporary Private Car Park (Private Car) for a Period of 3 Years in “Residential (Group D)” Zone, Lots 407 S.A ss.2 S.C (Part), 407 S.A ss.2 RP (Part) and 407 S.B ss.1 (Part) in D.D. 94, Hang Tau Village, Sheung Shui
(RNTPC Paper No. A/NE-KTS/478)

95. The Committee noted that the applicants’ representative requested on 30.8.2019 deferment of consideration of the application for a period of two months so as to allow time to prepare further information to address departmental comments. It was the first time that the applicants requested deferment of the application.

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

Agenda Item 24

Section 16 Application

[Open Meeting]

A/NE-KTS/479 Proposed House (New Territories Exempted House - Small House) in
“Agriculture” and “Village Type Development” Zones, Lots 894 S.L
and 894 S.P in D.D. 94, Hang Tau, Sheung Shui
(RNTPC Paper No. A/NE-KTS/479)

97. The Committee noted that the applicant’s representative requested on 28.8.2019 deferment of consideration of the application for a period of two months so as to allow time to prepare further information to address departmental comments. It was the first time that the applicant requested deferment of the application.

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

Agenda Item 25

Section 16 Application

[Open Meeting (Presentation and Question Sessions Only)]

A/FLN/19 Proposed Minor Relaxation of Maximum Plot Ratio and Building Height Restriction for Permitted Residential Development in “Residential (Group B)” Zone, Fanling Sheung Shui Town Lot 262, Ma Sik Road, Fanling
(RNTPC Paper No. A/FLN/19)

99. The Secretary reported that the application was submitted by Best Galaxy Limited which was a subsidiary of Henderson Land Development Company Limited (HLD). The following Members had declared interests on this item:

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

- Mr K.K. Cheung - his firm having current business dealings with HLD and the Hong Kong and China Gas Company Limited (which was a subsidiary of HLD);

- Mr Peter K.T. Yuen - being a member of the Board of Governors of the Hong Kong Arts Centre which had received a donation from an Executive Director of HLD before;

- Dr C.H. Hau - being an employee of the University of Hong Kong which had received a donation from a family member of the Chairman of HLD before;

- Dr Lawrence K.C. Li - being the Deputy Chairman of the Council of the Hong Kong Polytechnic University which had obtained sponsorship from HLD before; and

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

100. The Committee agreed that as the interest of Mr Ivan C.S. Fu was direct, he should be invited to leave the meeting temporarily for this item. The Committed noted that Dr Lawrence K.C. Li had already left the meeting and agreed that as the interests of Mr Peter K.T. Yuen and Dr C.H. Hau were indirect, and as Messrs K. K. Cheung and Stephen L.H. Liu had no involvement in the application, they should be allowed to stay in the meeting.

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

Presentation and Question Sessions

101. 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 minor relaxation of maximum plot ratio (PR) and building height (BH) restriction for permitted residential development;
- (c) departmental comments – departmental comments were set out in paragraph 9 of the Paper. Local views conveyed by the District Officer (North), Home Affairs Department (DO(N), HAD) were set out in paragraph 9.1.8 of the Paper. 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 from an individual supporting the application and another individual indicating no comment were received. Major views were set out in paragraph 10 of the Paper;
- (e) the Planning Department (PlanD)'s views – PlanD did not support the application for minor relaxation of BH restriction based on the assessments

set out in paragraph 11 of the Paper. The Chief Town Planner/Urban Design and Landscape, PlanD considered that the proposed BHs were generally in line with the stepped BH concept established under the Outline Zoning Plan (OZP), and were not incompatible with the existing and planned developments in the surroundings. Although concerned government departments had no objection to or no adverse comment on the application, the applicant had not demonstrated any planning and design merits to justify the proposed BH relaxation. As revealed in the approved General Building Plans (GBPs), the maximum PR of the “Residential (Group B)” zone could be accommodated under the current BH restrictions on the OZP. There was no strong justification for the minor relaxation of BH restrictions. In comparison with a similar application for minor relaxation of PR and BH restrictions for providing more public housing units to meet the pressing demand in the territory which was approved by the Committee, the current proposed BH increase in the application was to improve the internal living environment of the future residents of the proposed residential development only. Regarding the local objection conveyed by DO(N), HAD and the adverse public comments, the comments of government departments and the planning assessments above were relevant.

102. In response to a Member’s enquiries, Mr Patrick M.Y. Fung, STP/FSYLE, replied that the Lands Department would assess whether there would be implication on land premium should the proposed BH relaxation of be approved by the Committee. With regard to the applicant’s justifications for the proposed minor BH relaxation, it was noted that the increase in BH was mainly reflected in the floor-to-floor height (from 2.975m to 3.15m) of the typical floors as improvement to the internal living environment of the future residents. The applicant had not provided any information in respect of planning and design merits.

103. In response to a Member’s enquiry, the Chairman said that for planning applications for minor relaxation of BH restriction, it had been the Committee’s practice to give due consideration on whether the proposed relaxation would have planning gains and design merits.

Deliberation Session

104. In response to the Chairman's enquiry, Mr Simon S.W. Wang, Assistant Director /Regional 1, Lands Department advised that a lease modification would be required should the applicant take forward the proposed development with the increased BH under the current application. The implication on land premium would be subject to assessment.

105. While the proposed increase in BH would help improve the living environment internally within individual flats for the future residents, another Member pointed out that 2.975m floor-to-floor height meeting the requirement of the Buildings Ordinance was proposed under the approved GBPs. Members were generally of the view that there should be planning and design merits to support a planning application for minor relaxation of BH restriction, even when the proposed degree of increase might not be substantial, and planning gain offering positive contribution to the public at large should be demonstrated.

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

“the applicant fails to demonstrate planning and design merits for the proposed minor relaxation of building height restriction for the proposed residential development.”

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

Agenda Item 26

Section 16 Application

[Open Meeting (Presentation and Question Sessions Only)]

A/FSS/270 Proposed House and Social Welfare Facility (Residential Care Home for the Elderly) and Minor Relaxation of Building Height Restriction in “Village Type Development” Zone, Various Lots in D.D. 51, Fanling (RNTPC Paper No. A/FSS/270D)

Presentation and Question Sessions

107. 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) proposed house and social welfare facility (residential care home for the elderly) and minor relaxation of building height restriction;
- (c) departmental comments – departmental comments were set out in paragraph 8 and Appendix IV of the Paper. Local views conveyed by the District Officer (North), Home Affairs Department (DO(N), HAD) were set out in paragraph 8.1.13 of the Paper. 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 periods, 1,939 public comments were received. 1,890 comments by North District Council members and individuals supported the applications while 40 comments by Fanling District Rural Committee and individuals objected to the application and nine individuals indicated no comment. Major views were set out in paragraph 9 of the Paper;
- (e) the Planning Department (PlanD)'s views – PlanD had no objection to the application based on the assessments set out in paragraph 10 of the Paper. Although the proposed development was not entirely in line with the planning intention of the “Village Type Development” (“V”) zone, the proposed houses and residential care home of the elderly (RCHE) were in low-rise and low-density character which were not incompatible with the adjacent residential use. Based on the Hong Kong Planning Standards and Guidelines, there was a deficit of about 530 RCHE subsidised beds in the Fanling/Sheung Shui area. The proposed RCHE could help address the shortfall for elderly facilities and meet the demand of ageing population in the community. The site fell within “V” zone but not covered by village

'environ' of any recognized village. According to the Development Bureau, the site fell within the proposed Ling Hill Village Expansion Area (VEA), but the implementation of designated VEA projects had been suspended. If the planning approval was given to the application, the applicant would have to apply with LandsD for a Land Exchange to implement the proposed development. Since whether the land in the Ling Hill VEA could be de-frozen was subject to further discussion, any land exchange application to implement the proposed development would be scrutinized accordingly. In this connection, the assessment of the planning application should focus on planning considerations, while the land administrative matter could be dealt with separately. Concerned government departments had no objection to or no adverse comment on the application. Although there was a similar application for a proposed house in the same "V" zone rejected by the Committee, the planning circumstance of the current application was different. Regarding the local objection conveyed by DO(N), HAD and the adverse public comments, the comments of government departments and the planning assessments above were relevant. Regarding the commenters' suggestion for a higher development intensity at the site, it could be reviewed as appropriate subject to the results of the review on the de-freezing of the land covered by the proposed Ling Hill VEA project.

108. In response to the Chairman's and a Member's enquiry, Mr Patrick M.Y. Fung, STP/FSYLE, replied that the applicant was the sole current land owner of all private lots within the site.

Deliberation Session

109. For the private lot (Lot 1984) landlocked by the proposed development and was excluded from the application site, Members noted that the applicant was unable to acquire the lot, but a 6m wide access had been reserved under the proposed development to provide access to and from the nearby Fan Leng Lau Road for the concerned lot.

110. After deliberation, the Committee decided to approve the application, on the

terms of the application as submitted to the Town Planning Board (TPB). The permission should be valid until 6.9.2023, and after the said date, the permission should cease to have effect unless before the said date, the development permitted was commenced or the permission was renewed. The permission was subject to the following conditions:

- “(a) the submission and implementation of landscape proposal to the satisfaction of the Director of Planning or of the TPB;
- (b) the submission of a 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;
- (c) the submission of a revised Sewerage Impact Assessment to the satisfaction of the Director of Environmental Protection or of the TPB;
- (d) the implementation of a sewerage connection proposal identified in the Sewerage Impact Assessment in approval condition (c) above to the satisfaction of the Director of Drainage Services or of the TPB;
- (e) the submission and implementation of a drainage proposal to the satisfaction of the Director of Drainage Services or of the TPB; and
- (f) the provision of fire service installations and water supplies for fire-fighting to the satisfaction of the Director of Fire Services or of the TPB.”

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

Agenda Item 27

Section 16 Application

[Open Meeting]

A/YL-KTN/647 Proposed Residential Development (Flat) in “Residential (Group E)” Zone, Lots 215 S.C, 242 S.B RP, 264 S.B RP, 266 S.A, 266 RP, 267, 268, 269 S.B RP, 269 S.B ss.2 RP, 270, 271, 272, 275, 277 (part), 295 (part) and 296 S.B RP (part) in D.D.103 and Adjoining Government Land, Ha Ko Po Tsuen, Kam Tin, Yuen Long
(RNTPC Paper No. A/YL-KTN/647B)

112. The Secretary reported that the application was submitted by Ease Gold Development Limited, which was a subsidiary of Sun Hung Kai Properties Limited (SHK), with Llewelyn-Davies Hong Kong Limited (LD), Arcihplus International Limited (AI), Black & Veatch Hong Kong Limited (B&V), Ramboll Environ Hong Kong Limited (Ramboll), Urbis Limited (Urbis) and Hyder Consulting Limited (Hyder) as six of the consultants of the applicant. The following Members had declared interests on this item:

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

113. The Committee noted that the applicant had requested deferment of consideration of the application. The Committee agreed that Mr Ivan C.S. Fu and Miss Winnie W.M. Ng could stay in the meeting but should refrain from participating in the discussion as their

interests were direct. As Messrs K.K. Cheung, Stephen L.H. Liu and Ricky W.Y. Yu had no involvement in the application, the Committee agreed that they could stay in the meeting.

114. The Committee noted that the applicant's representative requested on 28.8.2019 deferment of consideration of the application for a period of two months so as to allow time to prepare further information to address departmental comments. It was the third time that the applicant requested deferment of the application. Since the last deferment, the applicant had submitted further information to address departmental comments.

115. 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.

[Mr K.K. Cheung left the meeting at this point.]

Agenda Item 28

Section 16 Application

[Open Meeting (Presentation and Question Sessions Only)]

A/YL-KTN/662 Proposed Temporary Shop and Services (Motor Vehicle Showroom) with Storage of Vehicles/Vehicles Parts and Ancillary Offices Use for a Period of 3 Years in "Village Type Development" Zone, Lots 457 (Part), 458 (Part) and 465 S.A (Part) in D.D. 109 and Adjoining Government Land, Kam Tin Road, Kam Tin, Yuen Long
(RNTPC Paper No. A/YL-KTN/662A)

Presentation and Question Sessions

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

- (a) background to the application;
- (b) the proposed temporary shop and services (motor vehicle showroom) with storage of vehicles/vehicles parts and ancillary offices use;
- (c) departmental comments – departmental comments were set out in paragraph 9 of the Paper. Concerned government departments had no objection to or no adverse comment on the application.
- (d) during the first three weeks of the statutory publication period, three public comments from the Designing Hong Kong Limited and individuals objecting to the application were received. Major objection grounds were set out in paragraph 10 of the Paper;
- (e) the Planning Department (PlanD)'s views – PlanD did not support the application based on the assessments set out in paragraph 11 of the Paper. The proposed use was not entirely in line with the planning intention of the “Village Type Development” (“V”) zone. While a temporary approval might not jeopardize the long-term implementation of Small House at the site, the scale of the proposed development was considered excessive in the village setting and not compatible with the developments in the surrounding areas. While similar applications were approved in the same “V” zone, they were mainly for small scale grocery, retail shop and bookshop meeting the daily needs of the locals. There was no strong justification to provide commercial use of such scale and nature in the village setting. The site was the subject of 13 previous applications in which two were rejected by the Committee. There was no major change in planning circumstance since the last rejected application. For the ten

similar applications within the same “V” zone approved by the Committee, these applications involved a much smaller site area. Regarding the adverse public comments, the comments of government departments and the planning assessments above were relevant.

117. In response to a Member’s enquiry, Ms Ivy C.W. Wong, STP/FSYLE, replied that the site was not covered by a valid planning permission since around 2006.

Deliberation Session

118. A Member remarked that it would be necessary for the relevant authorities to strengthen their enforcement actions against the unauthorized use/operation at the site.

119. 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 “Village Type Development” zone which is to reflect existing recognized and other villages, and to provide land considered suitable for village expansion and reprovisioning of village houses affected by the Government projects. Land within this zone is primarily intended for development of Small Houses by indigenous villagers. No strong planning justification has been given in the submission to justify a departure from the planning intention, even on a temporary basis; and
- (b) the scale of the proposed development is excessive and not compatible with the developments in the surrounding areas.”

Agenda Item 29

Section 16 Application

[Open Meeting (Presentation and Question Sessions Only)]

A/YL-KTN/671 Proposed Temporary Eating Place for a Period of 3 Years in “Village Type Development” Zone, Lot 540 (Part) in D.D.109, Kam Tin North, Yuen Long
(RNTPC Paper No. A/YL-KTN/671)

Presentation and Question Sessions

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

- (a) background to the application;
- (b) the proposed temporary eating place 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 proposed temporary eating place was not entirely in line with the planning intention of the “Village Type Development” (“V”) zone, it was considered that approval of the application on a temporary basis would not jeopardize the planning intention of the “V” zone. The development was considered not incompatible with the surrounding land uses which were rural in character. Concerned government departments had no objection to or no adverse comment on the application. To minimize any

possible environmental nuisance generated by the proposed development, approval conditions were recommended.

121. Members had no question on the application.

Deliberation Session

122. After deliberation, the Committee decided to approve the application on a temporary basis for a period of 3 years until 6.9.2022, 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 queue back to or reverse onto/from public road at any time during the planning approval period;
- (c) the provision of boundary fencing within 6 months from the date of planning approval to the satisfaction of the Director of Planning or of the TPB by 6.3.2020;
- (d) the submission of drainage proposal within 6 months from the date of planning approval to the satisfaction of the Director of Drainage Services or of the TPB by 6.3.2020;
- (e) in relation to (d) above, the implementation of drainage proposal within 9 months from the date of planning approval to the satisfaction of the Director of Drainage Services or of the TPB by 6.6.2020;
- (f) in relation to (e) above, the implemented drainage facilities on the site shall be maintained at all times during the planning approval period;
- (g) the submission of fire service installations proposal within 6 months from the date of planning approval to the satisfaction of the Director of Fire

Services or of the TPB by 6.3.2020;

- (h) in relation to (g) above, the implementation of fire service installations proposal within 9 months from the date of planning approval to the satisfaction of the Director of Fire Services or of the TPB by 6.6.2020;
- (i) if any of the above planning conditions (a), (b) or (f) is not complied with during the planning approval period, the approval hereby given shall cease to have effect and shall be revoked immediately without further notice; and
- (j) if any of the above planning conditions (c), (d), (e), (g) or (h) is not complied with by the specified date, the approval hereby given shall cease to have effect and shall on the same date be revoked without further notice.”

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

Agenda Item 30

Section 16 Application

[Open Meeting]

A/YL-KTN/672 Proposed Temporary Animal Boarding Establishment (Cattery) for a Period of 3 Years in “Agriculture” Zone, Lot 38 in D.D. 110, Tai Kong Po, Kam Tin, Yuen Long
(RNTPC Paper No. A/YL-KTN/672)

124. The Committee noted that the applicant’s representative requested on 27.8.2019 deferment of consideration of the application for a period of two months so as to allow time to prepare further information to address departmental comments. It was the first time that the applicant requested deferment of the application.

125. 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]

A/YL-KTS/826 Proposed Temporary Place of Recreation, Sports or Culture (Hobby Farm) for a Period of 5 Years in "Agriculture" Zone, Lot 1159 RP in D.D. 106, Kam Sheung Road, Kam Tin, Yuen Long
(RNTPC Paper No. A/YL-KTS/826)

126. The Committee noted that the applicant's representative requested on 12.8.2019 deferment of consideration of the application for a period of two months so as to allow time to prepare further information to address departmental comments. It was the first time that the applicant requested deferment of the application.

127. 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 32

Section 16 Application

[Open Meeting]

A/YL-KTS/827 Proposed Temporary Shop and Services and Eating Place with Ancillary Facilities for a Period of 5 Years in “Residential (Group C)” Zone, Lot 350 in D.D. 109 and Adjoining Government Land, Kam Tin, Yuen Long
(RNTPC Paper No. A/YL-KTS/827)

128. The Committee noted that the applicant’s representative requested on 21.8.2019 deferment of consideration of the application for a period of two months so as to allow time to prepare further information to address departmental comments. It was the first time that the applicant requested deferment of the application.

129. 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 33

Section 16 Application

[Open Meeting]

A/YL-PH/811 Proposed Houses in “Residential (Group D)” Zone, Lots 101 S.F RP,
101 S.G, 101 S.H, 101 S.I and 101 S.J in D.D. 111, Fan Kam Road, Pat
Heung, Yuen Long

(RNTPC Paper No. A/YL-PH/811A)

130. The Committee noted that the applicants’ representative requested on 20.8.2019 deferment of consideration of the application for a period of two months so as to allow time to prepare further information to address departmental comments. It was the second time that the applicants requested deferment of the application. Since the last deferment, the applicants had submitted further information to address departmental comments.

131. 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 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 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 34

Section 16 Application

[Open Meeting (Presentation and Question Sessions Only)]

A/YL-PH/815 Proposed Temporary Shop and Services (Dog Grooming and Pet Products) with Ancillary Office and Staff Resting Place for a Period of 3 Years in “Residential (Group D)” Zone, Lot 357 in D.D. 114, Kam Tin Road, Pat Heung, Yuen Long
(RNTPC Paper No. A/YL-PH/815)

132. The Committee noted that two replacement pages (page 4 of Main Paper and page 1 of Appendix IV) were tabled for Members’ reference to revise comments from the District Lands Officer/Yuen Long, Lands Department.

Presentation and Question Sessions

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

- (a) background to the application;
- (b) the proposed temporary shop and services (dog grooming and pet products) with ancillary office and staff resting place for a period of three years;
- (c) departmental comments – departmental comments were set out in paragraph 9 of the Paper. Concerned government departments had no objection to or no adverse comment on the application;
- (d) during the first three weeks of the statutory publication period, one public comment objecting to the application was received. 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.

Although the propose use was not entirely in line with the planning intention of the “Residential (Group D)” (“R(D)”) zone, there was no known programme for long-term development at the site. Approval of the application on a temporary basis would not jeopardize the long-term planning intention of the “R(D)” zone. The proposed development was considered not incompatible with the surrounding areas and concerned government departments had no objection to or no adverse comment on the application. To minimize any possible environmental nuisance generated by the proposed development, approval conditions were recommended. Regarding the adverse public comment, the comments of government departments and the planning assessments above were relevant.

134. Members had no question on the application.

Deliberation Session

135. After deliberation, the Committee decided to approve the application on a temporary basis for a period of 3 years until 6.9.2022, on the terms of the application as submitted to the Town Planning Board (TPB) and subject to the following conditions:

- “(a) no operation between 7:00 p.m. and 9:00 a.m., as proposed by the applicant, is allowed on the site during the planning approval period;
- (b) all animals shall be kept indoors between 7:00 p.m. and 9:00 a.m., as proposed by the applicant, at all times during the planning approval period;
- (c) no vehicle is allowed to queue back to or reverse onto/from public road at any time during the planning approval period;
- (d) the submission of drainage proposal within 6 months from the date of planning approval to the satisfaction of the Director of Drainage Services or of the TPB by 6.3.2020;
- (e) in relation to (d) above, the implementation of drainage proposal within

9 months from the date of planning approval to the satisfaction of the Director of Drainage Services or of the TPB by 6.6.2020;

- (f) in relation to (e) above, the implemented drainage facilities shall be maintained at all times during the planning approval period;
- (g) the implementation of the accepted fire service installations within 6 months from the date of planning approval to the satisfaction of the Director of Fire Services or of the TPB by 6.3.2020;
- (h) if any of the above planning conditions (a), (b), (c) or (f) is not complied with during the planning approval period, the approval hereby given shall cease to have effect and shall be revoked immediately without further notice; and
- (i) if any of the above planning conditions (d), (e) or (g) is not complied with by the specified date, the approval hereby given shall cease to have effect and shall on the same date be revoked without further notice.”

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

Agenda Item 35

Section 16 Application

[Open Meeting (Presentation and Question Sessions Only)]

A/YL-ST/555 Temporary Public Vehicle Park (Private Cars Only) for a Period of 3 Years in “Village Type Development” Zone, Lot 674 S.C RP (Part) in D.D. 99, Lots 3060 RP, 3060 S.A, 3060 S.B, 3060 S.C (Part), 3060 S.E (Part), 3060 S.F, 3060 S.G, 3061 (Part), 3062, 3064 RP, 3064 S.A, 3064 S.B, 3064 S.C, 3064 S.D (Part), 3064 S.E, 3065, 3067 RP, 3067 S.A, 3067 S.B and 3067 S.C in D.D.102, and adjoining Government Land, San Tin, Yuen Long
(RNTPC Paper No. A/YL-ST/555)

Presentation and Question Sessions

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

- (a) background to the application;
- (b) the temporary public vehicle park (private cars only) for a period of three years;
- (c) departmental comments – departmental comments were set out in paragraph 10 of the Paper. Concerned government departments had no objection to or no adverse comment on the application;
- (d) during the first three weeks of the statutory publication period, one public comment raising concern on the application was received. Major views were set out in paragraph 11 of the Paper; and
- (e) the Planning Department (PlanD)’s views – PlanD had no objection to the application based on the assessments set out in paragraph 12 of the Paper. The applied use was not entirely in line with the planning intention of the

“Village Type Development” (“V”) zone but it could meet some of the local parking demand in the vicinity. Approval of the application on a temporary basis for a period of three years would not frustrate the long-term planning intention of the “V” zone as there was no immediate development programme for the site. The applied use was considered not incompatible with the surrounding land uses and was in line with the Town Planning Board Guidelines No. 13E in that apart from meeting some parking demand of local villagers/residents, the applied use could satisfy some of the parking demand for cross-boundary travellers. Concerned government departments had no objection to or no adverse comment on the application. To mitigate potential impacts on the surrounding areas, approval conditions were recommended. The site was the subject of 11 approved previous applications and the Committee had approved a total of 19 applications for similar public vehicle park uses within the same “V” zone. Approval of the current application was in line with the previous decisions of the Committee. Regarding the adverse public comment, the comments of government departments and the 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 until 6.9.2022, on the terms of the application as submitted to the Town Planning Board (TPB) and subject to the following conditions:

- “(a) 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;
- (b) only private cars as defined in the Road Traffic Ordinance are allowed to be parked on the site at any time during the planning approval period;

- (c) a notice should be posted at a prominent location of the site to indicate that only private cars as defined in the Road Traffic Ordinance are allowed to be parked on the site at any time during the planning approval period;
- (d) buffering space fronting Tung Wing On Road to avoid queuing on Tung Wing On Road shall be maintained at all times during the planning approval period;
- (e) the submission of drainage proposal within 6 months from the date of planning approval to the satisfaction of the Director of Drainage Services or the TPB by 6.3.2020;
- (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 the TPB by 6.6.2020;
- (g) in relation to (f) above, the implemented drainage facilities within the site shall be maintained at all times during the planning approval period;
- (h) the submission of fire service installations proposal within 6 months from the date of planning approval to the satisfaction of the Director of Fire Services or of the TPB by 6.3.2020;
- (i) in relation to (h) above, the implementation of fire service installations within 9 months from the date of planning approval to the satisfaction of the Director of Fire Services or of the TPB by 6.6.2020;
- (j) the provision of boundary fencing within 6 months from the date of planning approval to the satisfaction of the Director of Planning or of the TPB by 6.3.2020;
- (k) if any of the above planning conditions (a), (b), (c), (d) or (g) is not complied with during the planning approval period, the approval hereby given shall cease to have effect and shall be revoked immediately without

further notice; and

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

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

[The Chairman thanked Ms S.H. Lam, Mr Patrick M.Y. Fung, Ms Ivy C.W. Wong 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

[Ms Jessica Y.C. Ho, Mr Alexander W.Y. Mak, Mr Kris W.K. Leung, Ms Stella Y. Ng and Mr Steven Y.H. Siu, Senior Town Planners/Tuen Mun and Yuen Long West (STPs/TMYLW), were invited to the meeting at this point.]

Agenda Item 36

Section 16 Application

[Open Meeting]

A/YL-HTF/1095 Proposed Temporary Barbecue Area for a Period of 3 Years and Filling of Land in “Agriculture” Zone, Lots 438 (Part) and 439 (Part) in D.D. 128, Ha Tsuen Fringe, Yuen Long
(RNTPC Paper No. A/YL-HTF/1095)

Presentation and Question Sessions

141. The Committee noted that after issuance of the Paper, the applicant’s representative wrote to the Secretary of Town Planning Board (the Board) on 5.9.2019 and

requested the Board to defer making a decision on the application for two months so as to allow time for preparation of further information to support the application. The letter was tabled at the meeting for Members' consideration. It was the first time that the applicant requested deferment of the application.

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

[Mr Stephen L.H. Liu and Dr C.H. Hau left the meeting at this point.]

Agenda Item 37

Section 16 Application

[Open Meeting (Presentation and Question Sessions Only)]

A/TM/544 Proposed Office in "Industrial" Zone, 10/F, Hanway Factory Building,
17 San On Street, Tuen Mun
(RNTPC Paper No. A/TM/544)

143. The Secretary reported that the application site (the Site) was located in Tuen Mun. Dr Jeanne C.Y. Ng had declared an interest on this item as she co-owned with spouse a flat in Tuen Mun. The Committee noted that Dr Jeanne C.Y. Ng had tendered an apology for being unable to attend the meeting.

Presentation and Question Sessions

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

- (a) background to the application;
- (b) the proposed office (back office);
- (c) departmental comments – departmental comments were set out in paragraph 10 of the Paper. The Director-General of Trade and Industry (DG of TI) had reservation on the application since the 2014 Area Assessments of Industrial Land in the Territory (2014 Area Assessments) had revealed that the total industrial stock in Hong Kong would not be able to meet the future demand for industrial uses. Nevertheless, he had no comment if the approval was on a temporary basis of not more than five years as it would not jeopardize the long-term industrial-related uses of the subject premises. 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 the application could be tolerated for a period of three years. Although there was no similar application for conversion of a premise of an industrial building to ‘office’ use in the area, there were four applications for wholesale conversion of the existing building approved by the Committee. The proposed back office was intended to support other businesses within the “Industrial” zone with no direct provision of customer services/goods to the public. In view of the small scale of the proposed office and its nature of operation, no significant adverse traffic and environmental impacts were anticipated. The application generally complied with the Town Planning Board Guidelines No. 25D in that the location of the proposed development

was easily accessible to public transport facilities and there was no adverse impact fire safety, traffic and environmental impacts. Considering the comments from DG of TI and the recommendation of the 2014 Area Assessments to retain the Tuen Mun Industrial Areas, a temporary approval of three years was recommended to allow the Committee to better monitor the provision of industrial floor space in the area.

145. Members had no question on the application.

Deliberation Session

146. After deliberation, the Committee decided to approve the application on a temporary basis for a period of 3 years until 6.9.2022, 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 service installations proposal the satisfaction of the Director of Fire Services or of the TPB before operation of the proposed use; and
- (b) if the above planning condition (a) is not complied with, the approval hereby given shall cease to have effect and shall be revoked immediately without further notice.”

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

Agenda Item 38

Section 16 Application

[Open Meeting]

A/TM/545 Proposed Columbarium in “Government, Institution or Community”
Zone, Lot 513 in D.D. 131, Tsing Shan Tsuen, Tuen Mun
(RNTPC Paper No. A/TM/545)

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

Mr H.W. Cheung (the Vice-chairman) - 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.

149. The Committee noted that the applicant had requested deferment of consideration of the application and Mr H.W. Cheung and Dr Jeanne C.Y. Ng had tendered apologies for being unable to join the meeting. As the interest of Mr Ivan C.S. Fu was indirect, the Committee agreed that he could stay in the meeting.

150. The Committee noted that the applicant's representative requested on 21.8.2019 deferment of consideration of the application for a period of two months so as to allow time to prepare further information to address departmental comments. It was the first time that the applicant requested deferment of the application.

151. After deliberation, the Committee decided to defer a decision on the application as requested by the applicant pending the submission of further information from the applicant. The Committee agreed that the application should be submitted for its consideration within two months from the date of receipt of further information from the applicant. If the further information submitted by the applicant was not substantial and could be processed within a shorter time, the application could be submitted to an earlier meeting for the Committee's consideration. The Committee also agreed to advise the applicant that 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 39

Section 16 Application

[Open Meeting (Presentation and Question Sessions Only)]

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

152. The Secretary reported that the application site (the Site) was located in Yuen Long. Mr K.H. To, Principal Environmental Protection Officer (Strategic Assessment), Environmental Protection Department, had declared an interest on this item as his spouse owned a flat in Yuen Long. The Committee agreed that as the property of Mr To’s spouse had no direct view of the Site, he could be allowed to stay in the meeting.

Presentation and Question Sessions

153. Mr Alexander W.Y. Mak, 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 (excluding container vehicle) for a period of six years;
- (c) departmental comments – departmental comments were set out in paragraph 9 of the Paper. The Chief Town Planner/Urban Design and Landscape, Planning Department (CTP/UD&L, PlanD) had reservation on the application since approval of the application would set an undesirable precedent and likely encourage other similar applications to blanket clear

the site prior to obtaining planning approval. 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. Major objection grounds were set out in paragraph 10 of the Paper; and
- (e) the PlanD's views – PlanD had no objection to the application for a period of six years based on the assessments set out in paragraph 11 of the Paper. Although parts of the subject “Government, Institution or Community” (“G/IC”) and “Open Space” (“O”) zones were reserved for the development of a primary school, a sports centre and open space respectively, the Education Bureau and Leisure and Cultural Services Department currently had no programme of such developments. Approval of the application on a temporary basis would not jeopardize the long-term developments of the “G/IC” and “O” zones. In addition, it could provide vehicle parking spaces to meet parking demand of the local residents in the area. The applied use was considered not entirely incompatible with the surrounding land uses. Although CTP/UD&L, PlanD had reservation on the application, the Site was located at the fringe of the Yuen Long New Town and was not adjoining any prominent public frontage. To prevent possible environmental nuisances generated by the temporary use and to address the technical requirements of other concerned department, relevant approval conditions were recommended. Regarding the adverse public comment, the comments of government departments and the planning assessments above were relevant.

154. Members had no question on the application.

Deliberation Session

155. After deliberation, the Committee decided to approve the application on a temporary basis for a period of 6 years until 6.9.2025, on the terms of the application as

submitted to the Town Planning Board (TPB) and subject to the following conditions:

- “(a) no vehicles without valid licenses issued under the Road Traffic Ordinance is allowed to be parked/stored on the site during the planning approval period;
- (b) only private cars, as defined in the Road Traffic Ordinance, as proposed by the applicant, are allowed to be parked/stored on or enter/exit the site, at any time during the planning approval period;
- (c) no vehicle is allowed to queue back to or reverse onto/from public road at any time during the planning approval period;
- (d) the existing boundary fencing on the site shall be maintained at all times during the planning approval period;
- (e) the submission of a drainage proposal within 6 months from the date of planning approval to the satisfaction of the Director of Drainage Services or of the TPB by 6.3.2020;
- (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 6.6.2020;
- (g) in relation to (f) above, the implemented drainage facilities on the site shall be maintained at all times during the planning approval period;
- (h) the implementation of the accepted fire service installations proposal within 6 months from the date of planning approval to the satisfaction of the Director of Fire Services or of the TPB by 6.3.2020;
- (i) if any of the above planning conditions (a), (b), (c), (d) or (g) is not complied with during the planning approval period, the approval hereby given shall cease to have effect and shall be revoked immediately without further notice; and

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

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

Agenda Item 40

Section 16 Application

[Open Meeting (Presentation and Question Sessions Only)]

A/HSK/177 Proposed Temporary warehouse for storage of electrical appliances for a Period of 3 Years in “Residential (Group A) 3” and “Residential (Group A) 4” Zones and an area shown as ‘Road’, Lots 1835 (Part), 1839, 1840 (Part), 1841 S.A (Part), 1841 S.B (Part), 1842 (Part), 1854, 1855 (Part), 1856 (Part), 1857 RP (Part), 1864 RP (Part), 1889 (Part), 1890 (Part), 1894 (Part) and 1895 RP (Part) in D.D. 125, Ha Tsuen, Yuen Long
(RNTPC Paper No. A/HSK/177)

Presentation and Question Sessions

157. Mr Kris W.K. Leung, STP/TMYLW, presented the application and covered the following aspects as detailed in the Paper:

- (a) background to the application;
- (b) the proposed temporary warehouse for storage of electrical appliances for a period of three years;
- (c) departmental comments – departmental comments were set out in paragraph 9 of the Paper. Concerned government departments had no

objection to or no adverse comment on the application;

- (d) no public comment was received during the first three weeks of the statutory publication period; and
- (e) the Planning Department (PlanD)'s views – PlanD considered the temporary use could be tolerated for a period of three years based on the assessments set out in paragraph 11 of the Paper. While the development was not in line with the planning intentions, the implementation programme for that part of New Development Area was still being formulated, and the Civil Engineering and Development Department had no objection to the proposed temporary use. Approval of the application on a temporary basis would not jeopardize the long-term development of the site. The applied temporary warehouse was not incompatible with the surrounding land uses and concerned government departments had no objection to or no adverse comment on the application. Relevant approval conditions had been recommended to minimize any potential environmental nuisances or to address the technical concerns of other departments. There were nine previous applications and three similar applications within the same “Residential (Group A) 4” and “Residential (Group A) 3” zones. Approval of the current application was in line with the Committee's previous decisions.

158. Members had no question on the application.

Deliberation Session

159. After deliberation, the Committee decided to approve the application on a temporary basis for a period of 3 years until 6.9.2022, on the terms of the application as submitted to the Town Planning Board (TPB) and subject to the following conditions:

- “(a) no operation from 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 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 activity, as proposed by the applicant, are allowed at any times on the site during the planning approval period;
- (d) the existing fencing on the site shall be maintained at all times during the planning approval period;
- (e) the existing landscape planting on the site shall be maintained at all times during the planning approval period;
- (f) the submission of a revised drainage proposal within 6 months from the date of planning approval to the satisfaction of the Director of Drainage Services or of the TPB by 6.3.2020;
- (g) in relation to (f) above, the implementation of the revised drainage proposal within 9 months from the date of planning approval to the satisfaction of the Director of Drainage Services or of the TPB by 6.6.2020;
- (h) in relation to (g) above, the implemented drainage facilities on the site shall be maintained at all times during the planning approval period;
- (i) the submission of a fire service installations proposal within 6 months from the date of planning approval to the satisfaction of the Director of Fire Services or of the TPB by 6.3.2020;
- (j) in relation to (i) above, the implementation of the fire service installations proposal within 9 months from the date of planning approval to the satisfaction of the Director of Fire Services or of the TPB by 6.6.2020;
- (k) if any of the above planning conditions (a), (b), (c), (d), (e) or (h) is not

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

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

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

Agenda Item 41

Section 16 Application

[Open Meeting (Presentation and Question Sessions Only)]

A/HSK/179 Temporary Open Storage of Construction Machinery and Construction Materials for a Period of 3 Years in “Residential (Group A) 3” Zone, Lots 93 S.A (Part), 771 S.B RP (Part), 772 (Part), 774 S.B RP (Part), 775 S.A RP (Part) and 775 S.B RP (Part) in D.D. 125 and Adjoining Government Land, Ha Tsuen, Yuen Long
(RNTPC Paper No. A/HSK/179)

Presentation and Question Sessions

161. Mr Kris W.K. Leung, 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 construction 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 because there were sensitive uses in the vicinity of the site. 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 raising concern on the application was received. Major views were set out in paragraph 11 of the Paper; and
- (e) the Planning Department (PlanD)'s views – PlanD considered the temporary use could be tolerated for a period of three years based on the assessments set out in paragraph 12 of the Paper. While the development was not in line with the planning intention of “Residential (Group A) 3” (“R(A)3”) zone, the implementation programme for that part of New Development Area was still being formulated, and the Civil Engineering and Development Department had no objection to the proposed temporary use. Approval of the application on a temporary basis would not jeopardize the long-term development of the site. The applied temporary warehouse was not incompatible with the surrounding land uses. The proposed development was generally in line with the Town Planning Board Guidelines No. 13E in that the site fell within Category 1 areas, the proposed use would not generate adverse impacts and technical concerns of relevant government departments could be addressed through the implementation of approval conditions. Although DEP did not support the application, 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 departments, relevant approval conditions had been recommended. The Committee had approved two previous applications and four similar applications in the same “R(A)3” zone. Approval of the current application was in line with the Committee's previous decisions. Regarding the public comment raising concern on the application, the planning assessments above were relevant.

162. Members had no question on the application.

Deliberation Session

163. After deliberation, the Committee decided to approve the application on a temporary basis for a period of 3 years until 6.9.2022, 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) the existing fencing on the site shall be maintained at all times during the planning approval period;
- (d) the existing landscape planting on the site shall be maintained at all 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 6.12.2019;
- (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 18.10.2019;
- (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 6.3.2020;

- (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 6.6.2020;
- (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.”

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

Agenda Items 42 to 44

Section 16 Applications

[Open Meeting (Presentation and Question Sessions Only)]

A/TM-LTY Y/370 Proposed House (New Territories Exempted House - Small House) in
“Residential (Group E)” Zone, Lot 223 S.B in D.D. 130, San Hing
Tsuen, Lam Tei, Tuen Mun
(RNTPC Paper No. A/TM-LTY Y/370A to 372A)

A/TM-LTY Y/371 Proposed House (New Territories Exempted House - Small House) in
“Residential (Group E)” Zone, Lot 223 RP in D.D. 130, San Hing
Tsuen, Lam Tei, Tuen Mun
(RNTPC Paper No. A/TM-LTY Y/370A to 372A)

A/TM-LTY Y/372 Proposed House (New Territories Exempted House - Small House) in
“Residential (Group E)” Zone, Lot 223 S.C in D.D. 130, San Hing
Tsuen, Lam Tei, Tuen Mun
(RNTPC Paper No. A/TM-LTY Y/370A to 372A)

165. The Committee noted that the three section 16 applications for New Territories Exempted Houses (NTEHs) – Small Houses were similar in nature and the sites were abutting each other and falling within the same “Residential (Group E)” (“R(E)”) zone, and agreed that they could be considered together.

Presentation and Question Sessions

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

- (a) background to the applications;
- (b) the proposed houses (NTEHs - Small Houses);
- (c) departmental comments – departmental comments were set out in paragraph 10 and Appendix V of the Paper. 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, two public comments were received for each of the applications. A member of the Tuen Mun District Council supported the applications while an individual objected to the applications. Major views/objections grounds were set out in paragraph 11 of the Paper; and
- (e) the Planning Department (PlanD)’s views – PlanD had no objection to the applications based on the assessments set out in paragraph 12 of the Paper. The proposed Small House developments were generally in line with the planning intention of the “R(E)” zone and the development would unlikely

be susceptible to industrial/residential interface problems. Regarding the Interim Criteria for Consideration of Application for NTEH/Small House in New Territories (the Interim Criteria), the footprint of the proposed Small Houses fell entirely within the village ‘environ’ of Tsing Chuen Wai, Tuen Tsz Wai and San Hing Tsuen. Although land available within the “Village Type Development” (“V”) zone was insufficient to fully meet the future Small House demand, it was capable to meet the 127 outstanding Small House applications. It should be noted that the Committee had adopted a more cautious approach in approving applications for Small House development in recent years. In this regard, it was considered more appropriate to concentrate the proposed Small House developments within the “V” zone. Nevertheless, the Interim Criteria also stipulated that application for Small House with previous planning permission lapsed would be considered on its own merits and sympathetic consideration might be given if there were specific circumstances to justify the cases. The sites were the subjects of three previously approved applications submitted by the same applicants. According to District Lands Officer/Tuen Mun, Lands Department, the lot owners had submitted Small House grant applications. Hence, sympathetic consideration could be given to the current applications. Concerned government departments had no objection to or no adverse comment on the application. Regarding the adverse public comment on the application, the planning assessments above were relevant.

167. In response to the Chairman’s and a Member’s enquiry, Ms Stella Y. Ng, STP/TMYLW, replied that the current applications were the subject of previous approved planning applications which lapsed in December 2018 whereas the two similar applications (application No. A/TM-LTYT/362 & 363) in the vicinity that were rejected by the Town Planning Board on 9.8.2019 did not have previous planning approval.

Deliberation Session

168. The Chairman remarked that the Committee had rejected similar applications without previous planning approvals recently. However, for the current application, the

Committee might consider whether sympathetic consideration could be given as previous planning permissions to the same applicants had been granted.

169. After deliberation, the TPB decided to approve the applications, on the terms of the applications as submitted to the Town Planning Board (TPB). Each of the permissions should be valid until 6.9.2023, and after the said date, the permissions should cease to have effect unless before the said date, the developments permitted were commenced or the permissions were renewed. Each of the permissions was subject to the following conditions:

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

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

Agenda Item 45

Section 16 Application

[Open Meeting]

A/TM-LTY Y/376 Temporary Shop and Services (Sale and Display of Used Private Cars) with Ancillary Office for a Period of 3 Years in “Village Type Development” Zone, Lots 3688 RP and 3689 RP in D.D.124 and Adjoining Government Land, Sun Fung Wai, Lam Tei, Tuen Mun
(RNTPC Paper No. A/TM-LTY Y/376)

171. The Committee noted that the applicant’s representative requested on 19.8.2019 deferment of consideration of the application for a period of two months so as to allow time to prepare further information to address departmental comments. It was the first time that the applicant requested deferment of the application.

172. 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 46

Section 16 Application

[Open Meeting]

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

173. The Committee noted that the applicant's representative requested on 28.8.2019 deferment of consideration of the application for a period of two months so as to allow time to prepare further information to address public comments. It was the second time that the applicant requested deferment of the application. Since the last deferment, the applicant had submitted further information to address departmental comments.

174. 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 47

Section 16 Application

[Open Meeting]

A/YL-TT/476 Temporary Place of Recreation, Sports or Culture (Hobby Farm) for a Period of 3 Years and Filling of Land in "Agriculture", "Green Belt" and "Open Storage" Zones, Lots 1403, 1404, 1406, 1408, 1409, 1410, 1411, 1412, 1413 RP (Part), 1415, 1419, 1420, 1421, 1422, 1423 RP, 1441 (Part) and 1447 RP in D.D. 117 and Adjoining Government Land, Tai Tong, Yuen Long
(RNTPC Paper No. A/YL-TT/476)

175. The Committee noted that the applicant's representative requested on 15.8.2019 deferment of consideration of the application for a period of two months so as to allow time to prepare further information to address departmental comments and prepare proposals to support the application. It was the first time that the applicant requested deferment of the application.

176. 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 48

Section 16 Application

[Open Meeting]

A/YL-TT/477 Proposed House (New Territories Exempted House - Small House) in
“Agriculture” and “Village Type Development” Zones, Lot 2964 S.B
in D.D. 116, Kong Tau Tsuen, Yuen Long
(RNTPC Paper No. A/YL-TT/477)

177. The Committee noted that the applicant’s representative requested on 23.8.2019 deferment of consideration of the application for a period of two months so as to allow time to prepare further information to address public comments. It was the first time that the applicant requested deferment of the application.

178. 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 49

Section 16 Application

[Open Meeting (Presentation and Question Sessions Only)]

A/YL-TYST/966 Temporary Warehouse for Storage of Construction Materials with Ancillary Workshop and Site Office for a Period of 3 Years in “Undetermined” Zone, Lots 1018 S.B, 1156, 1157 S.A, 1157 S.B and 1158 S.A & B in D.D. 119, Kung Um Road, Yuen Lon
(RNTPC Paper No. A/YL-TYST/966A)

Presentation and Question Sessions

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

- (a) background to the application;
- (b) the temporary warehouse for storage of construction materials with ancillary workshop and site office for a period of three years;
- (c) departmental comments – departmental comments were set out in paragraph 9 of the Paper. The Director of Environmental Protection (DEP) did not support the application as there were sensitive receivers of residential use in the vicinity. 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; and
- (e) the Planning Department (PlanD)’s views – PlanD considered the temporary use could be tolerated for a period of three years based on the assessments set out in paragraph 11 of the Paper. The applied use was not in conflict with the planning intention of the “Undetermined” (“U”) zone on the Outline Zoning Plan. While the site fell within areas zoned

“District Open Space” and “Local Open Space” as well as an area shown as ‘Road’ on the Recommended Outline Development Plan of Yuen Long South, the Chief Engineer/Cross-Boundary Infrastructure and Development, PlanD and Project Manager (West), Civil Engineering and Development Department had no objection to the proposed temporary use. Approval of the application on a temporary basis would not jeopardize the long-term development of the area. The development was generally not incompatible with the surrounding uses in the subject “U” zone. Although DEP did not support the application, there had been no environmental complaint concerning the site received in the past three years. To address the concerns on the possible environmental nuisances generated by the temporary use and the technical requirements of other concerned government departments, relevant approval conditions were recommended. The site was the subject of four previous applications and the last approved application was revoked due to non-compliance with implementation of the fire services installations (FSIs) proposal. The current applicant had submitted FSIs proposal and the Director of Fire Services had no objection to the application. Hence, sympathetic consideration might be given to the application and shorter compliance periods were recommended in order to closely monitor the progress on compliance. Given that four previous approvals for similar uses had been granted and 106 similar applications had been approved in this part of the “U” zone, approval of the current application was in line with the Committee’s previous decisions.

180. Members had no question on the application.

Deliberation Session

181. After deliberation, the Committee decided to approve the application on a temporary basis for a period of 3 years until 6.9.2022, on the terms of the application as submitted to the Town Planning Board (TPB) and subject to the following conditions:

- “(a) no operation between 6:00 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 open storage activities and handling of scrap metal, repairing, dismantling or other workshop activities, except cutting of metal within the warehouse, as proposed by the applicant, are 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 public road at any time during the planning approval period;
- (e) all existing trees and landscape plantings within the site shall be maintained at all times during the planning approval period;
- (f) the existing drainage facilities on the site shall be maintained at all times during the planning approval period;
- (g) the submission of a condition record of the existing drainage facilities on the site within 3 months from the date of planning approval to the satisfaction of the Director of Drainage Services or of the TPB by 6.12.2019;
- (h) the submission of a revised fire service installations proposal within 3 months from the date of planning approval to the satisfaction of the Director of Fire Services or of the TPB by 6.12.2019;
- (i) in relation to (h) 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 6.3.2020;
- (j) if any of the above planning conditions (a), (b), (c), (d), (e) or (f) is not complied with during the planning approval period, the approval hereby given shall cease to have effect and shall be revoked immediately without

further notice; and

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

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

Agenda Item 50

Section 16 Application

[Open Meeting (Presentation and Question Sessions Only)]

A/YL-TYST/975 Proposed Temporary Shop and Services (Motor-vehicle Showroom) with Ancillary Office for a Period of 3 Years in “Residential (Group A) 1” Zones, Lots 1387 S.A RP, 1387 RP (Part), 1388 (Part), 1389 S.A RP (Part), 1389 RP (Part), 1396 S.A, 1396 S.B (Part) and 1396 RP (Part) in D.D. 121 and Adjoining Government Land, Tong Yan San Tsuen, Yuen Long
(RNTPC Paper No. A/YL-TYST/975)

Presentation and Question Sessions

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

- (a) background to the application;
- (b) the proposed temporary shop and services (motor-vehicle showroom) with ancillary office for a period of three years;
- (c) departmental comments – departmental comments were set out in paragraph 9 of the Paper. Local views conveyed by the District Officer

(North), Home Affairs Department (DO(N), HAD) were set out in paragraph 9.1.11 of the Paper. 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 from individuals raising concern and objecting to the application 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 temporary use based on the assessments set out in paragraph 11 of the Paper. Although the proposal was not entirely in line with the planning intention of the “Residential (Group A)1” zone, the applied use was intended to serve local residents and could meet any such demand in the area. While the site fell within the Housing Department’s Phase 2 Public Housing Development at Long Bin, the Chief Engineer/Housing Projects 2, Civil Engineering and Development Department advised that the development would not conflict with the construction period. The Director of Housing also had no objection to the application. Hence, approval of the application on a temporary basis would not jeopardize the long-term development of the area. The development was considered not incompatible with the surrounding uses and concerned government departments had no objection to or no adverse comment on the application. Relevant approval conditions were recommended to address the public concerns and technical requirements of concerned government departments to minimize any potential environmental nuisances. Regarding the adverse public comments, the planning assessments above were relevant.

184. Members had no question on the application.

Deliberation Session

185. After deliberation, the Committee decided to approve the application on a temporary basis for a period of 3 years until 6.9.2022, 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 car beauty, washing, cleansing, paint-spraying, repairing or other workshop activities, as proposed by the applicant, are allowed on the site at any time during the planning approval period;
- (c) no medium or heavy goods vehicles exceeding 5.5 tonnes, including container tractors/trailers, as defined in the Road Traffic Ordinance, are allowed to be parked/stored on or enter/exit the site, as proposed by the applicant, at any time during the planning approval period;
- (d) no vehicle is allowed to queue back to or reverse onto/from public road at any time during the planning approval period;
- (e) all existing trees within the site shall be maintained at all times during the planning approval period;
- (f) the submission of a run-in/out proposal within 6 months from the date of planning approval to the satisfaction of the Director of Highways or of the TPB by 6.3.2020;
- (g) in relation to (f) above, the implementation of run-in/out proposal within 9 months from the date of planning approval to the satisfaction of the Director of Highways or of the TPB by 6.6.2020;
- (h) the submission of a drainage proposal within 6 months from the date of planning approval to the satisfaction of the Director of Drainage Services or of the TPB by 6.3.2020;
- (i) in relation to (h) above, the implementation of the drainage proposal within 9 months from the date of planning approval to the satisfaction of the

Director of Drainage Services or of the TPB by 6.6.2020;

- (j) in relation to (i) above, the implemented drainage facilities on the site shall be maintained at all times during the planning approval period;
- (k) the submission of a fire service installations proposal within 6 months from the date of planning approval to the satisfaction of the Director of Fire Services or of the TPB by 6.3.2020;
- (l) in relation to (k) above, the implementation of the fire service installations proposal within 9 months from the date of planning approval to the satisfaction of the Director of Fire Services or of the TPB by 6.6.2020;
- (m) if any of the above planning conditions (a), (b), (c), (d), (e) or (j) is not complied with during the planning approval period, the approval hereby given shall cease to have effect and shall be revoked immediately without further notice; and
- (n) if any of the above planning conditions (f), (g), (h), (i), (k) or (l) is not complied with by the specified date, the approval hereby given shall cease to have effect and shall on the same date be revoked without further notice.”

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

Agenda Item 51

Section 16 Application

[Open Meeting]

A/YL-TYST/976 Temporary Vehicle Repair Workshop for a Period of 3 Years in “Undetermined” Zone, Lot 1231 S.B ss.1 (Part) in D.D. 119 and Adjoining Government Land, Pak Sha Tsuen, Yuen Long
(RNTPC Paper No. A/YL-TYST/976)

187. The Committee noted that the applicant requested on 21.8.2019 deferment of consideration of the application for a period of two months so as to allow time to prepare further information to address departmental comments. It was the first time that the applicant requested deferment of the application.

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

[The Chairman thanked Ms Jessica Y.C. Ho, Mr Alexander W.Y. Mak, Mr Kris W.K. Leung, Ms Stella Y. Ng and Mr Steven Y.H. Siu, STPs/TMYLW, for their attendance to answer Members’ enquiries. They left the meeting at this point.]

Agenda Item 52

Any Other Business

189. There being no other business, the meeting closed at 6:10 p.m..