

TOWN PLANNING BOARD

Minutes of 634th Meeting of the Rural and New Town Planning Committee held at 2:30 p.m. on 20.9.2019

Present

Director of Planning
Mr Raymond K.W. Lee

Chairman

Dr F.C. Chan

Mr David Y.T. Lui

Mr Peter K.T. Yuen

Mr Philip S.L. Kan

Mr K.K. Cheung

Dr C.H. Hau

Mr Stephen L.H. Liu

Miss Winnie W.M. Ng

Mr K.W. Leung

Dr Jeanne C.Y. Ng

Mr Ricky W.Y. Yu

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

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

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

Assistant Director/Regional 3,
Lands Department
Mr Alan K.L. Lo

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

Secretary

Absent with Apologies

Mr H.W. Cheung

Vice-chairman

Mr Ivan C.S. Fu

Dr Lawrence K.C. Li

Mr L.T. Kwok

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 Alvin C.H. Kan

Agenda Item 1

Confirmation of the Draft Minutes of the 633rd RNTPC Meeting held on 6.9.2019

[Open Meeting]

1. The draft minutes of the 633rd RNTPC meeting held on 6.9.2019 were confirmed without amendments.

Agenda Item 2

Matters Arising

[Open Meeting]

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

information. The third deferment was requested by PlanD as the Food and Environmental Hygiene Department (FEHD) had not yet completed the verification of the niche information. The current deferment was the fourth deferment as more time would be required by FEHD to verify the niche information.

6. The Chairman drew Members' attention to the applicant's letter dated 9.9.2019 claiming that additional information on niche information had been passed to FEHD on 12.7.2019, 22.7.2019, 28.8.2019, 3.9.2019 and 5.9.2019. Nevertheless, FEHD had not yet completed the verification of the niche information and thus the Transport Department (TD) reserved its right to provide comment on the traffic impact until niche information was verified by FEHD. In the absence of the advice from FEHD and TD, it was pre-mature for PlanD to make recommendation to the Committee and for the Committee to consider the subject application. The Chairman stressed that a large number of public comments on this application had been received and it was not desirable to request the Committee to further defer consideration of the application. This should be the last deferment and no further deferment would be granted. Should FEHD still could not verify the niche information after this deferment, FEHD should be invited to attend the meeting and explain to the Committee on the reasons.

7. After deliberation, the Committee decided to defer a decision on the application as requested by PlanD pending FEHD's verification of the niche information and TD's comment on the application. The Committee agreed that the application should be submitted for its consideration within three months. Since it was the fourth deferment and a total of ten months had been allowed for deferment of consideration of this application, this was the last deferment and no further deferment would be granted.

Agenda Item 4

Section 12A Application

[Open Meeting]

Y/ST/41

Application for Amendment to the Approved Sha Tin Outline Zoning Plan No. S/ST/34, To Rezone the Application Site from “Green Belt” to “Residential (Group B) 2”, Lots 59 S.A and 59 RP in D.D. 175, Sha Tin

(RNTPC Paper No. Y/ST/41B)

8. 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 third time that the applicant requested deferment of the application. Since the last deferment, the applicant had submitted further information to address departmental comments

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

Agenda Item 5

Section 12A Application

[Open Meeting]

Y/NE-TK/17 Application for Amendment to the Approved Ting Kok Outline Zoning Plan No. S/NE-TK/19, To Rezone the Application Site from “Agriculture” to “Residential (Group C)1”, Lots 253 S.A ss.1, 253 S.A ss.2, 253 S.A ss.3, 253 S.A ss.4, 253 S.A ss.5, 253 S.A ss.6 and 253 S.A RP in D.D. 23, Ting Kok, Tai Po
(RNTPC Paper No. Y/NE-TK/17)

10. The Secretary reported that the application site was located in Tai Po. Centaline Commercial, which was a subsidiary of Centaline Group, was one of the consultants of the applicant. The following Members had declared interests on this item:

- Mr K.K. Cheung - having current business dealings with Centaline Property Agency Ltd.; and

- Mr H.W. Cheung - owning a flat in Tai Po.
(the Vice-chairman)

11. The Committee noted that the applicant had requested deferment of consideration of the application and Mr H.W. Cheung had tendered an apology for being unable to join the meeting. As Mr K.K. Cheung had no involvement in the application, the Committee agreed that he could stay in the meeting.

12. 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.

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

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

Fanling, Sheung Shui and Yuen Long East District

Agenda Item 6

Section 12A Application

[Open Meeting (Presentation and Question Sessions only)]

Y/NE-KTS/12 Application for Amendment to the Approved Kwu Tung South Outline Zoning Plan No. S/NE-KTS/16, To Rezone the Application Site from "Comprehensive Development Area", "Recreation", "Government, Institution or Community" and an area shown as 'Road' to "Comprehensive Development Area (1)", Lot 2579 in D.D. 92 Kwu Tung South, Sheung Shui
(RNTPC Paper No. Y/NE-KTS/12A)

14. The Secretary reported that the application site was located in Kwu Tung South. The application was submitted by Base One Ltd., which was a subsidiary of Sun Hung Kai Properties Ltd. (SHK), with Llewelyn-Davies Hong Kong Ltd. (LD), CYS Associates (Hong Kong) Ltd. (CYS) and MVA Hong Kong Ltd. (MVA) as three of the consultants. The following Members had declared interests on this item:

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

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

- Miss Winnie W.M. Ng - being a Director of the Kowloon Motor Bus Company (1933) Ltd. (KMB) and SHK was one of the shareholders of KMB;
- Mr Stephen L.H. Liu - his firm having current business dealings with CYS and past business dealings with SHK and LD;
- Mr Ricky W.Y. Yu - having past business dealings with LD; and
- Dr Lawrence Li - being a member of the Hong Kong Golf Club in Kwu Tung South.

15. The Committee noted that Mr Ivan C.S. Fu had tendered an apology for being unable to attend the meeting. The Committee agreed that as Messrs K.K. Cheung, Stephen L.H. Liu and Ricky W.Y. Yu had no involvement in the application, they should be allowed to stay in the meeting. The interest of Dr Lawrence Li in relation to Hong Kong Golf Club was indirect, he could stay in the meeting. As the interest of Miss Winnie W.M. Ng was direct, she should leave the meeting temporarily for this item.

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

Presentation and Question Sessions

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

- Mr Tom C. K. Yip - District Planning Officer/Fanling, Sheung Shui & Yuen Long East (DPO/FS&YLE), PlanD
- Ms S. H. Lam - Senior Town Planner/Fanling, Sheung Shui & Yuen Long East (STP/FS&YLE), PlanD

Applicant and its Representatives

Sun Hung Kai Properties Ltd

Ms Alison C. W. Leung] Applicant

Ms Jovial C. T. Wong]

Llewelyn-Davies Hong Kong Ltd.

Ms Winnie W. Y. Wu] Applicant's representatives

Mr Arnold S. F. Koon]

Black and Veatch Hong Kong Ltd.

Mr Edwin C. H. Lo]

Mr K. K. Leung]

CYS Associates (Hong Kong) Ltd.

Mr Kenneth T. H. Chau]

Mr Tony K. F. Leung]

MVA Hong Kong Ltd.

Mr Chapman C. Y. Lam] Applicant's representatives

Mr William H. W. Lee]

AXXA Group Ltd.

Ms Camay K. M. Lam]

Ramboll Hong Kong Ltd.

Mr C. M. Cheng]

Mr L. Lo]

17. 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.

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

- (a) background to the application;
- (b) the proposed amendment to the Approved Kwu Tung South Outline Zoning Plan No. S/NE-KTS/16, to rezone the application site from “Comprehensive Development Area” (“CDA”), “Recreation” (“REC”), “Government, Institution or Community” (“G/IC”) and an area shown as ‘Road’ to “Comprehensive Development Area (1)” (“CDA(1)”) to facilitate a proposed private residential development;
- (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 statutory publication periods, 276 public comments were received. 249 comments supported the application, 26 from members of North District Council (NDC), village representatives, concern groups and individuals objected to/raised concerns on the application and one comment from the Hong Kong and China Gas Company Limited provided view on the application. Major views were set out in paragraph 10 of the Paper; and
- (e) the PlanD’s views – PlanD had no objection to the application based on the assessments set out in paragraph 11 of the Paper. The proposed residential use was compatible with the surrounding land uses, and the proposed development intensity was not entirely incompatible with the developments in Kwu Tung North (KTN) New Development Area (NDA). A previous s.12A application (No. Y/NE-KTS/6) for rezoning the site to “CDA(1)” with a plot ratio (PR) of 2.1 and building height (BH) of 60mPD was not agreed by the Committee mainly on grounds of traffic and infrastructure constraints and the possible cumulative impacts on other development sites in the area. Since the rejection of the previous s.12A application in 2016, the planning and infrastructure development for Kwu Tung area had further proceeded. To capitalise on the envisaged infrastructure improvement, a s.16 planning application (No. A/KTN/54)

was submitted by the Civil Engineering and Development Department (CEDD) for minor relaxation of the maximum PR/BH of 8 development sites (maximum PR up to 6 for sites near KTN Town Centre) in the KTN/Fanling North (FLN) NDA to optimise their development intensity, which was approved by the Committee in November 2018. Taking into account the changes in the planning context and the departmental comments and planning assessments above, the proposed rezoning was considered acceptable. The Director of Environmental Protection considered the air quality and noise impact assessments acceptable but requested that Noise Impact Assessment and Road Traffic Noise Impact Assessment should be submitted in s.16 application stage should the site be rezoned. Concerned departments considered that the cumulative traffic and sewage impacts are acceptable. The Chief Town Planner/Urban Design and Landscape (CTP/UD&L), PlanD considered the proposed rezoning was not incompatible with the landscape setting in the proximity. Regarding the adverse public comments, the comments of government departments and the planning assessments above were relevant.

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

19. The Chairman then invited the applicant's representatives to elaborate on the application. With the aid of a PowerPoint presentation, Ms Winnie W.Y. Wu, the applicant's representative, made the following points:

Compatibility to the surrounding area

- (a) the application site was abutting KTN NDA and in close proximity to Fanling/ Sheung Shui New Town and FLN NDA. It was within 1km catchment of Kwu Tung station;

Optimise potential of land resource to meet the imminent housing demand

- (b) the proposed development intensity and BH were compatible to the surrounding area. The "CDA" zone with permitted PR of 0.4 would underutilise the site. The land grant based on PR 0.4 had already been executed and the development had to be completed by 2024 under lease.

Technical assessments supported that PR could be increased to 3. As such, land resources could be better utilised with the enhanced infrastructural capacity;

Visual and Landscape Impacts

- (c) with regard to the visual impact and air permeability, the proposed development with stepped BH design (descending from the KTN NDA town centre towards the rural setting in the Kwu Tung South area, and further from 75mPD (19 storeys) in northern part of the site to 65.55mPD (16 storeys) in the southern part of the site) was compatible with the surrounding environment. Three 15m-wide building separations / air corridors would be provided. With regard to landscape design and tree preservation, of the 212 trees in the site, 42 trees would be retained and 639 new trees were proposed to be planted. Under the indicative scheme, a group of existing trees would be preserved as an enhanced orchard garden within the future development;

Traffic Aspect

- (d) road improvement works were proposed at Kam Hang Road and associated junctions including (i) to provide a public transport lay-by at Kam Hang Road, (ii) to modify the junction of Kam Hang Road/Kam Tsin Road/Kam Tsin South Road near Kam Tsin Village into a roundabout to facilitate the turn-around movements of the public transport services; and (iii) to widen Kam Hang Road from a 6m to 7.3m carriageway with minor modifications to junctions at this section, as well as to carry out junction improvement works at the junction of Castle Peak Road – Kwu Tung Section/Fan Kam Road. With the above proposed improvement works and other improvement works for the junction of Fanling Highway/Fan Kam Road/Po Shek Wu Road to be implemented by CEDD, the proposed development was acceptable from the traffic engineering point of view;
- (e) detailed design of proposed scheme under the proposed “CDA(1)” zone could be closely monitored by the Town Planning Board (TPB) and relevant departments at the subsequent s.16 planning application; and

- (f) other than CTP/UD&L, PlanD, relevant departments had no adverse comments on the application. Should the Committee agree to the application, it was suggested to start the Outline Zoning Plan (OZP) amendment process as soon as possible noting that the executed land grant for house development and Building Covenant (BC) date.

20. 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) details of development proposal including the number of flats, and average, maximum and minimum flat sizes;
- (b) rationale for proposed PR of 3 in comparison with the development intensity in KTN NDA;
- (c) details of landscape and tree preservation proposal in particular the proposed orchard garden within the future development, tree felling and tree compensation in relation to the proposed change in building footprint;
- (d) latest programme of the planned Kwu Tung railway station; and
- (e) implementation and details of the proposed traffic improvement measures.

21. In response, Ms Winnie W.Y. Wu, the applicant's representative, made the following points:

- (a) the proposed development would provide about 1,573 flats with an average flat size of about 71.63 m². Technical assessments had been carried out to demonstrate the technical feasibility of the rezoning application while detailed proposal would be provided in the subsequent s.16 application stage;
- (b) with regard to the rationale of the proposed PR, reference was made to the

development intensity of similar developments within the “Residential (Group B)” (“R(B)”) zone within 1km catchment of Kwu Tung station. Technical assessments on the infrastructural capacity of the area also supported that PR could be increased to 3;

- (c) with regard to the landscape and tree preservation proposal, a communal private open space integrating with the existing orchard garden in the middle of the site, a landscape garden in the west of the site, and trees and shrub planting along internal roads were proposed. An indicative scheme of 12 residential blocks, with a larger building footprint than those of the previous application, and a 2-storey clubhouse was proposed where the site coverage and green coverage were both 30%; and
- (d) the proposed traffic improvement measures even without the provision of the planned Kwu Tung station, were sufficient to alleviate the traffic impact of the proposed development.

22. Mr Chapman C. Y. Lam, the applicant’s representative, supplemented on the implementation and details of the proposed traffic improvement measures as follows:

- (a) improvement measures at Kam Hang Road and associated junctions included (i) to provide a public transport lay-by at Kam Hang Road, (ii) to modify the junction of Kam Hang Road/Kam Tsin Road/Kam Tsin South Road near Kam Tsin Village into a roundabout to facilitate the turn-around movements of the public transport services; and (iii) to widen Kam Hang Road from a 6m to 7.3m carriageway with minor modifications to junctions at this section, as well as to carry out junction improvement works at the junction of Castle Peak Road – Kwu Tung Section/Fan Kam Road. These measures could facilitate the movements of the public transport services and hence increase the capacity of the road; and
- (b) the applicant would provide the required funding and take up the implementation of the proposed improvement works along Kam Hang Road and associated junctions. The lands involved were government land.

However, for the other proposed junction improvements, the implementation agent had not been identified yet.

23. In response to Members' enquiries, Mr Tom C. K. Yip, DPO/FSYLE, made the following points:

- (a) the site formation and infrastructure works (including road improvement works) for First Phase of the KTN NDA had obtained funding approval in May 2019 and would commence imminently. Such works was anticipated for completion in 2026 and that of the remaining phase would be in 2031. The Government was actively considering the development scheme of Northern Link (including Kwu Tung station as one of the stations) submitted by the Mass Transit Railway Company Limited in 2017. The implementation of Kwu Tung station would be in line with the development timeframe of KTN NDA; and
- (b) the previous s.12A application (No. Y/NE-KTS/6) was not agreed by the Committee in 2016 mainly on consideration of traffic and infrastructure constraints in the area. Under the current application, the applicant proposed to widen Kam Hang Road from a 6m to 7.3m carriageway which would allow larger public transport vehicles like double-decker buses to pass through in both directions. With the proposed improvement works for the junction of Fanling Highway/Fan Kam Road/Po Shek Wu Road to be implemented by CEDD, the proposed development was acceptable by the concerned departments from traffic perspective. In order to facilitate the proposed developments in the Kwu Tung area, the Government had proposed improvement works at some major junctions, including Tai Tau Leng roundabout, in the area.

24. A Member expressed particular concerns regarding the proposed traffic mitigation measures at the junctions of Kwu Tung Road/Fanling Highway, Castle Peak Road – Kwu Tung Section/Fan Kam Road, and Tai Tau Leng roundabout. Mr Chapman C. Y. Lam, the applicant's representative, said that:

- (a) regarding the junction of Kwu Tung Road/Fanling Highway, there were existing public bus lines operating at the junction, which had sufficient width for public buses;
- (b) regarding the junction of Castle Peak Road – Kwu Tung Section/Fan Kam Road, with the proposed road widening and signal adjustments, the overall performance of the junction could be improved; and
- (c) regarding the Tai Tau Leng roundabout, there were other improvement works for the junction of Fanling Highway/Fan Kam Road/Po Shek Wu Road to be implemented by CEDD. The Transport Department (TD) considered the proposed development acceptable from the traffic engineering point of view.

25. In response to a Member's concern in respect of tree compensation, in particular, the number of trees to be compensated, the aggregated diameter at breast height (DBH) and some proposed tree species with smaller trunks, Ms Lam Kai Mei, Camay, the applicant's representative, replied that 170 trees with aggregated DBH of 63.9m would be felled, while 639 trees with the same aggregated DBH would be compensated. DBH ratio 0.1m was an average of all species with some species had much thicker trunks. The compensation ratio was 1:1. Detailed planting proposal with the proposed species would be submitted in the s.16 application stage.

26. With reference to the proposed increase in development intensity in the application, some Members asked about the overall development potential of the Kwu Tung South area in a wider context, and if there were any changes in planning context in the area when compared with the previous rejected s.12A application.

27. In response, Mr Tom C. K. Yip, DPO/FSYLE, said that the existing developments in Kwu Tung South were generally low in density. The Government had carried out study to assess the development potential of the "Recreation" zone to the west of the application site while the study findings were yet to be released. Three other "CDA" sites on the OZP were with the same permitted PR of 0.4. The area to the further south was mainly zoned "Agriculture" ("AGR") where the proposed agricultural park was located.

Two other sites for residential developments to the north of Fanling Golf Course had a proposed PR of 3 and approved PR of 3.6 respectively. With regard to the changes in the planning context, since the rejection of the previous s.12A application in 2016, the planning and infrastructure development for the KTN area had further proceeded. To capitalise on the envisaged infrastructure improvement, a s.16 planning application (No. A/KTN/54) was submitted by CEDD for minor relaxation of the maximum PR/BH of 8 development sites in the KTN/FLN NDA to optimise their development intensity, which was approved by the Committee in November 2018. Furthermore, in order to meet the escalating housing demand over the years, it had been the Government's policy to make strenuous efforts to boost housing and land supply through various measures including the optimisation of scarce developable land resources. Taking into account the changes in the planning context and the updated departmental comments and planning assessments, the proposed rezoning was considered acceptable.

28. 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

29. The Chairman pointed out and Members noted that this was a rezoning application to increase the permitted PR to 3 and the BH restriction to 75mPD whereas the "CDA" zoning remained unchanged. If the s.12A application was approved, the applicant would still be required to submit a s.16 planning application with Master Layout Plan (MLP) for consideration by the Committee.

30. A Member pointed out that the existing development intensity of the area was too low and it was not in line with the Government's current policy to boost housing and land supply through optimisation of scarce land resources. The Member also pointed out the applicant's proposed average flat size of 70m² was too large which might not be meeting the market demand.

31. Some Members considered that although the applicant claimed that the development would not rely on the future Kwu Tung station, pedestrian and cycling linkage to the station should still be provided to enhance the accessibility of the site.

32. A Member pointed out that the tree compensation proposal submitted under the application was far from satisfactory. The same Member also said the proposed improvement for the junction of Castle Peak Road – Kwu Tung Section/Fan Kam Road could barely address the current traffic problem and there was yet an implementation agent to take up the works for this important junction. The Chairman said that as the site was zoned “CDA”, the applicant still had to submit a s.16 planning application with MLP for the Committee’s consideration. Detailed landscape and tree compensation proposals would have to be provided at the planning application stage. Appropriate approval conditions could also be incorporated for monitoring the development. Wherever appropriate, relevant conditions could also be incorporated in the lease to require the applicant to take up the implementation of the road improvement works.

33. Another Member considered that opportunity should be taken to requiring the provision of more Government, Institution or Community (GIC) facilities in association with the proposed development.

34. Members generally agreed that the subject rezoning was in line with the Government’s housing policy to provide more residential flats and was acceptable in terms of technical feasibility. Nevertheless, Members considered that to capitalise on the envisaged infrastructure improvement in association with KTN NDA, the overall development potential of the Kwu Tung South area should be examined in a wider context. The Chairman suggested and Members agreed that PlanD should look into the proposed amendments not only for the application site, but also for the surrounding areas and put forward its proposal for the Committee’s consideration. The Chairman recapitulated that Members’ comments on tree compensation, implementation of road widening and junction improvement, and provision of more GIC facilities should be addressed by the applicant at the subsequent s.16 application.

35. After deliberation, the Committee decided to agree to the application. PlanD

would work out the appropriate amendments to the OZP including zoning boundaries, as well as the development restrictions and requirements to be set out in the Notes and/or Explanatory Statement for Committee's agreement prior to gazetting the proposed amendments under section 5 of the Town Planning Ordinance upon reference back of the OZP for amendment by the Chief Executive in Council.

[A short break of 5 minutes was taken at this point.]

[Mr David Y.T. Lui left the meeting at this point. Miss Winnie W.M. Ng returned to the meeting at this point.]

Tuen Mun and Yuen Long West District

Agenda Item 7

Section 12A Application

[Open Meeting]

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

36. The Secretary reported that the application site was located in Tuen Mun. The application was submitted by Agrade Holdings Ltd. with Ove Arup & Partners Hong Kong Ltd. (ARUP) and LWK & Partner Architects (LWK) as two of the consultants of the applicant. The following Members had declared interests on this item:

Mr Ivan C.S. Fu - being a Director of LWK and having current business dealings with ARUP;

- Mr K.K. Cheung - his firm having current business dealings with ARUP;
- Mr Ricky W.Y. Yu - his firm having past business dealings with LWK;
- Mr Stephen L.H. Liu - having past business dealings with LWK; and
- Dr Jeanne C.Y. Ng - co-owning with spouse a flat in Tuen Mun.

37. The Committee noted that the applicant had requested deferment of consideration of the application. Mr Ivan C.S. Fu had tendered an apology for being unable to attend the meeting. As Messrs K.K. Cheung, Stephen L.H. Liu and Ricky W.Y. Yu had no involvement in the application, and the property of Dr Jeanne C.Y. Ng and her spouse had no direct view of the application site, the Committee agreed that they could stay in the meeting.

38. The Committee noted that the applicant's representative requested on 4.9.2019 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 fourth time that the applicant requested deferment of the application. Since the last deferment, the applicant had submitted further information to address departmental comments.

39. 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 fourth deferment and a total of eight months had been allowed for preparation of submission of further information, this was the last deferment no further deferment would be granted.

Sai Kung and Islands District

[Ms Jane W.L. Kwan, Senior Town Planner/Sai Kung and Islands (STP/SKIs), was invited to the meeting at this point.]

Agenda Item 8

Section 16 Application

[Open Meeting (Presentation and Question Sessions Only)]

A/SK-HC/315 Proposed House (New Territories Exempted House - Small House) in
 “Agriculture” and “Village Type Development” Zones, Lot 569 R.P. in
 D.D. 244, Ho Chung, Sai Kung
 (RNTPC Paper No. A/SK-HC/315)

Presentation and Question Sessions

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

- (a) background to the application;
- (b) the proposed house (New Territories Exempted House - Small House);
- (c) departmental comments – departmental comments were set out in paragraph 9 and Appendix IV 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, nine public comments were received from individuals objecting to the application. Major objection grounds were set out in paragraph 10 of the Paper; and
- (e) the Planning Department (PlanD)’s views – PlanD had no objection to the application based on the assessments set out in paragraph 11 of the Paper. Regarding the Interim Criteria for Consideration of Application for New

Territories Exempted House/Small House in New Territories, the footprint of the proposed Small House fell entirely within the ‘Village Environs’ (‘VE’) of Ho Chung. While land available within the ‘VE’ was insufficient to meet the future Small House demand, there was land available within the “Village Type Development” (“V”) zone to meet the outstanding 104 Small House applications. The vicinity of the site was occupied by Small Houses with planning approvals given by the Committee. The proposed development was not incompatible with the surrounding rural environment and landscape character of the surrounding areas and no significant changes or disturbances to the existing landscape character and resources were anticipated. Moreover, regarding the concern on an access road leading to the village, as advised by the District Lands Officer/Sai Kung, Lands Department, part of the access road was located on private land and it was not an emergency vehicular access. Regarding the public comments, the comments of government departments and the planning assessments above were relevant.

41. Members had no question on the application.

Deliberation Session

42. 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 20.9.2023, 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 condition:

“the provision of septic tank, as proposed by the applicant, at a location to the satisfaction of the Director of Lands or of the TPB.”

43. 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 Jane W.L. Kwan, STP/SKIs, for her attendance to answer Members' enquiries. She left the meeting at this point.]

Agenda Item 9

Section 16 Application

[Open Meeting]

A/SK-TLS/56 Proposed Minor Relaxation of Site Coverage and Building Height Restrictions for Permitted Residential Redevelopment in “Residential (Group C) 1” Zone, Lot 1109 RP (Part) in D.D. 253, 8 Ka Shue Road, Sai Kung
(RNTPC Paper No. A/SK-TLS/56A)

44. The Secretary reported that the MVA Hong Kong Ltd. (MVA) was one of the consultants of the applicant and Mr Ivan C.S. Fu had declared interest on this item as he had current business dealings with MVA.

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

46. The Committee noted that the applicant's representative requested on 13.9.2019 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 applicant requested deferment of the application. Since the last deferment, the applicant had submitted further information to address departmental comments.

47. 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.

Sha Tin, Tai Po and North District

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

Agenda Item 10

Section 16 Application

[Open Meeting (Presentation and Question Sessions Only)]

A/ST/973 Shop and Services (Retail Shop and Fast Food Shop) in "Industrial" Zone, Unit 7C, L1 Floor, Wah Yiu Industrial Centre, 30-32 Au Pui Wan Street, Fo Tan, Sha Tin
(RNTPC Paper No. A/ST/973)

Presentation and Question Sessions

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

- (a) background to the application;
- (b) shop and services (retail shop and fast food shop);
- (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 no local view was received by the District Officer; 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. The proposed use under the application generally complied with the relevant considerations set out in the Town Planning Board Guidelines No. 25D including the fire safety and traffic aspects. The 'Shop and Services (Retail Shop and Fast Food Shop)' use was small in scale and not incompatible with the industrial and industrial-related uses in the subject industrial building and the surrounding developments. A temporary approval of five years would not jeopardise the long-term planning intention of industrial use.

49. Members had no question on the application.

Deliberation Session

50. After deliberation, the Committee decided to approve the application on a temporary basis for a period of 5 years until 20.9.2024, on the terms of the application as submitted to the Town Planning Board (TPB) and subject to the following conditions:

- “(a) the submission and implementation of the fire safety measures within 6 months from the date of the approval to the satisfaction of the Director of Fire Services or of the TPB by 20.3.2020;
- (b) if the above planning condition is not complied with by the specified date, the approval hereby given shall cease to have effect and shall on the same date be revoked without further notice.”

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

Agenda Item 11

Section 16 Application

[Open Meeting]

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

52. The Secretary reported that the application site was located in Tai Po. The application was submitted by the City University of Hong Kong (CityU). C M Wong & Associates Ltd. (CMW) and Beria Consultants Ltd. (Beria) were two 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 CMW;
- Mr K.K. Cheung - his firm having current business dealings with CityU and past business dealings with Beria; and
- Mr H.W. Cheung - owning a flat in Tai Po.

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

54. The Committee noted that the applicant’s representative requested on 9.9.2019 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.

55. After deliberation, the Committee decided to defer a decision on the application as requested by the applicant pending the submission of further information from the applicant. The Committee agreed that the application should be submitted for its consideration within two months from the date of receipt of further information from the applicant. If the further information submitted by the applicant was not substantial and could be processed within a shorter time, the application could be submitted to an earlier meeting for the Committee's consideration. The Committee also agreed to advise the applicant that two months were allowed for preparation of the submission of the further information. 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 12

Section 16 Application

[Open Meeting (Presentation and Question Sessions Only)]

A/NE-LT/671 Proposed Temporary Private Car Park (Private Cars and Light Goods Vehicles Only) for a Period of 3 Years in "Village Type Development" Zone, Lots 276 S.B RP and 277 in D.D. 8, Tai Yeung Che, Lam Tsuen, Tai Po
(RNTPC Paper No. A/NE-LT/671)

56. The Secretary reported that the application site was located in Tai Po. Mr H.W. Cheung had declared an interest on this item as he owned a flat in Tai Po. He had tendered an apology for being unable to attend the meeting.

Presentation and Question Sessions

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

- (a) background to the application;

- (b) proposed temporary private car park (private cars and light goods vehicles only) for a period of three years;
- (c) departmental comments – departmental comments were set out in paragraph 8 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 from an individual providing view on the application was received. Major views were set out in paragraph 9 of the Paper; and
- (e) the Planning Department (PlanD)’s views – PlanD considered the application could be tolerated for a period of three years based on the assessments set out in paragraph 10 of the Paper. There was no previous application at the site or similar application for the same use within the same “Village Type Development” (“V”) zone. Whilst the proposal was not totally in line with the planning intention of “V” zone, the District Lands Officer/Tai Po, Lands Department had no objection to the application and advised that there was no Small House application received for the site. Approval of the application on a temporary basis for a period of three years would not jeopardise the long-term planning intention of the “V” zone.

58. Members had no question on the application.

Deliberation Session

59. After deliberation, the Committee decided to approve the application on a temporary basis for a period of 3 years until 20.9.2022, 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 the site at any time during the planning approval period;

- (b) only private cars and light goods vehicles as defined in the Road Traffic Ordinance are allowed to be parked/stored on or enter/exit the site at any time during the planning approval period;
- (c) a notice should be posted at a prominent location of the site to indicate that only private cars and light goods vehicles as defined in the Road Traffic Ordinance are allowed to be parked/stored on or enter/exit the site at any time during the planning approval period;
- (d) no vehicle dismantling, inspection, maintenance, repairing, cleansing, paint spraying or other workshop activities shall be carried out at the site at any time during the planning approval period;
- (e) the development should not cause any water pollution to the upper indirect water gathering ground 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 20.3.2020;
- (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 20.3.2020;
- (h) in relation to (g) 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 20.6.2020;
- (i) the submission of proposal on grease trap and petrol interceptor within 6 months from the date of planning approval to the satisfaction of the Director of Water Supplies or of the TPB by 20.3.2020;
- (j) in relation to (i) above, the implementation of proposal on grease trap and

petrol interceptor within 9 months from the date of planning approval to the satisfaction of the Director of Water Supplies or of the TPB by 20.6.2020;

- (k) the submission of fire service installations proposal within 6 months from the date of planning approval to the satisfaction of the Director of Fire Services or of the TPB by 20.3.2020;
- (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 20.6.2020;
- (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.”

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

Agenda Item 13

Section 16 Application

[Open Meeting (Presentation and Question Sessions Only)]

A/NE-LT/672 Temporary Warehouse for Storage of Construction Materials (Tiles)
for a Period of 3 Years in “Agriculture” Zone, Lot 432 in D.D. 10, Pak
Ngau Shek, Lam Tsuen, Tai Po
(RNTPC Paper No. A/NE-LT/672)

61. The Secretary reported that the application site was located in Tai Po. Mr H.W. Cheung had declared an interest on this item as he owned a flat in Tai Po. He had tendered an apology for being unable to attend the meeting.

Presentation and Question Sessions

62. 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) temporary warehouse for storage of construction materials (tiles) 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 from agricultural development point of view as there were active agricultural activities in the vicinity, agricultural infrastructure such as water source and road access was available, and the site possessed potential for agricultural rehabilitation. The Director of Environmental Protection (DEP) did not support the application as the development would generate heavy vehicle traffic and there were domestic structures in the vicinity of the site which would be subject to noise nuisance. The Water Supplies Department (WSD) also objected to the application as the storage of tiles, the operation of the warehouse, the loading/unloading activities and the provision of chemical portable toilet would have risks of contamination/pollution to water gathering ground. Other relevant government departments consulted 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 from an individual 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 did not support the application based on the assessments set out in paragraph 11 of the Paper. The applied use was not in line with the planning intention of the “Agriculture” (“AGR”) zone which was primarily to retain and safeguard good quality agricultural land/farm/fishponds for agricultural purposes, and also to retain fallow arable land with good potential for rehabilitation for cultivation and other agricultural purposes. No strong planning justification was given in the submission to justify for a departure from the planning intention of the “AGR” zone, even on a temporary basis. There was no previous application at the site or similar application for the same use within the same “AGR” zone. Approval of the application would set an undesirable precedent for other similar applications in the “AGR” zone, the cumulative effect of which would result in a general degradation of the environment of the area. Regarding the public comment, the comments of government departments and the planning assessments above were relevant.

63. Members had no question on the application.

Deliberation Session

64. 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 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 such planning intention, even on a temporary basis;
- (b) the applicant fails to demonstrate in the submission that the development would not cause adverse noise impact on the surrounding areas;

- (c) the applicant fails to demonstrate that the development located within the water gathering ground would not cause adverse impact on the water quality in the area; and
- (d) the approval of the application would set an undesirable precedent for other similar applications within the same “AGR” zone. The cumulative effect of approving such applications would result in a general degradation of the environment of the area.”

Agenda Item 14

Section 16 Application

[Open Meeting (Presentation and Question Sessions Only)]

A/NE-HT/14 Temporary Private Vehicle Park (Private Car) for a Period of 3 Years
in “Agriculture” Zone, Lots 76 S.E ss.1, 76 S.E ss.2, 76 S.E ss.9 to 76
S.E ss.14 in D.D. 76, San Uk Tsai, Fanling
(RNTPC Paper No. A/NE-HT/14)

Presentation and Question Sessions

65. Ms Wendy W.L. Lee, STP/STN, presented the application and covered the following aspects as detailed in the Paper:

- (a) background to the application;
- (b) temporary private 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 from the agricultural development point of view. The Commissioner for Transport (C for T) did not support the application from the traffic engineering viewpoint as the

applicant failed to demonstrate in the submission that the temporary private vehicle park would not cause adverse traffic impact on the surrounding areas. Other government departments consulted had no adverse comment on or no objection to the application;

- (d) during the first three weeks of the statutory publication periods, seven public comments were received. The Chairman of Sheung Shui District Rural Committee indicated no comment on the application. Six objecting comments were received from The Hong Kong Bird Watching Society, Kadoorie Farm and Botanic Garden, Designing Hong Kong, the First Vice-Chairman and the Vice-Chairman of Fanling District Rural Committee, and an individual. Major views were set out in paragraph 10 of the Paper; and

- (e) the Planning Department (PlanD)'s views – PlanD did not support the application based on the assessments set out in paragraph 11 of the Paper. The vehicle park for six private car parking spaces was not in line with the planning intention of the “Agriculture” (“AGR”) zone, which was primarily to retain and safeguard good quality agricultural land/farm/fish ponds for agricultural purposes and to retain fallow arable land with good potential for rehabilitation for cultivation and other agricultural purposes. No strong planning justification was given in the submission to justify for a departure from the planning intention of the “AGR” zone, even on a temporary basis. The temporary private vehicle park was not entirely incompatible with the surrounding areas. DAFC and C for T did not support the application from the agricultural development and traffic engineering points of view respectively. There was no previous application for the site or similar application within the same “AGR” zone under the Outline Zoning Plan. Approval of the application would set an undesirable precedent for similar applications within the “AGR” zone and encourage similar site/vegetation clearance prior to obtaining planning permission. The cumulative effect of approving such similar applications would result in a general degradation of the rural environment of the area. Regarding the public comments and local view, 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 reject the application. The reasons were:

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

Agenda Item 15

Section 16 Application

[Open Meeting (Presentation and Question Sessions Only)]

A/NE-LYT/710 Proposed Temporary Public Vehicle Park (Private Car) for a Period of 3 Years in “Village Type Development” Zone, Lot 1422 RP (Part) in D.D.83, Lung Yeuk Tau, Fanling
(RNTPC Paper No. A/NE-LYT/710)

Presentation and Question Sessions

68. Ms Wendy W.L. Lee, STP/STN, presented the application and covered the following aspects as detailed in the Paper:

- (a) background to the application;
- (b) proposed temporary public vehicle park (private car) for a period of three years;
- (c) departmental comments – departmental comments were set out in paragraph 8 of the Paper. Concerned departments had no objection to or no adverse comments on the application;
- (d) during the first three weeks of the statutory publication periods, six public comments were received. The Chairman of Sheung Shui District Rural Committee had no comment on the application. Five public comments from individuals objected to the application. Major views were set out in paragraph 9 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 10 of the Paper. Whilst the applied use was not entirely in line with the planning intention of the “Village Type Development” (“V”) zone where land was primarily intended for

development of Small Houses by indigenous villagers, the District Lands Officer/North, Lands Department had no objection to the application and advised that there was no Small House application received for the site. Approval of the application on a temporary basis for a period of three years would not jeopardise the long-term planning intention of the “V” zone. The proposed use was not incompatible with the surrounding land uses. Concerned government departments had no objection to or no adverse comment on the application. Regarding the public comments and local views, the comments of government departments and the planning assessments above were relevant.

69. Members had no question on the application.

Deliberation Session

70. After deliberation, the Committee decided to approve the application on a temporary basis for a period of 3 years until 20.9.2022, 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 the site at any time during the planning approval period;
- (b) 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;
- (c) a notice should be posted at a prominent location of the site to indicate that only private car as defined in the Road Traffic Ordinance is allowed to be parked on or enter/exit the site at any time during the planning approval period;
- (d) no vehicle dismantling, inspection, maintenance, repairing, cleansing, paint spraying or other workshop activities is allowed on the site at any time

during the planning approval period;

- (e) the maintenance of boundary fencing on Site at all times during the planning approval period;
- (f) 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 20.3.2020;
- (g) in relation to (f) 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 20.6.2020;
- (h) the submission of proposals for water supplies for fire-fighting 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 20.3.2020;
- (i) in relation to (h) above, the provision of water supplies for fire-fighting 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 20.6.2020;
- (j) if any of the above planning conditions (a), (b), (c), (d) or (e) is not complied with during the planning approval period, the approval hereby given shall cease to have effect and shall be revoked immediately without further notice; 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.”

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

Agenda Item 16

Section 16 Application

[Open Meeting]

A/NE-LYT/711 Proposed Temporary Public Vehicle Park (Excluding Container Vehicle) for a Period of 3 Years in “Agriculture” Zone, Lot 466 (Part) in D.D.83, Kwan Tei, Fanling
(RNTPC Paper No. A/NE-LYT/711)

72. The Committee noted that the applicant’s representative requested on 9.9.2019 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.

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

Agenda Item 17

Section 16 Application

[Open Meeting (Presentation and Question Sessions Only)]

A/NE-TKL/623 Proposed House (New Territories Exempted House - Small House) in “Agriculture” and “Village Type Development” Zones, Lot 689 S.C ss.4 in D.D. 77, Ha Shan Kai Wat, Ta Kwu Ling
(RNTPC Paper No. A/NE-TKL/623)

Presentation and Question Sessions

74. Ms Wendy W.L. Lee, 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. Concerned government departments had no objection to or no adverse comments on the application;
- (d) during the first three weeks of the statutory publication period, four public comments were received. The Chairman of Sheung Shui District Rural Committee indicated no comment on the application. The other three comments from Kadoorie Farm and Botanic Garden Corporation, 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. Regarding the Interim Criteria for Consideration of Application for New Territories Exempted House/Small House in New Territories, more than 50% of the footprint of the proposed Small House fell within the 'Village Environs' of Ha Shan Kai Wat Village. While land available within the "Village Type Development" ("V") zone was insufficient to fully meet the future Small House demand, there was land available within the "V" zone for Small House development and capable to meet the outstanding 31 Small House applications. Nevertheless, the site was the subject of a previously approved planning application for the same use submitted by the same applicant. The proposed Small House was not incompatible with the

surrounding environment and concerned departments had no adverse comment or objection. While there were six similar applications for Small House developments in the vicinity of the site, two were approved and four rejected, the circumstances of the current application were different from these similar applications. Regarding the public comments, the comments of government departments and the planning assessments above were relevant.

75. In response to a Member's enquiry, Ms Wendy W.L. Lee, STP/STN, replied that the three Small Houses to the south of the site were within "V" zone and no planning permission was required.

Deliberation Session

76. 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 20.9.2023, 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.”

77. 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 (Presentation and Question Sessions Only)]

A/NE-TKL/624 Proposed Temporary Open Storage of Construction Material for a Period of 3 Years in “Agriculture” Zone, Lots 1831 S.B RP (Part) and 1834 S.C RP (Part) in D.D. 76, Ma Mei Ha, Fanling
(RNTPC Paper No. A/NE-TKL/624)

Presentation and Question Sessions

78. Ms Wendy W.L. Lee, STP/STN, presented the application and covered the following aspects as detailed in the Paper:

- (a) background to the application;
- (b) the proposed temporary open storage of construction material for a period of three years;
- (c) departmental comments – departmental comments were set out in paragraph 10 of the Paper. The Director of Environmental Protection (DEP) did not support the application as there were sensitive uses in the vicinity of the site. The Commissioner for Transport (C for T) did not support the application as there was insufficient information to demonstrate that the proposed temporary development would not induce significant traffic impact on the surrounding. Moreover, the Drainage Services Department (DSD) did not support the application as the drainage proposal submitted by the applicant was unacceptable. Other concerned government departments had no objection to or no adverse comment on the application;
- (d) during the first three weeks of the statutory publication period, ten public comments were received. The Chairman of Sheung Shui District Rural Committee indicated no comment on the application. The remaining nine

comments objected to the applications. Major views 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 assessment set out in paragraph 12 of the Paper. The proposed temporary use was not in line with the planning intention of the “Agriculture” (“AGR”) zone. While the proposed temporary open storage use was considered not entirely incompatible with the surrounding land uses, it did not comply with the Town Planning Board Guidelines No. 13E in that the site fell within Category 3 areas. The applicant failed to demonstrate that the development would have no adverse traffic, environmental and drainage impacts on the surrounding areas. There was no previous application for the site. The Committee had rejected two similar applications in the vicinity of the site. The circumstances of the current application were similar to the rejected cases. Regarding the public comments, the comments of government departments and the planning assessments above were relevant.

79. Members had no question on the application.

Deliberation Session

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

- “(a) the proposed development under application is not in line with the planning intention of the “Agriculture” zone for the Ping Che and Ta Kwu Ling area, which is primarily to retain and safeguard good quality agricultural land/farm/fish ponds for agricultural purposes and to retain fallow arable land with good potential for rehabilitation for cultivation and other agricultural purposes. There is no strong planning justification in the submission for a departure from such planning intention, even on a temporary basis; and

- (b) the application does not comply with the Town Planning Board Guidelines for Application for Open Storage and Port Back-up Uses under Section 16 of the Town Planning Ordinance in that there is no previous planning approval for open storage use granted at the site; there are adverse comments from the relevant government departments and local objections against the application; and
- (c) the applicant fails to demonstrate that the development would have no adverse traffic, environmental and drainage impacts on the surrounding areas.”

[The Chairman thanked Mr Kenny C.H. Lau, Ms Kathy C.L. Chan and Ms Wendy W.L. Lee, 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 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 19

Section 16 Application

[Open Meeting (Presentation and Question Sessions Only)]

A/YL-KTN/632 Temporary Open Storage of Construction Machinery, Construction Materials and Ancillary Parking of Medium/Heavy Goods Vehicles and Container Trailers/Tractors for a Period of 3 Years in “Other Specified Uses” annotated “Railway Reserve” Zone, Lots 431 (Part), 432 (Part), 433 S.B (Part) and 1739 RP (Part) in D.D. 107 and Adjoining Government Land, Fung Kat Heung, Yuen Long (RNTPC Paper No. A/YL-KTN/632C)

Presentation and Question Sessions

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

- (a) background to the application;
- (b) the temporary open storage of construction machinery, construction materials and ancillary parking of medium/heavy goods vehicles and container trailers/tractors 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, two public comments from a member of Yuen Long District Council (YLDC) and an individual objecting the application were 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. Although the applied use was not in line with the planning intention of “Other Specified Uses” annotated “Railway Reserve” (“OU(Railway Reserve)”) zone, the Railway Development Office of Highways Department advised that the alignment and programme of the Northern Link (NOL) were still under review and he had no in-principle objection to the application for a period of three years. Approval of the application on a temporary basis would not frustrate the long-term planning intention of the zone. The applied use 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 2 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 site was the subject of nine previous applications and eight of them for open storage with/without ancillary parking use were approved by the Committee or the Board on review, with the last application (No. A/YL-KTN/480) for the same applied use approved with conditions by the Committee. There was no major change in the planning circumstances since the last planning approval. There were also 11 similar applications for various open storage uses within the same zone approved by the Committee since 2008. Regarding the public comments, the comments of government departments and the planning assessments above were relevant.

82. Members had no question on the application.

Deliberation Session

83. After deliberation, the Committee decided to approve the application on a temporary basis for a period of 3 years until 20.9.2022, 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) no operation on Sundays and public holidays, as proposed by the applicant, is allowed on the site during the planning approval period;
- (c) no dismantling, maintenance, repairing, cleansing, paint spraying or other workshop activities shall be carried out on the site 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) no vehicle is allowed to queue back to or reverse onto/from public road at any time during the planning approval period;
- (f) the submission of run-in/out proposal to/from San Tam Road within 6 months from the date of planning approval to the satisfaction of the Commissioner for Transport and Director of Highways or of the TPB by 20.3.2020;
- (g) in relation to (f) above, the implementation of run-in/out proposal to/from San Tam Road within 9 months from the date of planning approval to the satisfaction of the Commissioner for Transport and Director of Highways or of the TPB by 20.6.2020;
- (h) the submission of landscape proposal within 6 months from the date of planning approval to the satisfaction of the Director of Planning or of the TPB by 20.3.2020;
- (i) in relation to (h) above, the implementation of landscape proposal within 9 months from the date of planning approval to the satisfaction of the Director of Planning or of the TPB by 20.6.2020;
- (j) 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 20.3.2020;
- (k) in relation to (j) 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 20.6.2020;
- (l) in relation to (k) above, the implemented drainage facilities shall be

maintained at all times during the planning approval period;

- (m) the provision of fire extinguisher(s) with a valid fire certificate (FS 251) within 6 weeks from the date of planning approval to the satisfaction of the Director of Fire Services or of the TPB by 1.11.2019;
- (n) 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 20.3.2020;
- (o) in relation to (n) above, the provision of fire service installations within 9 months from the date of planning approval to the satisfaction of the Director of Fire Services or of the TPB by 20.6.2020;
- (p) if any of the above planning conditions (a), (b), (c), (d), (e) or (l) 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
- (q) if any of the above planning conditions (f), (g), (h), (i), (j), (k), (m), (n) or (o) 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.”

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

Agenda Item 20

Section 16 Application

[Open Meeting]

A/YL-KTN/657 Proposed Temporary Private Club for a Period of 3 Years in “Agriculture”, “Industrial (Group D)” and “Conservation Area” Zones, Lots 1284, 1285, 1286, 1287, 1288 (Part) and 1289 (Part) in D.D. 107 and Adjoining Government Land, Fung Kat Heung, Kam Tin, Yuen Long
(RNTPC Paper No. A/YL-KTN/657A)

85. The Committee noted that the applicant’s representative requested on 11.9.2019 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 applicant requested deferment of the application. Since the last deferment, the applicant had submitted further information to address departmental comments.

86. 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 21

Section 16 Application

[Open Meeting]

A/YL-KTN/673 Temporary Open Storage of Construction Materials for a Period of 3 Years in “Other Specified Uses” annotated “Railway Reserve” Zone, Lots 49 S.B RP (Part), 379 S.B (Part), 383 (Part), 384 RP, 385 RP (Part), 394 S.A RP (Part), 395, 396 (Part), 397 RP, 398, 399 RP and 401 RP in D.D. 107 and Adjoining Government Land, Kam Tin, Yuen Long
(RNTPC Paper No. A/YL-KTN/673)

87. The Committee noted that the applicant’s representative requested on 11.9.2019 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.

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

Agenda Item 22

Section 16 Application

[Open Meeting]

A/YL-KTS/824 Proposed Religious Institution (Retreat Centre) in “Agriculture” Zone,
Lot 287 in D.D.106, Tin Sum Tsuen, Kam Tin, Yuen Long
(RNTPC Paper No. A/YL-KTS/824A)

89. The Committee noted that the applicant’s representative requested on 12.9.2019 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 applicant requested deferment of the application. Since the last deferment, the applicant had submitted further information to address departmental comments.

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

Agenda Item 23

Section 16 Application

[Open Meeting]

A/YL-KTS/828 Proposed Public Utility Installation (Radio Base Station and Antennae)
in “Agriculture” Zone, Lot 235 RP (Part) in D.D. 103, Ko Po Tsuen,
Yuen Long
(RNTPC Paper No. A/YL-KTS/828)

91. The Secretary reported that the application was submitted by Hong Kong Telecommunications Ltd. (HKT), which was a subsidiary of PCCW Ltd. The following Members had declared interests on this item:

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

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

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

93. The Committee noted that the applicant’s representative requested on 16.9.2019 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.

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

Agenda Item 24

Section 16 Application

[Open Meeting]

A/YL-KTS/829 Temporary Place of Entertainment (Indoor Children Playground) with Ancillary Facilities for a Period of 3 Years in "Residential (Group C)" Zone, Unit M, The Richfield, 236 Kat Hing Wai, Kam Tin, Yuen Long (RNTPC Paper No. A/YL-KTS/829)

95. The Committee noted that the applicant's representative requested on 11.9.2019 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.

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

Agenda Item 25

Section 16 Application

[Open Meeting]

A/YL-KTS/830 Proposed Temporary Eating Place for a Period of 3 Years in
“Residential (Group C)” Zone, Unit B2, The Richfield, 236 Kat Hing
Wai, Kam Tin, Yuen Long
(RNTPC Paper No. A/YL-KTS/830)

97. The Committee noted that the applicant’s representative requested on 11.9.2019 deferment of consideration of the applications 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 applications should be submitted for its consideration within two months from the date of receipt of further information from the applicant. If the further information submitted by the applicant was not substantial and could be processed within a shorter time, the 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, no further deferment would be granted unless under very special circumstances.

Agenda Item 26

Section 16 Application

[Open Meeting (Presentation and Question Sessions Only)]

A/YL-PH/810 Temporary Open Storage of Construction Materials and Machineries for a Period of 3 Years in “Residential (Group D)” Zone, Lots 2902 (Part), 2905 (Part), 2909 (Part), 2910 (Part) and 2911 (Part) in D.D. 111, Wing Ning Lei, Wang Toi Shan, Pat Heung, Yuen Long
(RNTPC Paper No. A/YL-PH/810A)

Presentation and Question Sessions

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

- (a) background to the application;
- (b) temporary open storage of construction materials and machineries 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, three public comments from Designing Hong Kong Ltd. and individuals objecting the application were 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 applied use was not 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 frustrate the long-term planning intention of the “R(D)” zone. The development was considered not incompatible with the surrounding areas. The proposed development was generally in line with the Town Planning Board Guidelines No. 13E in that the site fell within Category 3 areas. The proposed use would not generate adverse impacts and 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 three previous applications and 19 similar applications in the same zone. Approval of the current application was in line with the Committee’s previous decisions. Regarding the public comments, the comments of government departments and the planning assessments above were relevant.

100. Members had no question on the application.

Deliberation Session

101. After deliberation, the Committee decided to approve the application on a temporary basis for a period of 3 years until 20.9.2022, 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 9:00 a.m., as proposed by the applicant, is allowed on the site during the planning approval period;
- (b) no operation between 1:00 p.m. and 5:00 p.m. on Saturdays, as proposed by the applicant, is allowed on the site during the planning approval period;
- (c) no operation on Sundays and public holidays, as proposed by the applicant, is allowed on the site during the planning approval period;
- (d) no dismantling, maintenance, repairing, cleansing, paint spraying or other workshop activities shall be carried out on the site at any time during the planning approval period;

- (e) no medium or heavy goods vehicles exceeding 5.5 tonnes, including container tractors/trailers as defined in the Road Traffic Ordinance are allowed to be parked/stored on or enter/exit the site at any time during the planning approval period;
- (f) the existing boundary fencing on the site shall be maintained at all times during the planning approval period;
- (g) no vehicle is allowed to queue back to or reverse onto/from public road at any time during the planning approval period;
- (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 20.3.2020;
- (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 20.6.2020;
- (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 provision of fire extinguisher(s) with a valid fire certificate (FS 251) within 6 weeks from the date of planning approval to the satisfaction of the Director of Fire Services or of the TPB by 1.11.2019;
- (l) the implementation of the accepted fire service installations proposal within 6 months from the date of planning approval to the satisfaction of the Director of Fire Services or of the TPB by 20.3.2020;
- (m) if any of the above planning conditions (a), (b), (c), (d), (e), (f), (g) 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 (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.”

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

Agenda Item 27

Section 16 Application

[Open Meeting (Presentation and Question Sessions Only)]

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

Presentation and Question Sessions

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

- (a) background to the application;
- (b) proposed temporary first aid post for a period of three years;
- (c) departmental comments – departmental comments were set out in paragraph 10 of the Paper. The Secretary for Food and Health (SFH) had given in-principle policy support to the application on the understanding that the proposed development would facilitate delivery of better and more responsive first aid service to the public. Concerned government departments had no objection to or no adverse comments on the application.

- (d) no public comment was received during the first three weeks of the statutory publication period and no local view was received by the District Officer; and
- (e) the Planning Department (PlanD)'s views – PlanD considered the application could be tolerated for a period of three years based on the assessments set out in paragraph 12 of the Paper. Taking into account its small scale and temporary nature, and its purpose for providing first aid service to the public, the proposed use was considered not in conflict with the planning intention of the “Conservation Area” (“CA”) zone. The proposed use was considered not incompatible with its immediate surrounding area. There was no previous application for the site or similar application within the same “CA” zone. Adverse environmental, ecological, traffic, fire safety and drainage impacts were not envisaged while the technical requirements of the Commissioner for Transport (C for T) and the Director of Fire Services (D of FS) could be addressed by approval conditions. Other relevant departments had no adverse comment on or no objection to the application.

104. In response to a Member's enquiry, Ms Emily P.W. Tong, STP/FSYLE, replied that pre-assembled units for bike storage and first aid treatment would be placed on the existing gravel surface and no concrete construction and pond filling works would be involved. The Chief Building Surveyor/New Territories West, Buildings Department (CBS/NTW, BD) had no comment on the application. Should the application be approved, the use or development was also required to conform with any other relevant legislation and any other Government requirements, wherever applicable.

Deliberation Session

105. After deliberation, the Committee decided to approve the application on a temporary basis for a period of 3 years until 20.9.2022, on the terms of the application as submitted to the Town Planning Board (TPB) and subject to the following conditions:

- “(a) no vehicle is allowed to access the site during the planning approval period;

- (b) the submission of fire service installations proposal within 6 months from the date of planning approval to the satisfaction of the Director of Fire Services or of the TPB by 20.3.2020;
- (c) in relation to (b) above, the provision of fire service installations within 9 months from the date of planning approval to the satisfaction of the Director of Fire Services or of the TPB by 20.6.2020;
- (d) if the above planning condition (a) is not complied with during the planning approval period, the approval hereby given shall cease to have effect and shall be revoked immediately without further notice;
- (e) if any of the above planning conditions (b) or (c) is not complied with by the specified date, the approval hereby given shall cease to have effect and shall on the same date be revoked without further notice; and
- (f) 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.”

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

Agenda Item 28

Section 16 Application

[Open Meeting (Presentation and Question Sessions Only)]

A/YL-ST/556 Proposed Temporary Shop and Services for a Period of 3 Years in
“Village Type Development” Zone, Lots 180 RP and 182 S.C RP in
D.D. 102 and adjoining Government Land, San Tin, Yuen Long
(RNTPC Paper No. A/YL-ST/556)

Presentation and Question Sessions

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

- (a) background to the application;
- (b) proposed temporary shop and services 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 no local view was received by the District Officer; and
- (e) the Planning Department (PlanD)’s views – PlanD had no objection to the application based on the assessments set out in paragraph 11 of the Paper. While the proposed use was not entirely in line with the planning intention of the “Village Type Development” (“V”) zone, approval of the application on a temporary basis for a period of three years would not frustrate the long-term planning intention of the “V” zone as there were no committed development programme for the site. The proposed development was not incompatible with the surrounding uses. The proposed use could meet some of the local demand on shop and services use in the vicinity. Concerned government departments had no objection to or no adverse comment on the application. The Committee had approved four applications for similar shop and services uses (mainly for convenient store/real estate agency) within the same “V” zone. Approval of the current application was in line with the previous decisions of the Committee.

108. In response to a Member's enquiry, Ms Emily P.W. Tong, STP/FSYLE, replied that the site was vacant with a temporary structure and the private land of Lot Nos. 180 RP and 182 S.C RP in D.D. 102 were covered by Short Term Waiver (STW) No. 4463 to permit structures for the purpose of 'Public Vehicle Park (excluding Container Vehicle)'.

Deliberation Session

109. After deliberation, the Committee decided to approve the application on a temporary basis for a period of 3 years until 20.9.2022, 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. 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 the site at any time during the planning approval period;
- (c) 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 20.3.2020;
- (d) in relation to (c) 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 20.6.2020;
- (e) the submission of drainage proposal within 6 months from the date of planning approval to the satisfaction of the Director of Drainage Services or of the TPB by 20.3.2020;
- (f) in relation to (e) 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 20.6.2020;
- (g) in relation to (f) above, the implemented drainage facilities shall be

maintained at all times during the planning approval period;

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

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

Agenda Item 29

Section 16 Application

[Open Meeting (Presentation and Question Sessions Only)]

A/YL-ST/557 Proposed Temporary Public Vehicle Park for Private Car for a Period of 3 Years in “Village Type Development” Zone, Lot 217 RP (Part) in D.D.105, San Tin, Yuen Long
(RNTPC Paper No. A/YL-ST/557)

Presentation and Question Sessions

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

- (a) background to the application;
- (b) proposed temporary public vehicle park for private car 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 adverse comment on the application;

- (d) during the first three weeks of the statutory publication period, one public comment from an individual 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. As advised by the District Lands Officer/Yuen Long, Lands Department, there was no Small House application being processed/ approved at the site. Approval of the application on a temporary basis for a period of three years would not frustrate the long-term planning intention of the “Village Type Development” (“V”) zone. The proposed use was not incompatible with the surroundings areas. Concerned government departments had no objection to or adverse comment on the application. The Committee had approved 26 applications for similar public vehicle park uses within the same “V” zone since 2009. Approval of the current application was in line with the previous decisions of the Committee. Regarding the public comment, the comments of government departments and the planning assessments above were relevant.

112. In response to a Member's enquiry, Ms Emily P.W. Tong, STP/FSYLE, replied that part of the site was subject to planning enforcement action against unauthorised development (UD) involving storage use. Enforcement Notice was issued requiring discontinuation of the UD. Latest site inspection revealed that the UD had already been discontinued.

Deliberation Session

113. After deliberation, the Committee decided to approve the application on a temporary basis for a period of 3 years until 20.9.2022, 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 7:00 a.m., as proposed by the applicant, is allowed on the site during the planning approval period;
- (b) no vehicles 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;
- (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/stored on the site at all times during the planning approval period;
- (d) no vehicle is allowed to queue back to or reverse onto/from the site at any time during the planning approval period;
- (e) 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 20.3.2020;
- (f) 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 20.3.2020;
- (g) in relation to (f) above, the implementation of drainage proposal within 9 months from the date of planning approval to the satisfaction of the Director of Drainage Services or of the TPB by 20.6.2020;
- (h) in relation to (g) above, the implemented drainage facilities shall be maintained at all times during the planning approval period;
- (i) the submission of 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 20.3.2020;
- (j) in relation to (i) 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 20.6.2020;

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

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

Agenda Item 30

Section 16 Application

[Open Meeting]

A/YL-ST/558 Temporary Container and Goods Vehicle Park with Ancillary Site Office, Vehicle Repair Area, Staff Canteen and Storage Uses for a Period of 3 Years in “Other Specified Uses” annotated “Comprehensive Development to include Wetland Restoration Area” Zone, Lot 769 RP (Part) in D.D. 99, San Tin, Yuen Long
(RNTPC Paper No. A/YL-ST/558)

115. The Committee noted that the applicant’s representative requested on 3.9.2019 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.

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

[The Chairman thanked 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

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

Agenda Item 31

Section 16 Application

[Open Meeting (Presentation and Question Sessions Only)]

A/HSK/180 Temporary Open Storage of Vehicle Parts and Ancillary Vehicle Repair Workshop for a Period of 3 Years in "Government, Institution or Community" and "Open Space" Zones and an area shown as 'Road', Lots 352 S.C, 352 RP, 480 S.A RP (Part), 480 RP (Part), 481 (Part), 482 (Part) and 483 (Part) in D.D. 124, Ha Tsuen, Yuen Long
(RNTPC Paper No. A/HSK/180)

Presentation and Question Sessions

117. Mr Simon P.H. Chan, STP/TMYLW, presented the application and covered the

following aspects as detailed in the Paper:

- (a) background to the application;
- (b) temporary open storage of vehicle parts and ancillary vehicle repair workshop for a period of three years;
- (c) departmental comments – departmental comments were set out in paragraph 10 of the Paper. The Director of Environmental Protection (DEP) did not support the application because there were sensitive uses in the vicinity, and environmental nuisance was expected. Other government departments consulted had no adverse comment on or no objection to the application.
- (d) during the first three weeks of the statutory publication periods, one public comment from an individual providing view on the application was received. Major view was 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 proposed open storage use was not in line with the planning intentions of the “Open Space” (“O”) and “Government, Institution or Community” (“G/IC”) zones and for the area designated as ‘Road’ on the Outline Zoning Plan (OZP). There was no strong planning justification given in the submission for a departure from the planning intentions, even on a temporary basis. The applied use was not compatible within the surrounding environment, in particular the village cluster of Shek Po Tsuen. The proposed development was generally not in line with the Town Planning Board Guideline No. 13E in that the site fell within Category 3 areas which would normally not be favourably considered unless the applications were on sites with previous planning approvals and no adverse impacts on the surrounding areas should be generated. Although the Committee had approved a number of previous applications for temporary open storage and/or vehicle repair workshop uses, the last previous

application (No. A/YL-HT/919) was approved with a shorter approval period of one year to monitor the situation to ensure environmental nuisance would not be generated to the nearby residential uses. There were now changes in circumstance and the number of residential houses in the adjoining area within the “Village Type Development” (“V”) zone to its south had increased which would give rise to concern on the land use interface issue and environmental impact.

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

118. In response to the Chairman’s enquiries, Mr Simon P.H. Chan, STP/TMYLW, replied that to the south of the site were five residential houses. Three of the houses were under construction when the previous application No. A/YL-HT/919 was approved in 2014 and the other two were built subsequently. No substantiated environmental complaint against the site had been received over the past three years. With regard to the implementation programme of Hung Shui Kiu New Development Area (HSK NDA), the Project Manager (New Territories West), Civil Engineering and Development Department (PM/NTW, CEDD) had advised that the construction of HSK NDA Advance Works Phase 2 Works would commence in 2020 tentatively based on the current plan which was under review and subject to funding approval, and the land resumption process would take place in 2020 tentatively.

Deliberation Session

119. Members noted that the previous application had been approved with a shorter period of one year in order to monitor the situation to ensure environmental nuisance would not be generated to the nearby residential uses. Given that the houses to the south of the site had yet to be occupied and no complaint was received, there had been no change in the circumstances since the Committee’s previous decision.

120. While Member generally agreed that the implementation of HSK NDA should not be affected, it was noted that the majority of the site fell within HSK NDA Advance Works Phase 2 Works for which the commencement date of construction in 2020 was under review and subject to funding approval. Members generally agreed that approval of the

application on a temporary basis for one year would not jeopardise the long-term development of the site and was in line with the Committee's previous decision on the last application in 2014.

121. After deliberation, the Committee decided to approve the application on a temporary basis for a period of 1 year until 20.9.2020, on the terms of the application as submitted to the Town Planning Board (TPB) and subject to the following conditions:

- “(a) no operation between 9:00 p.m. to 8:00 a.m., as proposed by the applicant, is allowed on the site during the planning approval period;
- (b) no operation on Sundays 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 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 20.6.2020;
- (f) in relation to (e) above, the implemented drainage facilities shall be maintained at all times during the planning approval period;
- (g) the 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 1.11.2019;
- (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 20.3.2020;

- (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 20.6.2020;
- (j) if any of the above planning conditions (a), (b), (c), (d) 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
- (k) if any of the above planning conditions (e), (g), (h) or (i) is not complied with by the above specified date, the approval hereby given shall cease to have effect and shall on the same date be revoked without further notice.”

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

Agenda Item 32

Section 16 Application

[Open Meeting (Presentation and Question Sessions Only)]

A/HSK/181 Temporary Open Storage of Construction Materials, Container Vehicles and Container Trailers for a Period of 3 Years in “Open Space” and “Residential (Group A) 4” Zones and an area shown as ‘Road’, Lots 1926 (Part), 1927 RP (Part), 1928 (Part), 1931 RP (Part), 1932 (Part), 1936 S.B RP (Part), 1937 RP (Part) and 1941 S.B RP (Part) in D.D. 125, Ha Tsuen, Yuen Long
(RNTPC Paper No. A/HSK/181)

Presentation and Question Sessions

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

- (a) background to the application;
- (b) temporary open storage of construction materials, container vehicles and container trailers 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 from an individual objecting 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. Whilst the development was not in line with the planning intentions of “Open Space” (“O”) and “Residential (Group A) 4” (“R(A)4”) zones, the implementation programme for this part of New Development Area was still being formulated, and the Civil Engineering and Development Department (CEDD) and Leisure and Cultural Services Department had no objection to the proposed temporary use for a period of three years on the site, as it would not jeopardise the long-term development of the site. The proposed open storage of containers was not incompatible with the surrounding land uses. The proposed development was generally in line with the Town Planning Board Guidelines No. 13E 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 a previous planning application for the same open storage at the site and four similar applications for various open storage uses in the same “O” and “R(A)4” zones since 2008. Approval of the current application was in line with the Committee’s previous decisions. Regarding the public comments, the comments of government departments and the planning assessments above were relevant.

124. Members had no question on the application.

Deliberation Session

125. After deliberation, the Committee decided to approve the application on a temporary basis for a period of 3 years until 20.9.2022, on the terms of the application as submitted to the Town Planning Board (TPB) and subject to the following conditions:

- “(a) no operation from 8:00 p.m. to 8:00 a.m., as proposed by the applicant, is allowed on the site during the planning approval period;
- (b) no operation on Sundays and public holidays, as proposed by the applicant, is allowed on the site during the planning approval period;
- (c) no repairing, spraying or cleansing activities, as proposed by the applicant, is allowed at any time 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) all existing trees and landscape plants 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 20.3.2020;

- (g) in relation to (f) above, the implementation of the drainage proposal within 9 months from the date of planning approval to the satisfaction of the Director of Drainage Services or of the TPB by 20.6.2020;
- (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 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 1.11.2019;
- (j) 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 20.3.2020;
- (k) in relation to (j) above, the implementation of the fire service installations proposal within 9 months from the date of planning approval to the satisfaction of the Director of Fire Services or of the TPB by 20.6.2020;
- (l) if any of the above planning conditions (a), (b), (c), (d), (e) or (h) is not complied with during the approval period, the approval hereby given shall cease to have effect and shall be revoked immediately without further notice; and
- (m) if any of the above planning conditions (f), (g), (i), (j) or (k) is not complied with by the above specified date, the approval hereby given shall cease to have effect and shall on the same date be revoked without further notice.”

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

Agenda Item 33

Section 16 Application

[Open Meeting (Presentation and Question Sessions Only)]

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

127. The Secretary reported that the application was for columbarium use and the application site was located in Tuen Mun. Landes Ltd. and Arthur Yung and Associates Company Ltd. (AYA) were two of the consultants.

128. The following Members had declared interests on this item:

- | | | |
|---------------------------------------|---|---|
| Mr Ivan C.S. Fu | - | being a member of the Private Columbaria Appeal Board and having current business dealings with Landes Ltd.; |
| Mr H.W. Cheung
(the Vice-chairman) | - | being a member of the Private Columbaria Licensing Board; |
| Mr K.K. Cheung | - | his firm being legal advisor of Private Columbaria Licensing Board and having current business dealings with AYA; and |
| Dr Jeanne C.Y. Ng | - | co-owning with spouse a flat in Tuen Mun. |

129. The Committee noted that Messrs H.W. Cheung and Ivan C.S. Fu had tendered apologies for being unable to attend the meeting. As Mr K.K. Cheung had no involvement in the application, and the property of Dr Jeanne C.Y. Ng and her spouse had no direct view of the application site, the Committee agreed that they could stay in the meeting.

Presentation and Question Sessions

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

- (a) background to the application;
- (b) proposed columbarium with not more than 3,000 single-urn niches;
- (c) departmental comments – departmental comments were set out in paragraph 10 of the Paper. The Commissioner for Transport (C for T) did not support the application as he did not agree with the conclusions set out in the Traffic Impact Assessment (TIA) that the proposed columbarium would not have adverse traffic impact on the surrounding road network. The Commissioner of Police (C of P) also had concern on the nil provision of parking and loading/unloading (L/UL) spaces within the site and had doubt on applicant’s Crowd Management Plan (CMP). Other concerned government departments had no objection to or no adverse comment on the application;
- (d) during the statutory publication periods, a total of 572 public comments were received, among them, four were supporting comments from individuals and four comments without indicating supporting or objecting stance from individuals. The remaining 564 comments indicating objection were from Tuen Mun District Council (TMDC) members, representative of Yeung Siu Hang Tsuen, management office of Lung Mun Oasis, Owners’ Corporations of the Hill Grove and Richie House, representatives of Tsing Tsui Court, the Alliance for the Concern over Columbarium Policy, the principal of Ju Ching Chu Secondary School (Tuen Mun) with the standard comments jointly signed by students and teachers as well as individuals. Major views 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 proposed columbarium was not in line with the planning intention of

the “Government, Institution or Community” (“G/IC”) zone to the east of Yeung Tsing Road which was primarily intended for institutional and school uses. The proposed columbarium was not compatible with the surrounding uses and might cause nuisance to nearby villagers and students of nearby schools. The applicant failed to demonstrate the proposed development would not cause adverse traffic impact on the surrounding area. As such, the proposed columbarium did not comply with the Town Planning Board Guidelines No. 16. All the approved planning applications for columbarium use were located to west of Yeung Tsing Road, while there was no similar application approved in the “G/IC” zone to the east of Yeung Tsing Road. Approval of the current application would set an undesirable precedent and might encourage other similar applications for columbarium development in the “G/IC” zone to the east of Yeung Tsing Road, thereby defeating its intended uses. Regarding the public comments, the comments of government departments and the planning assessments above were relevant.

131. In response to Members’ enquiries, Ms Jessica Y.C. Ho, STP/TMYLW, replied that under the Private Columbaria Ordinance, a special instrument, namely licence, exemption or temporary suspension of liability must be obtained for operating a private columbarium. In reply to the Chairman’s enquiry, Ms Ho stated that there was no columbarium existed in the eastern portion of the “G/IC” zone where the site was located.

Deliberation Session

132. Members noted that the applicant was the sole owner of the site and that there were a number of domestic structures in the vicinity and on the site. Members also noted that similar columbarium applications that had been approved previously were all located to the west of Yeung Tsing Road. Among the four approved columbaria, Shan Guo (善果) was a new columbarium currently under construction, Filial Park (思親公園) was a redevelopment of an existing temple, and Fat Yuen Ching Shea (佛緣精舍) and Shan Yuan (善緣) were existing temple/structures which had included both interred and new niches under their applications. Members generally did not support the application based on the

consideration that the proposed columbarium was not compatible with the surrounding uses to the east of Yeung Tsing Road, and the adverse comments of government departments including C for T and C of P.

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

- “(a) the applicant fails to demonstrate that the proposed columbarium would not cause adverse traffic impact on the surrounding areas and that the proposed Crowd Management Plan can be effectively implemented;
- (b) the proposed development is not in line with the Town Planning Board Guidelines No. 16 in that it is not compatible with the surrounding Government, Institution or Community and residential uses; and
- (c) approval of the application would set an undesirable precedent for other similar applications which may lead to sporadic columbarium developments in this part of the “Government, Institution or Community” zone which will cause nuisance to nearby residents and students.”

Agenda Item 34

Section 16 Application

[Open Meeting]

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

134. The Secretary reported that the application site was located in Tuen Mun and T.K. Tsui & Associates Ltd. was one of the consultants of the applicant. The following Members had declared interests on this item:

Mr K.K. Cheung - having current business dealings with T.K.Tsui & Associates Ltd.; and

Dr Jeanne C.Y. Ng - co-owning with spouse a flat in Tuen Mun.

135. The Committee noted that the applicant had requested deferment of consideration of the application. As Mr K.K. Cheung had no involvement in the application, and the property of Dr Jeanne C.Y. Ng and her spouse had no direct view of the application site, the Committee agreed that they could stay in the meeting.

136. The Committee noted that the applicant's representative requested on 11.9.2019 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 applicant requested deferment of the application. Since the last deferment, the applicant had submitted further information to address departmental comments.

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

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

Agenda Item 35

Section 16 Application

[Open Meeting (Presentation and Question Sessions Only)]

A/YL-HTF/1096 Temporary Plastic Bottle Recycling Centre with Workshop and Ancillary Office for a Period of 3 Years in “Agriculture” and “Residential (Group D)” Zones, Lots 130 (Part), 131, 132 (Part), 260 (Part), 261, 262, 263, 264 and 268 in D.D.128 and Adjoining Government Land, Lau Fau Shan, Yuen Long
(RNTPC Paper No. A/YL-HTF/1096)

138. The Committee noted that two replacement pages (page 5 of Main Paper and page 1 of Appendix V) rectifying the comment of the District Lands Officer/ Yuen Long, LandsD were sent to Members before the meeting.

Presentation and Question Sessions

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

- (a) background to the application;
- (b) temporary plastic bottle recycling centre with workshop and ancillary office 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 from the agricultural point of view as the site had high potential for agricultural rehabilitation. The Director of Environmental Protection (DEP) also did not support the application as there were sensitive receivers in the vicinity of the site, and environmental nuisance was expected. There were 24 complaints in respect of air, noise, water and waste pollutions concerning the site received in the past three years. The Chief Town Planner/Urban Design

and Landscape, Planning Department (CTP/UD&L, PlanD) had reservation on the application from the landscape planning perspective. 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, 11 public comments were received from Kadoorie Farm & Botanic Garden Corporation (KFBG), the Hong Kong Bird Watching Society (HKBWS), World Wide Fund for Nature Hong Kong (WWF), Designing Hong Kong (DHK), two District Councillors, villagers of Sha Kong Tsuen and individuals objecting 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 applied temporary plastic bottle recycling centre with workshop and ancillary office use was not in line with the planning intentions of the “Agriculture” (“AGR”) and “Residential (Group D)” (“R(D)”) zones. There was no strong planning justification in the submission for a departure from such planning intention, even on a temporary basis. The proposed use was not entirely compatible with the surrounding landscape character. The approval of the application would set an undesirable precedent attracting other incompatible uses to proliferate in the area and encouraging other similar applications to modify the site prior to planning permission was obtained. The cumulative impact of which would be degradation of the integrity of the “AGR” zone and the rural landscape character in general. The Site was subject of seven previous applications for various open storage and workshop uses which were rejected by the Committee/the Board on review from 1999 to 2019. Although the Committee approved a similar application (No. A/YL-HTF/1085) for temporary recyclable collection centre for garment, cloth and waste paper use within the subject “R(D)” zone in 2018, the current application was different in nature which involved the recycling of plastic bottle and workshop uses. Relevant departments, including DAFC, DEP and CTP/UD&L, PlanD did not

support/had reservation on the current application. Rejecting this application was in line with the Committee's previous decision. Regarding the public comments, the comments of government departments and the planning assessments above were relevant.

140. In response to Members' enquiries, Ms Bonnie K.C. Lee, STP/TMYLW, replied that the site was a subject of planning enforcement action on unauthorised storage and workshop uses. Enforcement Notice was issued requiring the concerned landowners to discontinue the unauthorised development (UD). The recent site inspection revealed that the UD at the site had not been discontinued. The similar application (No. A/YL-HTF/1085) was for temporary recyclable collection centre for garment, cloth and waste paper use within the subject "R(D)" zone and it was accessible via a different road. The current application was different in nature in that it involved the recycling of plastic bottle and workshop uses.

Deliberation Session

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

- “(a) the applied development is not in line with the planning intentions of the “Agriculture” (“AGR”) and “Residential (Group D)” (“R(D)”) zone. The planning intention of the “ARG” zone is to retain and safeguard good quality agricultural land/farm/fish ponds for agricultural purposes, and also to retain fallow arable land with good potential for rehabilitation for cultivation and other agricultural purposes. The planning intention of the “R(D)” zone is intended primarily for improvement and upgrading of existing temporary structures within the rural areas through redevelopment of existing temporary structures into permanent buildings. There is no strong planning justification in the submission for a departure from such planning intention, even on a temporary basis;
- (b) the applicant fails to demonstrate that the proposed development would not generate adverse environmental impact on the surrounding areas; and

- (c) approval of the application, even on a temporary basis, would set an undesirable precedent for similar applications for other developments within the “AGR” zone, the cumulative effect of which will result in a general degradation of the rural environment.”

Agenda Item 36

Section 16 Application

[Open Meeting (Presentation and Question Sessions Only)]

A/YL-HTF/1097 Proposed Temporary Place of Recreation, Sports or Culture (Hobby Farm) for a Period of 3 Years in “Coastal Protection Area” Zone, Lots 209 (Part), 214 S.A (Part), 214 RP, 215 S.A (Part), 215 S.B (Part), 220 and 221 (Part) in D.D.128 and Adjoining Government Land, Lau Fau Shan, Yuen Long
(RNTPC Paper No. A/YL-HTF/1097)

Presentation and Question Sessions

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

- (a) background to the application;
- (b) proposed temporary place of recreation, sports or culture (hobby farm) for a period of three 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) recommended incorporating an approval condition to maintain all existing vegetation within the site in good condition should the application be approved. 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 objecting the application were received. Major objection grounds were set out in paragraph 10 of the Paper; and
- (e) the 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 Site was currently under active cultivation and the proposed use would be mainly related to agricultural activities. Approving the application on a temporary basis would not undermine the long-term planning intention of the “Coastal Protection Area” (“CPA”) zoning. The proposed development was not incompatible with the surrounding areas. The Committee had approved one application for the same use at the site and three similar applications for recreational use within the same “CPA” zone. Approval of this application was in line with the Committee's previous decisions. Regarding the public comments, the comments of government departments and the planning assessments above were relevant.

143. Members had no question on the application.

Deliberation Session

144. After deliberation, the Committee decided to approve the application on a temporary basis for a period of 3 years until 20.9.2022, 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. to 9:00 a.m., as proposed by the applicant, is allowed on the site during the approval period;
- (b) no public announcement system is allowed on the site, as proposed by the applicant, at any time during the planning approval period;
- (c) no vehicle is allowed to queue back to or reverse onto/from the public road

at any time during the planning approval period;

- (d) the implementation of the accepted drainage proposal within 6 months from the date of planning approval to the satisfaction of the Director of Drainage Services or of the TPB by 20.3.2020;
- (e) the implemented drainage facilities shall be maintained at all times during the planning approval period;
- (f) all existing vegetation within the site should be maintained in good condition at all times during the planning approval period;
- (g) the submission of a fire service installations proposal within 3 months from the date of planning approval to the satisfaction of the Director of Fire Services or of the TPB by 20.12.2019;
- (h) in relation to (g) above, the implementation of the fire service installations proposal within 6 months from the date of planning approval to the satisfaction of the Director of Fire Services or of the TPB by 20.3.2020;
- (i) if the above planning condition (a), (b), (c), (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;
- (j) if any of the above planning conditions (d), (g) or (h) is not complied with by the above specified date, the approval hereby given shall cease to have effect and shall on the same date be revoked without further notice; and
- (k) upon expiry of the planning permission, the reinstatement of the site to amenity area to the satisfaction of the Director of Planning or of the TPB.”

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

Agenda Item 37

Section 16 Application

[Open Meeting]

A/YL-PS/591 Proposed Temporary Barbecue Area with Ancillary Office, Shroff and Carpark (including Associated Access Road and Filling of Land) for a Period of 3 Years in “Open Space” and “Residential (Group E)2” Zones, Lot 1342 in D.D. 122 and Adjoining Government Land, Ping Shan, Yuen Long
(RNTPC Paper No. A/YL-PS/591)

146. 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.

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

Agenda Item 38

Section 16 Application

[Open Meeting]

A/YL-TT/479

Proposed Temporary Public Vehicle Park (Private Cars and Light Goods Vehicles Not Exceeding 5.5 Tonnes) with Ancillary Shroff for a Period of 3 Years in “Agriculture” and “Residential (Group D)” and “Village Type Development” Zones, Lots 5155, 5157, 5160, 5161, 5162 and 5163 in D.D. 116 and Adjoining Government Land, Shui Tsiu San Tsuen, Yuen Long
(RNTPC Paper No. A/YL-TT/479)

148. The Committee noted that the applicant’s representative requested on 2.9.2019 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.

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

Agenda Item 39

Section 16 Application

[Open Meeting]

A/YL-TYST/977 Proposed Temporary Shop and Services (Retail Shop for Gardening Equipment and Outdoor Furniture) for a Period of 3 Years in “Government, Institution or Community” and “Residential (Group B) 1” and “Residential (Group D)” Zones, Lot 2611 S.A (Part) in D.D. 124 and Adjoining Government Land, Tan Kwai Tsuen, Yuen Long (RNTPC Paper No. A/YL-TYST/977)

150. The Committee noted that the applicant’s representative requested on 12.9.2019 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.

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

Agenda Item 40

Section 16 Application

[Open Meeting]

A/YL-TYST/978 Temporary Warehouse for Storage of Construction Material and Electronic Goods for a Period of 3 Years in “Undetermined” Zone, Lots 1170 S.B ss.2 (Part), 1170 S.B ss.3 (Part), 1170 S.B ss.4 RP, 1170 S.B ss.5 (Part), 1170 S.B RP (Part) and 1173 in D.D. 119, Pak Sha Tsuen, Yuen Long
(RNTPC Paper No. A/YL-TYST/978)

152. The Committee noted that the applicant’s representative requested on 5.9.2019 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.

153. 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 applications should be submitted for its consideration within two months from the date of receipt of further information from the applicant. If the further information submitted by the applicant was not substantial and could be processed within a shorter time, the 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, no further deferment would be granted unless under very special circumstances.

Agenda Item 41

Section 16 Application

[Open Meeting (Presentation and Question Sessions Only)]

A/TM-LTY Y/373 Proposed Public Utility Installation (Sewage Pumping Station) in
“Residential (Group D)” Zone, Government Land in D.D. 130, Tuen
Mun
(RNTPC Paper No. A/TM-LTY Y/373A)

154. The Committee noted that a replacement page (page 10 of Main Paper) was sent to Members before the meeting.

155. The Secretary reported that the application was submitted by the Drainage Services Department (DSD) and AECOM Asia Co. Ltd. (AECOM) was the consultant of the applicant. The following Members had declared interests on this item:

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

Dr C.H. Hau - conducting contract research projects with DSD
and having current business dealings with
AECOM.

156. The Committee noted that Mr Ivan C.S. Fu had tendered an apology for being unable to attend the meeting. The Committee agreed that as the interest of Dr C.H. Hau was direct, he should leave the meeting temporarily for this item.

[Dr C.H. Hau left the meeting temporarily at this point.]

Presentation and Question Sessions

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

- (a) background to the application;
- (b) proposed public utility installation (sewage pumping station);
- (c) departmental comments – departmental comments were set out in paragraph 8 of the Paper. Concerned government departments had no objection to or no adverse comment on the application.
- (d) during the statutory publication periods, three public comments were received. Two comments from a member of the Tuen Mun District Council (TMDC) supported the application while an individual expressed views on the selection of project consultant. Major views were set out in paragraph 9 of the Paper; and
- (e) the Planning Department (PlanD)'s views – PlanD had no objection to the application based on the assessments set out in paragraph 10 of the Paper. While the proposed sewage pumping station (SPS) might not be entirely in line with the planning intention of the “Residential (Group D)” zone, the proposed development was essential for the village sewerage system in Fuk Hang Tsuen (Lower). The proposed SPS was not incompatible with the surrounding areas of village landscape character. Regarding the public comments, the comments of government departments and the planning assessments above were relevant.

158. In response to a Member's enquiry regarding the site to the further south that was being used for parking of vehicles, Ms Stella Y. Ng, STP/TMYLW, replied that there was no information at hand regarding its ownership.

Deliberation Session

159. Members noted that the site was a piece of vacant government land with some mature trees which was part of a landscaped buffer intended to mitigate the landscape and visual impacts under the Highways Department's project namely “Deep Bay Link and Widening of Yuen Long Highway between Lam Tei and Shap Pat Heung Interchange (Lam

Tei to Tan Kwai Tsuen Section). According to the applicant, 28 existing trees within the site would be felled and the same number of compensatory trees would be planted at the site. The Director of Environmental Protection (DEP) considered the relevant conditions for Deep Bay Link Environmental Permit (EP) would be complied with and had no objection to the application. In response to a Member's concern about the proposed tree compensation, Mr Terence Tsang, Assistant Director (Environmental Assessment), Environmental Protection Department advised that the Deep Bay Link EP required provision of a minimum of 100 trees at the amenity area. Since more than 128 existing trees were found at the amenity area, the requirement of the EP could still be met even without the proposed tree compensation.

160. Members generally supported the application noting that the choice of site was rather restricted and the ecological value of the existing trees was relatively low. The proposed site was considered suitable in that it met the technical requirements.

161. 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 20.9.2023, 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 water supplies for firefighting and fire service installations to the satisfaction of the Director of Fire Services or of the TPB;
- (b) the provision of a run-in/out to the satisfaction of the Commissioner for Transport and the Director of Highways or of the TPB;
- (c) the submission of a noise impact assessment and the implementation of noise mitigation measures identified therein to the satisfaction of the Director of Environmental Protection or of the TPB; and
- (d) the submission and implementation of drainage proposal for the development to the satisfaction of the Director of Drainage Services or of the TPB.”

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

[Dr C.H. Hau returned to the meeting at this point.]

Agenda Item 42 and 43

Section 16 Applications

[Open Meeting]

A/TM-LTY Y/377 Proposed House (New Territories Exempted House - Small House) in “Residential (Group E)” Zone, Lot 225 S.B in D.D. 130, San Hing Tsuen, Lam Tei, Tuen Mun
(RNTPC Paper No. A/TM-LTY Y/377 and 378)

A/TM-LTY Y/378 Proposed House (New Territories Exempted House - Small House) in “Residential (Group E)” Zone, Lot 225 S.C in D.D. 130, San Hing Tsuen, Lam Tei, Tuen Mun
(RNTPC Paper No. A/TM-LTY Y/377 and 378)

163. The Committee noted that the applicants’ representative requested on 2.9.2019 deferment of consideration of the applications 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 applications.

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

Agenda Item 44

Section 16 Application

[Open Meeting]

A/TM-LTY Y/379 Temporary Public Vehicle Park (Private Cars Only) with Ancillary Office for a Period of 3 Years in “Residential (Group C)” Zone, Lots 1156 RP (Part), 1157 (Part) and 1158 (Part) in D.D.130 and Adjoining Government Land, Wong Kong Wai Road, Lam Tei, Tuen Mun
(RNTPC Paper No. A/TM-LTY Y/379)

165. The Committee noted that the applicant’s representative requested on 2.9.2019 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.

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

Agenda Item 45

Section 16 Application

[Open Meeting]

A/TM-LTY Y/380 Proposed Temporary Shop and Services (Pet Supplies and Food Shop) for a Period of 3 Years in “Residential (Group C)” Zone, Lots 1156 RP (Part) and 1157 (Part) in D.D.130 and Adjoining Government Land, Wong Kong Wai Road, Lam Tei, Tuen Mun
(RNTPC Paper No. A/TM-LTY Y/380)

167. The Committee noted that the applicant’s representative requested on 2.9.2019 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.

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

Agenda Item 46

Section 16 Application

[Open Meeting]

A/TM-LTY Y/381 Proposed Residential Development (Flat) in “Residential (Group E)” Zone, Lots 212 RP, 232, 233, 234, 235, 236 RP, 237, 238, 239, 243, 244, 246 RP, 246 S.A, 246 S.B, 247, 367 and 368 RP in D.D. 130 and Adjoining Government Land, Lam Tei, Tuen Mun
(RNTPC Paper No. A/TM-LTY Y/381)

169. The Secretary reported that the application was submitted by Join Smart Ltd., which was a subsidiary of Sun Hung Kai Properties Ltd. (SHK), with Masterplan Ltd., AECOM Asia Co. Ltd (AECOM) and Ronald Lu & Partners (HK) Limited (RLP) as three of the consultants. The following Members had declared interests on this item:

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

170. The Committee noted that the applicant had requested deferment of consideration of the application and Mr Ivan C.S. Fu had tendered an apology for being unable to attend the meeting. The Committee agreed that Miss Winnie W.M. Ng could stay in the meeting but should refrain from participating in the discussion as her interest was direct. The

Committee noted that Mr Stephen L.H. Liu had already left the meeting and agreed that as Dr C.H. Hau and Mr K.K. Cheung had no involvement in the application, they could stay in the meeting.

171. The Committee noted that the applicant's representative requested on 10.9.2019 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, no further deferment would be granted unless under very special circumstances.

Agenda Item 47

Section 16 Application

[Open Meeting (Presentation and Question Sessions Only)]

A/TM-LTY Y/382 Proposed Temporary Shop and Services (Real Estate Agency) for a Period of 3 Years in "Village Type Development" Zone, Lots 3659 S.B ss.3 RP, 3676 RP and Adjoining Government Land in D.D. 124, Shun Tat Street, Tuen Mun
(RNTPC Paper No. A/TM-LTY Y/382)

Presentation and Question Sessions

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

- (a) background to the application;
- (b) proposed temporary shop and services (real estate agency) for a period of 3 years;
- (c) departmental comments – departmental comments were set out in paragraph 9 of the Paper. Concerned government departments had no objection to or no adverse comment on the application.
- (d) no public comment was received during the first three weeks of the statutory publication period and no local view was received by the District Officer; and
- (e) the Planning Department (PlanD)'s views – PlanD had no objection to the application based on the assessments set out in paragraph 11 of the Paper. Whilst the proposed development was not entirely in line with the planning intention of the “Village Type Development” (“V”) zone, it could provide real estate services to serve any such demand in the area. As advised by the District Lands Officer/Tuen Mun, Lands Department, there was currently no Small House application at the site. Approval of the application on a temporary basis for three years would not jeopardise the long-term planning intention of the “V” zone. The proposed development was not incompatible with the surrounding land uses. There were two previous applications for temporary vehicle exhibition area, vehicle repair workshop and sales and purchase of vehicles rejected, and eight similar applications for temporary shop and services (real estate agency and/or convenient store) uses for a period of three years approved by the Committee/the Board. Approval of the current application was in line with the previous decisions of the Committee.

174. Members had no question on the application.

Deliberation Session

175. After deliberation, the Committee decided to approve the application on a temporary basis for a period of 3 years until 20.9.2022, on the terms of the application as submitted to the Town Planning Board (TPB) and subject to the following conditions:

- “(a) no operation between 8:00 p.m. and 9:00 a.m., as proposed by the applicant, is allowed on the site during the planning approval period;
- (b) no vehicle is allowed to be entered or parked/stored at the site, as proposed by the applicant, at any time during the planning approval period;
- (c) 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 20.3.2020;
- (d) in relation to (c) 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 20.6.2020;
- (e) the submission of a drainage proposal within 6 months from the date of the planning approval to the satisfaction of the Director of Drainage Services or of the TPB by 20.3.2020;
- (f) in relation to (e) above, the implementation of the drainage proposal within 9 months from the date of the planning approval to the satisfaction of the Director of Drainage Services or of the TPB by 20.6.2020;
- (g) the implemented drainage facilities shall be maintained at all times during the planning approval period;
- (h) 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 20.3.2020;

- (i) if the above planning conditions (a), (b) 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 (c), (d), (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.”

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

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

Agenda Item 48

Any Other Business

Section 16A Application

[Open Meeting]

A/HSK/54-5 Application for Extension of Time for Compliance with Planning Conditions, Lots 2404 RP (Part) and 2405 RP (Part) in D.D. 124, Hung Shui Kiu Tin Sam Road, Hung Shui Kiu, New Territories

177. The Committee noted an application for Extension of Time (EOT) for compliance with approval conditions. The Committee decided not to consider the application as the deadline for compliance with conditions had already expired on 17.9.2019, and the planning approval for the subject application had ceased to have effect and had on the same date been revoked.

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