

TOWN PLANNING BOARD

**Minutes of 635th Meeting of the
Rural and New Town Planning Committee held at 2:30 p.m. on 4.10.2019**

Present

Director of Planning
Mr Raymond K.W. Lee

Chairman

Mr H.W. Cheung

Vice-chairman

Mr Ivan C.S. Fu

Dr F.C. Chan

Mr David Y.T. Lui

Mr Peter K.T. Yuen

Mr Philip S.L. Kan

Dr Billy C.H. Hau

Dr Lawrence K.C. Li

Mr Stephen L.H. Liu

Miss Winnie W.M. Ng

Mr L.T. Kwok

Dr Jeanne C.Y. Ng

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

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

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

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

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

Secretary

Absent with Apologies

Mr K.K. Cheung

Mr K.W. Leung

Mr Ricky W.Y. Yu

In Attendance

Assistant Director of Planning/Board
Ms Lily Y.M. Yam

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

Town Planner/Town Planning Board
Ms Charlotte P.S. Ng

Agenda Item 1

Confirmation of the Draft Minutes of the 634th RNTPC Meeting held on 20.9.2019

[Open Meeting]

1. The draft minutes of the 634th RNTPC meeting held on 20.9.2019 were confirmed without amendments.

Agenda Item 2

Matters Arising

[Open Meeting]

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

Fanling, Sheung Shui and Yuen Long East District

Agenda Item 3

Section 12A Application

[Open Meeting]

Y/YL-KTN/2 Application for Amendment to the Approved Kam Tin North Outline Zoning Plan No. S/YL-KTN/9, To rezone the application site from “Agriculture” to “Residential (Group C) 2”, Lots 153 S.B, 153 RP, 236 S.A ss.1, 236 S.A ss.2, 236 S.A ss.3 and 236 S.A RP in D.D.110 and Adjoining Government Land, Southwest of Tsat Sing Kong Village, Kam Tin North, Yuen Long
(RNTPC Paper No. Y/YL-KTN/2)

3. The Secretary reported that Landes Limited (Landes) was one of the consultants of the applicant. Mr Ivan C.S. Fu had declared an interest on the item as he was having current business dealings with Landes.

4. The Committee noted that the applicant had requested deferment of consideration of the application. As Mr Ivan C.S. Fu had no involvement in the application, the Committee agreed that he could stay in the meeting.

5. The Committee noted that the applicant requested on 26.9.2019 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.

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

meeting for the Committee's consideration. The Committee also agreed to advise the applicant that two months were allowed for preparation of the submission of the further information, and no further deferment would be granted unless under very special circumstances.

Agenda Item 4

Section 12A Application

[Open Meeting]

Y/YL-NTM/4 Application for Amendment to the Approved Ngau Tam Mei Outline Zoning Plan No. S/YL-NTM/12, To rezone the application site from "Comprehensive Development Area" and "Green Belt" to "Residential (Group A)", "Government, Institution or Community" and "Comprehensive Development Area (1)", Various Lots in D.D. 105 and adjoining Government land, Shek Wu Wai, Yuen Long
(RNTPC Paper No. Y/YL-NTM/4)

7. The Secretary reported that the application was submitted by Bonus Plus Company Limited, which was a subsidiary of Sun Hung Kai Properties Limited (SHK), with Llewelyn-Davies Hong Kong Limited (LD), AECOM Asia Company Limited (AECOM) and MVA Hong Kong Limited (MVA) as three of the consultants of the applicant. The following Members had declared interests on the item:

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|---------------------|---|
| Mr Ivan C.S. Fu | - having current business dealings with SHK, AECOM and MVA; |
| Mr K.K. Cheung | - his firm having current business dealings with SHK; |
| Dr Billy C.H. Hau | - having current business dealings with AECOM; |
| Mr Stephen L.H. Liu | - having past business dealings with SHK and LD; |

- Miss Winnie W.M. Ng - being a Director of the Kowloon Motor Bus Company (1933) Ltd. (KMB) and SHK was one of the shareholders of KMB; and
- Mr Ricky W.Y. Yu - his firm having current business dealings with LD.

8. The Committee noted that the applicant had requested deferment of consideration of the application. Messrs K.K. Cheung and Ricky W.Y. Yu had tendered apologies for being unable to attend the meeting and Miss Winnie W.M. Ng had not yet arrived to join the meeting. As the interest of Mr Ivan C.S. Fu was direct, the committee agreed that he could stay in the meeting but should refrain from participating in the discussion. As Dr Billy C.H. Hau and Mr Stephen L.H. Liu had no involvement in the application, the Committee agreed that they could stay in the meeting.

9. The Committee noted that the applicant's agent requested on 19.9.2019 deferment of the consideration of the application for two months in order to prepare further information to address departmental comments. It was the first time that the applicant requested deferment of the application.

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

Tuen Mun and Yuen Long West District

Agenda Item 5

Section 12A Application

[Open Meeting]

Y/TM/23 Application for Amendment to the Approved Tuen Mun Outline Zoning Plan No. S/TM/35, To rezone the application site from “Green Belt” to “Government, Institution or Community”, Lots 1744 S.A, 1744 S.B, 1744 S.C, 1744 S.F, 1744 S.G, 1744 S.H and 1744 S.I in D.D. 132, Hing Fu Street, Tuen Mun
(RNTPC Paper No. Y/TM/23)

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

12. The Committee noted that the applicant had requested deferment of consideration of the application and agreed that as the property co-owned by Dr Jeanne C.Y. Ng and her spouse had no direct view of the application site, she could be allowed to stay in the meeting.

13. The Committee noted that the applicant’s representative requested on 3.9.2019 deferment of the consideration of the application for two months to allow time for preparation of further information to address comments from the Transport Department, Architectural Services Department, Lands Department and the public. It was the first time that the applicant requested deferment of the application.

14. 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.

Sai Kung and Islands District

[Mr Richard Y.L. Siu and Ms Jane W.L. Kwan, Senior Town Planners/Sai Kung and Islands (STPs/SKIs), were invited to the meeting at this point.]

Agenda Item 6

Section 16 Application

[Open Meeting (Presentation and Question Sessions Only)]

A/I-MWF/31 Proposed Houses (New Territories Exempted Houses - Small Houses) in "Agriculture" and "Village Type Development" Zones, Lots 1040 S.B and 1040 S.C in D.D.1 MW, Tai Tei Tong Village, Mui Wo, Lantau
(RNTPC Paper No. A/I-MWF/31)

Presentation and Question Sessions

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

- (a) background to the application;
- (b) proposed houses (New Territories Exempted House (NTEH)- Small Houses);
- (c) departmental comments – departmental comments were set out in paragraph 9 and Appendix II of the Paper. The Director of Agriculture,

Fisheries and Conservation (DAFC) did not support the application as the site possessed potential for agricultural rehabilitation. Other concerned departments had no objection to or no adverse comment on the application;

- (d) during the first three weeks of the statutory publication period, five public comments objecting to the application were received from Kadoorie Farm and Botanic Garden Corporation, the Hong Kong Bird Watching Society, the World Wide Fund for Nature Hong Kong, Designing Hong Kong Limited and an individual. Major objection grounds were set out in paragraph 10 of the Paper; and
- (e) the Planning Department (PlanD)'s views – PlanD did not support the application based on the assessments set out in paragraph 11 of the Paper. The proposed Small House was not in line with the planning intention of the “Agriculture” (“AGR”) zone and DAFC did not support the application as the application site possessed potential for agricultural rehabilitation. Regarding the Interim Criteria for Consideration of Application for NTEH/Small House in New Territories, while land available within the “Village Type Development” (“V”) zones of Tai Tei Tong Village was insufficient to fully meet the future Small House demand, it was capable to meet the 23 outstanding Small House applications. It was considered more appropriate to concentrate the proposed Small House development within the “V” zone for more orderly development pattern, efficient use of land and provision of infrastructure and services. Approval of the application would set an undesirable precedent to encourage similar applications involving active agricultural land within the “AGR” zone. Regarding the adverse public comments, the comments of government departments and planning assessments above were relevant.

16. Members had no question on the application.

Deliberation Session

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

- “(a) the proposed development is not in line with the planning intention of the “Agriculture” (“AGR”) zone in the Mui Wo Fringe 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;
- (b) land is still available within the “Village Type Development” zone of Tai Tei Tong Village where land is primarily intended for Small House development. It is considered more appropriate to concentrate the proposed Small House development close to the existing village cluster for orderly development pattern, efficient use of land and provision of infrastructures and services; and
- (c) approval of the application would set an undesirable precedent to encourage similar applications involving active agricultural land within the “AGR” zone. The cumulative effect of approving such applications will result in loss of suitable land for agricultural purposes in the area.”

Agenda Item 7

Section 16 Application

[Open Meeting (Presentation and Question Sessions Only)]

A/SK-CWBN/55 Proposed Private Car Park on a Temporary Basis for a Period of 3 Years in “Green Belt” Zone, Lot 123 (Part) in D.D. 238, Pan Long Wan, Clear Water Bay, Sai Kung
(RNTPC Paper No. A/SK-CWBN/55B)

Presentation and Question Sessions

18. The application site was located in Clear Water Bay area. Mr David Y.T. Lui had declared an interest on the item as he co-owned with spouse two properties in the Clear Water Bay area. The Committee agreed that Mr David Y.T. Lui could stay in the meeting as the said properties did not have a direct view of the application site.

19. 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) proposed private car park;
- (c) departmental comments – departmental comments were set out in paragraph 10 of the Paper. The Chief Town Planner/Urban Design and Landscape, Planning Department (CTP/UD&L, PlanD) had strong reservation on the application as the cumulative impact of approving similar applications would lead to a general degradation of the overall landscape character and the integrity of the “Green Belt” (“GB”) zone. The Head (Geotechnical Engineering Office) of the Civil Engineering and Development Department (H(GEO), CEDD) had reservation on the approval of the application in view of the suspected unauthorized site formation works. 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, nine public comments were received, with one raising concerns from an individual and eight objecting to the application from the World Wide Fund for Nature Hong Kong, the Hong Kong Bird Watching Society, Kadoorie Farm and Botanic Garden Corporation, Designing Hong Kong Limited and four individuals. Major views were set out in paragraph 11 of the Paper; and

[Messrs L.T. Kwok and K.H. To arrived to join the meeting at this point.]

- (e) PlanD's views – PlanD did not support the application based on the assessments set out in paragraph 12 of the Paper. The proposed development was not in line with the planning intention of the “Green Belt” (“GB”) zone. It was not in line with the Town Planning Board Guidelines No.10 in that there was no strong planning justification in the submission for a departure from the planning intention even on a temporary basis. While the Director of Agriculture, Fisheries and Conservation had no strong view on the application, CTP/UD&L, PlanD had strong reservations as approval of the application might set an undesirable precedent and encourage other similar unauthorised development in “GB” without prior planning approval. H(GEO), CEDD also had reservation on the application in view of the suspected unauthorized site formation works. Concerned government departments had no objection to or no adverse comment on the application. Regarding the adverse public comments, the comments of government departments and planning assessments above were relevant.

20. Members had no question on the application.

Deliberation Session

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

- “(a) the proposed development is not in line with the planning intention of the “Green Belt” (“GB”) zone, which is for defining the limits of urban and sub-urban development areas by natural features and to contain urban sprawl as well as to provide passive recreational outlets. There is a general presumption against development within this zone. The proposed development would result in a piecemeal development in the midst of “GB” zone affecting the integrity of the “GB” zone. There is no strong justification to warrant a departure from this planning intention even on a temporary basis;

- (b) the proposed development is not in line with Town Planning Board Guidelines No. TPB-PG No.10 in that there are neither exceptional circumstances nor strong planning grounds to justify the proposed development; and
- (c) approval of the application would set an undesirable precedent for other similar applications within the “GB” zone. The cumulative effect of approving such similar proposals would result in a general degradation of the overall landscape character and the integrity of the “GB” zone.”

[The Chairman thanked Mr Richard Y.L. Siu and Ms Jane W.L. Kwan, STPs/SKIs, for their attendance to answer Members’ enquiries. They left the meeting at this point.]

Sha Tin, Tai Po and North District

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

Agenda Item 8

Section 16 Application

[Open Meeting (Presentation and Question Sessions Only)]

A/NE-LT/674 Proposed 3 Houses (New Territories Exempted Houses - Small Houses) in “Agriculture” Zone, Lot 1363 S.B RP in D.D.8, Ping Long, Tai Po
(RNTPC Paper No. A/NE-LT/674)

Presentation and Question Sessions

22. 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) three proposed houses (New Territories Exempted Houses (NTEH)- Small Houses);
- (c) departmental comments – departmental comments were set out in paragraph 9 and Appendix IV of the Paper. The District Lands Officer/Tai Po, Lands Department (DLO/TP, LandsD) and the Chief Engineer/Construction, Water Supplies Department (CE/C, WSD) did not support/objected to the application as both the application site and footprints of the proposed Small Houses fell entirely outside the “Village Type Development” (“V”) zone and the village ‘environ’ (‘VE’) of any recognized villages. The Director of Agriculture, Fisheries and Conservation (DAFC) did not support the application as the site possessed potential for agricultural rehabilitation. The Commissioner for Transport had reservation but considered that the application could be tolerated. Other concerned departments had no objection to or no adverse comment on the application;
- (d) during the first three weeks of the statutory publication period, four public comments objecting to the application were received from the Hong Kong Bird Watching Society and three individuals. Major objection grounds were set out in paragraph 10 of the Paper; and
- (e) the Planning Department (PlanD)’s views – PlanD did not support the application based on the assessments set out in paragraph 11 of the Paper. The proposed Small Houses were not in line with the planning intention of the “Agriculture” zone and DAFC did not support the application as the application site possessed potential for agricultural rehabilitation. DLO/TP, LandsD and CE/C, WSD did not support/objected to the application as the proposed Small Houses did not comply with the Interim Criteria in that the footprints fell entirely outside both the “V” zone and ‘VE’ of any recognized villages. DLO/TP of LandsD also advised that the application would not be considered under the Small House Policy.

Regarding the Interim Criteria for Consideration of Application for NTEH/Small House in New Territories, while land available within the “V” zones of San Tong, Chuen Shui Tseng, Ping Long and Tai Om villages was insufficient to fully meet the future Small House demand, it was capable to meet the 55 outstanding Small House applications. It was considered more appropriate to concentrate the proposed Small House development within the “V” zone for more orderly development pattern, efficient use of land and provision of infrastructure and services. The planning circumstances of the current application were similar to those previously rejected similar applications. Rejection of the application was generally in line with the Committee’s previous decisions. Regarding the adverse public comments, the comments of government departments and planning assessments above were relevant.

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

23. Members had no question on the application.

Deliberation Session

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

- “(a) the proposed development is not in line with the planning intention of the “Agriculture” zone, which is primarily to retain and safeguard good quality agricultural land/farm/fish ponds for agricultural purposes. It is also intended to retain fallow arable land with good potential for rehabilitation for cultivation and other agricultural purposes. There is no strong planning justification in the submission for a departure from the planning intention;
- (b) the proposed development does not comply with the Interim Criteria for Consideration of Application for New Territories Exempted House/Small House in New Territories in that the footprints of the proposed Small

House development fall entirely outside the “Village Type Development” (“V”) zone and the village ‘environs’ of any recognized village; and

- (c) land is still available within the “V” zones of San Tong, Chuen Shui Tseng, Ping Long and Tai Om which is primarily intended for Small House development. It is considered more appropriate to concentrate the proposed Small House development within the “V” zones for more orderly development pattern, efficient use of land and provision of infrastructure and services.”

Agenda Item 9

Section 16 Application

[Open Meeting (Presentation and Question Sessions Only)]

A/NE-TK/669 Proposed Temporary Place of Recreation, Sports or Culture (Outdoor Electric Go-kart Ground) for a Period of 3 Years in “Agriculture” Zone, Lots 460 S.A, 462, 463, 464 (Part), 465, 466 (Part), 467 (Part) and 481 (Part) in D.D. 17, Ting Kok Village, Tai Po
(RNTPC Paper No. A/NE-TK/669A)

Presentation and Question Sessions

25. 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 place of recreation, sports or culture (outdoor electric go-kart ground);
- (c) departmental comments – departmental comments were set out in paragraph 8 of the Paper. The Director of Agriculture, Fisheries and Conservation (DAFC) did not support the application as the site possessed

potential for agricultural rehabilitation. The Director of Environmental Protection (DEP) was unable to lend support to the application as the applicant had not submitted any noise impact assessment to demonstrate that the relevant noise standards stipulated in the Hong Kong Planning Standards and Guidelines (HKPSG) would be met. Other concerned government departments had no objection to or no adverse comment on the application. Local views conveyed by the District Officer (North) of the Home Affairs Department were set out in paragraph 8.1.11 of the Paper;

- (d) during the first three weeks of the statutory publication period, one public comment objecting to the application was received from Designing Hong Kong Limited. Major objection grounds were set out in paragraph 9 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 10 of the Paper. The proposed development was not in line with the planning intention of the “Agriculture” (“AGR”) zone. Notwithstanding that part of the application site had been approved for a temporary barbecue site under application No. A/NE-TK/624, DAFC did not support the application as the application site possessed potential for agricultural rehabilitation. The applicant had not provided any strong planning justifications in the submission to justify a departure from the planning intention of “AGR” zone on a temporary basis. DEP was unable to lend support to the application at the current stage as the applicant had not submitted relevant noise impact assessment to demonstrate that the relevant noise standards stipulated in the HKPSG would be met. Concerned government departments had no objection to or no adverse comment on the application. The nature of the current application was different from previous approvals for temporary barbecue site. Approval of the current application would set an undesirable precedent for similar applications within the “AGR” zone while the cumulative effect of approving such similar applications would result in a general degradation of the environment of the area. Regarding the adverse public comments, the comments of government

departments and planning assessments above were relevant.

26. Members had no question on the application.

Deliberation Session

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

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

Agenda Item 10

Section 16 Application

[Open Meeting (Presentation and Question Sessions Only)]

A/NE-PK/136 Temporary Private Vehicle Park (Private Car and Light Goods Vehicle Only) for a Period of 3 Years in “Village Type Development” Zone, Lot 2338 RP in D.D. 91, Ping Kong, Sheung Shui
(RNTPC Paper No. A/NE-PK/136)

Presentation and Question Sessions

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

- (a) background to the application;
- (b) temporary private vehicle park (private car and light goods vehicle only);
- (c) departmental comments – departmental comments were set out in paragraph 9 of the Paper. Concerned government departments had no objection to or no adverse comment on the application. Local views conveyed by the District Officer (North) of the Home Affairs Department were set out in paragraph 9.1.10 of the Paper;
- (d) during the first three weeks of the statutory publication period, five public comments from individuals were received, with one expressing no comment and four objecting to the application. Major views were set out in paragraph 10 of the Paper; and
- (e) the Planning Department (PlanD)’s views – PlanD had no objection to the application on a temporary basis for a period of three years based on the assessments set out in paragraph 11 of the Paper. Although the proposed development was not entirely in line with the planning intention of the “Village Type Development” (“V”) zone, it could serve the local villagers/residents in meeting their car parking needs. The District Lands Officer/North, Lands Department also advised that no Small House application had been received for the application site. The temporary use under application was considered not incompatible with the surrounding rural developments. As previous approval had been granted for the same use at the application site and there was no major change in planning circumstances since the last approval, sympathetic consideration could be given to the current application. Concerned government departments had no objection to or no adverse comment on the application and relevant

approval conditions were recommended to address their technical concerns. Regarding the adverse public comments, the comments of government departments and planning assessments above were relevant.

29. Members had no question on the application.

Deliberation Session

30. After deliberation, the Committee decided to approve the application on a temporary basis for a period of 3 years until 4.10.2022, on the terms of the application as submitted to the Town Planning Board (TPB) and subject to the following conditions :

- “(a) no vehicle without valid licence issued under the Road Traffic (Registration and Licensing of Vehicles) Regulations is allowed to be parked/stored on or enter/exit the site at any time during the planning approval period;
- (b) only private car and light goods vehicle not exceeding 3.3 tonnes, as proposed by the applicants, is allowed to be parked/stored on or enter/exit the site at any time during the planning approval period;
- (c) a notice should be posted at a prominent location of the site to indicate that only private car and light goods vehicle not exceeding 3.3 tonnes, as proposed by the applicants, is allowed to be parked/stored on or enter/exit the site at any time during the planning approval period;
- (d) no 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 provision of periphery fencing on the site within 3 months from the date of planning approval to the satisfaction of the Director of Planning or of the TPB by 4.1.2020;

- (f) the submission of a drainage proposal within 3 months from the date of planning approval to the satisfaction of the Director of Drainage Services or of the TPB by 4.1.2020;
- (g) in relation to (f) above, the provision of drainage facilities within 6 months from the date of planning approval to the satisfaction of the Director of Drainage Services or of the TPB by 4.4.2020;
- (h) 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 4.1.2020;
- (i) in relation to (h) above, the implementation of the fire service installations proposal within 6 months from the date of planning approval to the satisfaction of the Director of Fire Services or of the TPB by 4.4.2020;
- (j) if any of the above planning conditions (a), (b), (c) or (d) is not complied with during the planning approval period, the approval hereby given shall cease to have effect and shall be revoked immediately without further notice; and
- (k) if any of the above planning conditions (e), (f), (g), (h) or (i) is not complied with by the specified date, the approval hereby given shall cease to have effect and shall on the same date be revoked without further notice.”

31. 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 (Presentation and Question Sessions Only)]

A/NE-PK/137 Proposed Temporary Warehouse for Storage of Solar Panel Parts and Associated Documents for a Period of 3 Years in “Village Type Development” Zone, Various Lots in D.D. 91, Ping Kong, Sheung Shui (RNTPC Paper No. A/NE-PK/137)

Presentation and Question Sessions

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

- (a) background to the application;
- (b) proposed temporary warehouse for storage of solar panel parts and associated documents;
- (c) departmental comments – departmental comments were set out in paragraph 9 of the Paper. The Commissioner for Transport (C for T) did not support the application as there was insufficient traffic-related information (e.g. swept path analysis). Local views conveyed by the District Officer (North) of the Home Affairs Department were set out in paragraph 9.1.10 of the Paper;
- (d) during the first three weeks of the statutory publication period, four public comments from individuals were received, with one expressing no comment and three 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 proposed development was not in line with the planning intention of

the “Village Type Development” zone. There was no strong planning justification in the submission for a departure from the planning intention even on a temporary basis. C for T did not support the application as there was insufficient traffic-related information in the applicants’ submission for his assessment. Concerned government departments had no objection to or no adverse comment on the application. There was no information in the applicants’ submission to demonstrate that no land at suitable location was available for the proposed development. Regarding the public comments, the comments of government departments and planning assessments above were relevant.

33. Members had no question on the application.

Deliberation Session

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

- “(a) the proposed development is not in line with the planning intention of the “Village Type Development” (“V”) zone which is primarily intended for the development of Small Houses by indigenous villagers. It is also intended to concentrate village type development within this zone for a more orderly development pattern, efficient use of land and provision of infrastructure and services. No strong justification has been given in the submission to justify a departure from the planning intention, even on a temporary basis;
- (b) there is insufficient information in the submission to demonstrate that the proposed development would not cause adverse traffic impact on surrounding areas; and
- (c) the approval of the application would set an undesirable precedent for similar applications within the “V” zone. The cumulative effect of approving such similar applications would result in a general degradation

of the environment of the area.”

Agenda Item 12

Section 16 Application

[Open Meeting]

A/NE-HLH/37 Proposed Temporary Animal Boarding Establishment for a Period of 5 Years and Associated Filling of Land in “Agriculture” Zone, Lot 387 (Part) in D.D. 87, Kong Nga Po, Hung Lung Hang
(RNTPC Paper No. A/NE-HLH/37)

35. The Committee noted that the applicant’s representative requested on 23.9.2019 deferment of the consideration of the application for one month so as to allow time for preparation of further information to address departmental comments. It was the first time that the applicant requested deferment of the application

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

Agenda Item 13

Section 16 Application

[Open Meeting (Presentation and Question Sessions Only)]

A/NE-TKL/625 Proposed Temporary Open Storage of Construction Machinery and Container for a Period of 3 Years in “Agriculture” Zone, Lots 175 and 176 in D.D. 84, Ping Che, Ta Kwu Ling
(RNTPC Paper No. A/NE-TKL/625)

Presentation and Question Sessions

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

- (a) background to the application;
- (b) proposed temporary open storage of construction machinery and container;
- (c) departmental comments – departmental comments were set out in paragraph 10 of the Paper. The Director of Agriculture, Fisheries and Conservation (DAFC) did not support the application as the application site possessed potential for agricultural rehabilitation. The Director of Environmental Protection (DEP) did not support the application as there were domestic structures in the vicinity of the site. The Commissioner for Transport (C for T) could not render support to the application unless her comments could be addressed. Other concerned government departments had no objection to or no adverse comment on the application. Local views conveyed by the District Officer (North) of the Home Affairs Department were set out in paragraph 10.1.10 of the Paper ;
- (d) during the first three weeks of the statutory publication period, five public comments were received, with one indicating no comment from the Chairman of Sheung Shui District Rural Committee and four objecting to the application from Kadoorie Farm and Botanic Garden Corporation, the

Hong Kong Bird Watching Society, the World Wide Fund For Nature Hong Kong and Designing Hong Kong Limited. 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 temporary use was not in line with the planning intention of the “Agriculture” (“AGR”) zone and DAFC did not support the application as the application site possessed potential for agricultural rehabilitation. DEP did not support the application as there were sensitive receivers in the vicinity of the site while 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 to the surrounding. Concerned government departments had no objection to or no adverse comment on the application. The application did not comply with the Town Planning Board Guidelines No.13E in that the application site fell within Category 3 areas and no previous approval for similar open storage use had been granted. Eight similar applications were rejected by the Committee within the subject “AGR” zone. Although there were similar applications approved by the Committee, they were subject to different circumstances from the current application. Regarding the adverse public comments, the comments of government departments and the planning assessments above were relevant.

38. Members had no question on the application.

Deliberation Session

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

- “(a) the proposed development is not in line with the planning intention of the “Agriculture” zone 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 (TPB) Guidelines for Application for Open Storage and Port Back-up Uses under Section 16 of the Town Planning Ordinance (TPB PG-No.13E) 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 impact on the surrounding areas.”

Agenda Item 14

Section 16 Application

[Open Meeting (Presentation and Question Sessions Only)]

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

Presentation and Question Sessions

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

- (a) background to the application;
- (b) proposed filling of ponds for permitted agricultural use;

- (c) departmental comments – departmental comments were set out in paragraph 9 of the Paper. The Director of Agriculture, Fisheries and Conservation (DAFC) did not support the application as fish ponds should be reserved for fish culture activities. The Chief Engineer/Mainland North of the Drainage Services Department (CE/MN, DSD) had reservation on the application unless his concerns could be addressed. Other concerned government departments had no objection to or no adverse comment on the application. Local views conveyed by the District Officer (North) of the Home Affairs Department were set out in paragraph 9.1.9 of the Paper;
- (d) during the first three weeks of the statutory publication period, six public comments were received, with two indicating no comment from a North District Council member and the Chairman of Sheung Shui District Rural Committee and four objecting to the application from the Hong Kong Bird Watching Society, the World Wide Fund for Nature Hong Kong and two individuals. 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 12 of the Paper. As fish ponds should be reserved for fish culture activities, DAFC did not support the application. The requirement for planning permission for pond filling operation was to ensure that it would not cause adverse drainage and environmental impacts on the adjacent areas. In this connection, CE/MN, DSD had reservation on the application as the applicant failed to demonstrate that the filling of ponds would not cause adverse drainage impact. The application was a case of “destroy first, build later” activity which was undesirable and should not be encouraged. The cumulative effect of approving such similar applications would result in a general degradation of the environment of the area. Concerned government departments had no objection to or no adverse comment on the application. Regarding the adverse 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 reject the application. The reasons were :

- “(a) the applicant fails to demonstrate that the filling of ponds would not cause adverse drainage impact on the surrounding area; and
- (b) the approval of the application would set an undesirable precedent for other similar applications within the “Agriculture” zone. The cumulative impact of approving such applications would result in a general degradation of the environment of the area.”

[The Chairman thanked Ms Kathy C.L. Chan and Mr Tony Y.C. Wu, STPs/STN, and Ms Wendy W.L. Lee, TP/STN, for their attendance to answer Members’ enquiries. They left the meeting at this point.]

Fanling, Sheung Shui and Yuen Long East District

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

Agenda Item 15

Section 16 Application

[Open Meeting]

A/KTN/55

Proposed Minor Relaxation of Maximum Plot Ratio and/or Building Height Restrictions for Permitted Residential Development in “Residential (Group B)” Zone, Lots 78 RP (Part), 79 (Part), 80 (Part), 81 (Part), 83 (Part), 176 (Part), 177, 178 (Part), 181 (Part), 182, 183, 186, 188, 193, 194 S.A, 196 RP, 199 S.A, 806 (Part), 825 (Part), 826, 827 (Part), 831 S.A (Part), 831 S.B (Part), 841 (Part), 856 (Part), 858 RP (Part), 861 (Part), 865, 866 RP (Part), 867, 868 RP (Part), 869 (Part), 870 (Part), 871 (Part), 872 (Part), 873 (Part), 889 (Part), 1009 (Part), 1010 (Part), 1011 (Part), 1012 (Part), 1013 (Part), 1014 (Part) and 1015 (Part) in D.D. 95 and Adjoining Government Land, Kwu Tung North

(RNTPC Paper No. A/KTN/55B)

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

- | | |
|---------------------|--|
| Mr Ivan C.S. Fu | - having current business dealings with CKHH, WHA, MMHK and ADI; |
| Mr K.K. Cheung | - his firm having current business dealings with CKHH and MMHK; |
| Mr Stephen L.H. Liu | - having past business dealings with CKHH; and |
| Dr Billy C.H. Hau | - owning a property in Kwu Tung North. |

44. The Committee noted that the applicant had requested deferment of consideration of the application and Mr K.K. Cheung had tendered an apology for being unable to attend

the meeting. As the interest of Mr Ivan C.S. Fu was direct, the committee agreed that he could stay in the meeting but should refrain from participating in the discussion. As Mr Stephen L.H. Liu had no involvement in the application, and the property of Dr Billy C.H. Hau did not have a direct view of the application site, the Committee agreed that they could stay in the meeting.

45. The Committee noted that the applicant requested on 26.9.2019 deferment of consideration of the application for two months so as to allow time for preparation of additional justifications to respond to 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.

46. 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 including the previous deferments for preparation of further information submission, no further deferment would be granted unless under very special circumstances.

Agenda Item 16

Section 16 Application

[Open Meeting]

A/NE-KTS/466 Proposed Residential Development (Houses) and Minor Relaxation of Plot Ratio and Building Height Restrictions in “Residential (Group D)” Zone, Lots 344A RP (Part), 402 S.B (Part) and 448 RP (Part) in D.D. 94 and Adjoining Government Land, Hang Tau Tai Po, Kwu Tung South, Sheung Shui
(RNTPC Paper No. A/NE-KTS/466B)

47. The Secretary reported that the application was in Kwu Tung South. Landes Limited (Landes) was one of the consultants of the applicant. The following Members had declared interests on the item:

- Mr Ivan C.S. Fu - having current business dealings with Landes; and
- Dr. Lawrence K.C. Li - being a member of the Hong Kong Golf Club in Kwu Tung South.

48. The Committee noted that the applicant had requested deferment of consideration of the application. As Mr Ivan C.S. Fu had no involvement in the application, and the interest of Dr. Lawrence K.C. Li was indirect, the Committee agreed that they could stay in the meeting.

49. The Committee noted that the applicant 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 comments from the Transport Department. It was the third time that the applicant requested deferment of the application. Since the last deferment, the applicant had submitted further information to address departmental comments.

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

applicant. If the further information submitted by the applicant was not substantial and could be processed within a shorter time, the application could be submitted to an earlier meeting for the Committee's consideration. The Committee also agreed to advise the applicant that two months were allowed for preparation of the submission of the further information. Since it was the third deferment and a total of six months had been allowed for preparation of further information, and 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-KTS/480 Shop and Services (Fast Food Shop) in “Government, Institution or Community” Zone, Shop No. 1, 8th Lane, Kam Tsin Village, Lot 2341 (Part) in D.D. 92 and Adjoining Government Land, Sheung Shui
(RNTPC Paper No. A/NE-KTS/480)

Presentation and Question Sessions

51. The application site was located in Kwu Tung South. Dr Lawrence K.C. Li had declared an interest on the item for being a member of the Hong Kong Golf Club which was located in Kwu Tung South. The Committee agreed that Dr Lawrence K.C. Li could stay in the meeting as his interest was indirect.

52. 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) shop and services (fast food shop);
- (c) departmental comments – departmental comments were set out in paragraph 10 of the Paper. Concerned government departments had no

objection to or no adverse comment on the application. Local views conveyed by the District Officer (North) of the Home Affairs Department were set out in paragraph 10.1.7 of the Paper;

- (d) no public comment was received during the first three weeks of the statutory publication period; and
- (e) the Planning Department (PlanD)'s views – PlanD considered that the temporary use could be tolerated for a period of five years based on the assessments set out in paragraph 12 of the Paper. The application was in line with the Town Planning Board Guidelines No. 16 in that the village house was in existence before the application site was covered by statutory plan. Although the applied use was not in line with the planning intention of the “G/IC” zone, temporary approval of five years for fast food shop use would not frustrate the long-term planning intention. Concerned government departments had no adverse comment on the application and relevant approval conditions were recommended to address their technical concerns. Previous application for the same use at the site had been approved by the Committee. Approval of the current application was in line with the Committee's previous decision. One public comment indicating no comment on the application from an individual was received during the statutory publication period.

53. Members had no question on the application.

Deliberation Session

54. After deliberation, the Committee decided to approve the application on a temporary basis for a period of 5 years until 4.10.2024, on the terms of the application as submitted to the Town Planning Board (TPB) and subject to the following conditions :

- “(a) no operation between 4:00 p.m. and 7:00 a.m., as proposed by the applicant, is allowed on the site during the planning approval period;

- (b) 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 4.4.2020;
- (c) in relation to (b) 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 4.7.2020;
- (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 without further notice; and
- (e) if any of the above planning conditions (b) or (c) is not complied with by the specified date, the approval hereby given shall cease to have effect and shall on the same date be revoked without further notice.”

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

Agenda Item 18

Section 16 Application

[Open Meeting (Presentation and Question Sessions Only)]

A/YL-SK/261 Temporary Place of Recreation, Sports or Culture (Hobby Farm) for a Period of 5 Years (with Filling of Land by 0.2m) in “Agriculture” Zone, Lots 1626 RP (Part), 1627 RP (Part), 1628 S.A ss.1 (Part), 1628 S.B RP (Part), 1628 S.C ss.1 (Part), 1628 S.D, 1644 S.B (Part), 1644 RP (Part), 1645 RP (Part) and 1646 RP (Part) in D.D. 112, and Adjoining Government Land, Shui Tsan Tin, Shek Kong, Yuen Long (RNTPC Paper No. A/YL-SK/261)

Presentation and Question Sessions

56. Mr Patrick M.Y. Fung, STP/FSYLE, presented the application and covered the following aspects as detailed in the Paper :

- (a) background to the application;
- (b) temporary place of recreation, sports or culture (hobby farm) (with filling of land by 0.2m);
- (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. A local view conveyed by the District Officer/Yuen Long of the Home Affairs Department was set out in paragraph 9.1.11 of the Paper;
- (d) during the first three weeks of the statutory publication period, eight public comments objecting to/expressing concerns on the application were received from a Yuen Long District Council member of Pat Heung South Constituency, an Indigenous Inhabitant Representative and a Resident Representative of Shui Tsan Tin Tsuen, four Shui Tsan Tin Tsuen residents, Kadoorie Farm & Botanic Garden Cooperation and an individual. Major objection grounds were set out in paragraph 10 of the Paper; and
- (e) the Planning Department (PlanD)'s views – PlanD had no objection to the application on a temporary basis for a period of five years based on the assessments set out in paragraph 11 of the Paper. The applied use was generally not in conflict with the planning intention of the “Agriculture” zone and the Director of Agriculture, Fisheries and Conservation had no strong view from the agricultural point of view. The applied use was not incompatible with the surrounding environment. Concerned departments had no adverse comment on the application and relevant approval conditions were recommended to address their technical concerns. A previous application at the site had been approved by the Committee and approval of the application was considered in line with the Committee's previous decision. Regarding the adverse public comments, the

comments of government departments and planning assessments above were relevant.

57. In response to a Member's enquiry, Mr Patrick M.Y. Fung, STP/FSYLE, clarified that the applicant had not provided any information on whether it was a charitable organization.

Deliberation Session

58. After deliberation, the Committee decided to approve the application on a temporary basis for a period of 5 years until 4.10.2024, on the terms of the application as submitted to the Town Planning Board (TPB) and subject to the following conditions :

- “(a) no operation between 7:00 p.m. to 9:00 a.m., as proposed by the applicant, is allowed on the site during the planning approval period;
- (b) no public announcement system, portable loudspeaker or audio amplification system is allowed to be used on the site during the planning approval period;
- (c) the submission of a revised drainage proposal within 3 months from the date of planning approval to the satisfaction of the Director of Drainage Services or of the TPB by 4.1.2020;
- (d) in relation to (c) above, the implementation of the 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 4.4.2020;
- (e) in relation to (d) above, the implemented drainage facilities on the site shall be maintained at all times during the planning approval period;
- (f) the implementation of proposal for fire service installations and water supplies for fire-fighting within 6 months from the date of planning approval to the satisfaction of the Director of Fire Services or of the TPB

by 4.4.2020;

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

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

Agenda Item 19

Section 16 Application

[Open Meeting (Presentation and Question Sessions Only)]

A/YL-SK/262 Proposed Temporary Rural Workshop (Food Processing Workshop) for a Period of 3 Years in “Residential (Group D)” Zone, Lot 1445 S.A (Part) in D.D. 114, Kam Sheung Road, Yuen Long
(RNTPC Paper No. A/YL-SK/262)

Presentation and Question Sessions

60. Mr Patrick M.Y. Fung, STP/FSYLE, presented the application and covered the following aspects as detailed in the Paper :

- (a) background to the application;
- (b) proposed temporary rural workshop (food processing workshop);
- (c) departmental comments – departmental comments were set out in paragraph 9 of the Paper. Concerned government departments had no objection to or no adverse comment on the application;

- (d) during the first three weeks of the statutory publication period, five public comments objecting to the application were received from the chairman and village representatives of Sheung Tsuen. Major objection grounds were set out in paragraph 10 of the Paper; and
- (e) the Planning Department (PlanD)'s views – PlanD considered that the temporary use could be tolerated for a period of three years based on the assessments set out in paragraph 11 of the Paper. The proposed use was not entirely in line with the planning intention of the “Residential (Group D)” (“R(D)”) zone. Approval of the application on a temporary basis would not frustrate the long-term planning intention of the “R(D)” zone since there was no known development programme for the application site. The proposed use was considered not incompatible with the surrounding areas. Concerned government departments had no adverse comment on the application and relevant approval conditions were recommended to address their technical concerns. Regarding the adverse public comments, the comments of government departments and planning assessments above were relevant.

61. In response to a Member's observation of the tofu workshop located to the further west of the application site, Mr Patrick M.Y. Fung, STP/FSYLE, said that no environmental complaints concerning the workshop had been received by the Director of Environmental Protection in the past three years.

Deliberation Session

62. After deliberation, the Committee decided to approve the application on a temporary basis for a period of 3 years until 4.10.2022, on the terms of the application as submitted to the Town Planning Board (TPB) and subject to the following conditions :

- “(a) no operation between 5:00 p.m. and 8:00 a.m., as proposed by the applicant, is allowed on the site during the planning approval period;

- (b) 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 4.4.2020;
- (c) in relation to (b) above, the provision of the 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 4.7.2020;
- (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; and
- (e) if any of the above planning conditions (b) or (c) is not complied with by the specified date, the approval hereby given shall cease to have effect and shall on the same date be revoked without further notice.”

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

Agenda Item 20

Section 16 Application

[Open Meeting (Presentation and Question Sessions Only)]

A/YL-KTN/660 Proposed Temporary Place of Recreation, Sports or Culture (Hobby Farm) for a Period of 3 Years in “Agriculture” Zone, Lots 1204 and 1208 in D.D. 107, Kam Tin, Yuen Long
(RNTPC Paper No. A/YL-KTN/660A)

Presentation and Question Sessions

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

- (a) background to the application;
- (b) proposed temporary place of recreation, sports or culture (hobby farm);
- (c) departmental comments – departmental comments were set out in paragraph 9 of the Paper. Concerned government departments had no objection to or no adverse comment on the application;
- (d) during the first three weeks of the statutory publication period, five public comments objecting to the application were received from the Hong Kong Bird Watching Society, the World Wide Fund for Nature Hong Kong, Kadoorie Farm and Botanic Garden Corporation, Designing Hong Kong Limited and an individual. Major objection grounds were set out in paragraph 10 of the Paper; and
- (e) the Planning Department (PlanD)’s views – PlanD had no objection to the application on a temporary basis for a period of three years based on the assessment set out in paragraph 11 of the Paper. The proposed use was generally not in conflict with the planning intention of the “Agriculture” (“AGR”) zone and the Director of Agriculture, Fisheries and Conservation had no strong view on the application from agricultural perspective. The proposed use was considered not incompatible with the surrounding areas. Concerned government departments had no adverse comment on the application and relevant approval conditions were recommended to address their technical concerns. Similar applications for hobby farm within the same “AGR” zone had been approved by the Committee. Approval of the application was considered in line with the Committee’s previous decisions. Regarding the adverse public comments, the comments of government departments and planning assessments above were relevant.

65. Members had no question on the application.

Deliberation Session

66. After deliberation, the Committee decided to approve the application on a temporary basis for a period of 3 years until 4.10.2022, on the terms of the application as submitted to the Town Planning Board (TPB) and subject to the following conditions :

- “(a) no operation between 6:00 p.m. and 9:00 a.m., as proposed by the applicant, is allowed on the site during the planning approval period;
- (b) no public announcement system, portable loudspeaker or any form of audio amplification system is allowed to be used on the site at any time during the planning approval period;
- (c) no vehicle is allowed to queue back to or reverse onto/from public road at any time during the planning approval period;
- (d) the submission of a 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 4.4.2020;
- (e) in relation to (d) above, the implementation of the drainage proposal within 9 months from the date of planning approval to the satisfaction of the Director of Drainage Services or of the TPB by 4.7.2020;
- (f) in relation to (e) above, the implemented drainage facilities on the site shall be maintained at all times during the planning approval period;
- (g) the submission of 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 4.4.2020;
- (h) in relation to (g) above, the implementation of the fire service installations proposal within 9 months from the date of planning approval to the satisfaction of the Director of Fire Services or of the TPB by 4.7.2020;

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

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

Agenda Item 21

Section 16 Application

[Open Meeting (Presentation and Question Sessions Only)]

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

Presentation and Question Sessions

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

- (a) background to the application;
- (b) proposed temporary place of recreation, sports or culture (hobby farm);

- (c) departmental comments – departmental comments were set out in paragraph 9 of the Paper. Concerned government departments had no objection to or no adverse comment on the application;
- (d) during the first three weeks of the statutory publication period, two public comments objecting to the application were received from the Hong Kong Bird Watching Society and an individual. Major objection grounds were set out in paragraph 10 of the Paper; and
- (e) the Planning Department (PlanD)’s views –PlanD had no objection to the application on a temporary basis for a period of three years based on the assessment set out in paragraph 11 of the Paper. The proposed use was generally not in conflict with the planning intention of the “Agriculture” (“AGR”) zone and the Director of Agriculture, Fisheries and Conservation had no strong view on the application from agricultural perspective. The proposed use was considered not incompatible with the surrounding areas. Concerned government departments had no adverse comment on the application and relevant approval conditions were recommended to address their technical concerns. A previous application at the site and similar applications for hobby farm within the same “AGR” zone had been approved by the Committee. Approval of the application was considered in line with the Committee’s previous decisions. Regarding the adverse public comments, the comments of government departments and planning assessments above were relevant.

69. Members had no question on the application.

Deliberation Session

70. After deliberation, the Committee decided to approve the application on a temporary basis for a period of 3 years until 4.10.2022, on the terms of the application as submitted to the Town Planning Board (TPB) and subject to the following conditions :

- “(a) no operation between 6:00 p.m. and 9:00 a.m., as proposed by the applicant, is allowed on the site during the planning approval period;
- (b) no public announcement system, portable loudspeaker or any form of audio amplification system is allowed to be used on the site at any time during the planning approval period;
- (c) no vehicle is allowed to queue back to or reverse onto/from public road at any time during the planning approval period;
- (d) the submission of a drainage proposal within 3 months from the date of planning approval to the satisfaction of the Director of Drainage Services or of the TPB by 4.1.2020;
- (e) in relation to (d) above, the implementation of the drainage proposal within 6 months from the date of planning approval to the satisfaction of the Director of Drainage Services or of the TPB by 4.4.2020;
- (f) in relation to (e) above, the implemented drainage facilities on the site shall be maintained at all times during the planning approval period;
- (g) the submission of 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 4.1.2020;
- (h) in relation to (g) above, the implementation of the fire service installations proposal within 6 months from the date of planning approval to the satisfaction of the Director of Fire Services or of the TPB by 4.4.2020;
- (i) if any of the above planning conditions (a), (b), (c) or (f) is not complied with during the planning approval period, the approval hereby given shall cease to have effect and shall be revoked immediately without further notice;

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

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

Agenda Item 22

Section 16 Application

[Open Meeting (Presentation and Question Sessions Only)]

A/YL-PH/816 Proposed Temporary Shop and Services for a Period of 3 Years in
“Village Type Development” Zone, Lots 336 S.D, 336 S.H and 336 RP
(Part) in D.D. 111, Pat Heung, Yuen Long
(RNTPC Paper No. A/YL-PH/816)

Presentation and Question Sessions

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

- (a) background to the application;
- (b) proposed temporary shop and services;
- (c) departmental comments – departmental comments were set out in paragraph 9 of the Paper. Concerned government departments had no objection to or no adverse comment on the application;
- (d) during the first three weeks of the statutory publication period, one public comment objecting to the application was received from a local resident.

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 on a temporary basis for a period of three years based on the assessment 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, the District Lands Officer/Yuen Long of the Lands Department advised that there was no Small House application approved or under processing at the application site. Temporary approval of the application would not frustrate the long-term planning intention of the “V” zone. The proposed use was considered not incompatible with the surrounding land uses. Concerned government departments had no adverse comment on the application and relevant approval conditions were recommended to address their technical concerns. Similar applications for temporary shop and services uses within the same “V” zone had been approved by the Committee. Approval of the application was considered in line with the Committee’s previous decisions. Regarding the adverse public comment, the comments of government departments and planning assessments above were relevant.

73. In response to a Member’s enquiry and with reference to Plan A-2 in the Paper, Ms Ivy C.W. Wong, STP/FSYLE, said that there was demolition work in progress at the site located to the immediate east of the application site according to the latest site visit.

Deliberation Session

74. After deliberation, the Committee decided to approve the application on a temporary basis for a period of 3 years until 4.10.2022, on the terms of the application as submitted to the Town Planning Board (TPB) and subject to the following conditions :

- “(a) no operation between 11:00 p.m. and 8:00 a.m., as proposed by the applicant, is allowed on the site during the planning approval period;

- (b) no medium or heavy goods vehicles exceeding 5.5 tonnes, including container tractors/trailers, as defined in the Road Traffic Ordinance are allowed to be parked/stored on or enter/exit the site at any time during the planning approval period;
- (c) no vehicle is allowed to queue back to or reverse onto/from public road at any time during the planning approval period;
- (d) the submission of a run-in/out proposal at Fan Kam Road within 6 months from the date of planning approval to the satisfaction of the Director of Highways and the Commissioner for Transport or of the TPB by 4.4.2020;
- (e) in relation to (d) above, the implementation of the run-in/out proposal at Fan Kam Road within 9 months from the date of planning approval to the satisfaction of the Director of Highways and the Commissioner for Transport or of the TPB by 4.7.2020;
- (f) the submission of a drainage proposal within 6 months from the date of planning approval to the satisfaction of the Director of Drainage Services or of the TPB by 4.4.2020;
- (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 4.7.2020;
- (h) in relation to (g) above, the implemented drainage facilities on the site shall be maintained at all times during the planning approval period;
- (i) the submission of a fire service installations proposal within 6 months from the date of planning approval to the satisfaction of the Director of Fire Services or of the TPB by 4.4.2020;
- (j) in relation to (i) above, the implementation of the fire service installations proposal within 9 months from the date of planning approval to the

satisfaction of the Director of Fire Services or of the TPB by 4.7.2020;

- (k) if any of the above planning conditions (a), (b), (c) 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 (d), (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.”

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

Agenda Item 23

Section 16 Application

[Open Meeting (Presentation and Question Sessions Only)]

A/YL-NTM/392 Proposed Temporary Public Vehicle Park (Private Car Only) for a Period of 5 Years in “Village Type Development” Zone, Lot 411 (Part) in D.D. 105, Shek Wu Wai, Yuen Long
(RNTPC Paper No. A/YL-NTM/392)

Presentation and Question Sessions

76. Mr Billy W.M. Au-Yeung, TP/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 (private car only);

- (c) departmental comments – departmental comments were set out in paragraph 9 of the Paper. Concerned government departments had no objection to or no adverse comment on the application;
- (d) during the first three weeks of the statutory publication period, one public comment objecting to the application was received from a member of the public. Major objection grounds were set out in paragraph 10 of the Paper; and
- (e) the Planning Department (PlanD)’s views – PlanD had no objection to the application on a temporary basis for a period of five years based on the assessment set out in paragraph 11 of the Paper. Whilst the proposed development was not in line with the planning intention of the “Village Type Development” (“V”) zone, the District Lands Officer/Yuen Long of the Lands Department advised that there was no Small House application approved or under processing at the application site. Temporary approval of the application would not frustrate the long-term planning intention of the “V” zone. The proposed use was considered not incompatible with the surrounding land uses. Concerned departments had no adverse comment on the application and relevant approval conditions were recommended to address their technical concerns. A similar application for temporary public vehicle park use within the same “V” zone had been approved by the Committee. Approval of the application was considered in line with the Committee’s previous decision. Regarding the adverse public comment, the comments of government departments and planning assessments above were relevant.

77. Members had no question on the application.

Deliberation Session

78. After deliberation, the Committee decided to approve the application on a temporary basis for a period of 5 years until 4.10.2024, on the terms of the application as submitted to the Town Planning Board (TPB) and subject to the following conditions :

- “(a) no vehicle is allowed to queue back to or reverse onto/from the site at any time during the planning approval period;
- (b) no vehicle without valid licence issued under the Road Traffic Ordinance is allowed to be parked/stored on the site during the planning approval period;
- (c) a notice should be posted at a prominent location of the site to indicate that only private cars as defined in the Road Traffic Ordinance are allowed to be parked on the Site at any time during the planning approval period;
- (d) 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 4.4.2020;
- (e) the submission of a drainage proposal within 6 months from the date of planning approval to the satisfaction of the Director of Drainage Services or of the TPB by 4.4.2020;
- (f) in relation to (e) above, the implementation of the drainage proposal within 9 months from the date of planning approval to the satisfaction of the Director of Drainage Services or of the TPB by 4.7.2020;
- (g) in relation to (f) above, the implemented drainage facilities on the site shall be maintained at all times during the planning approval period;
- (h) the submission of 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 4.4.2020;
- (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 4.7.2020;

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

79. 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 Ms S.H. Lam, Mr Patrick M.Y. Fung and Ms Ivy C.W. Wong, STPs/FSYLE, and Mr Billy W.M. Au-Yeung, TP/FSYLE, for their attendance to answer Members’ enquiries. They left the meeting at this point.]

Tuen Mun and Yuen Long West District

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

Agenda Item 24

Section 16 Application

[Open Meeting (Presentation and Question Sessions Only)]

A/YL-PN/58 Temporary Crops and Vegetables Collection Station for a Period of 3 Years and Filling of Land in “Agriculture” Zone, Lot 74 (Part) in D.D.133, Nim Wan Road, Ha Pak Nai, Lau Fau Shan, Yuen Long (RNTPC Paper No. A/YL-PN/58)

Presentation and Question Sessions

80. 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 crops and vegetables collection station and filling of land;
- (c) departmental comments – departmental comments were set out in paragraph 9 of the Paper. The Director of Agriculture, Fisheries and Conservation (DAFC) stated that the application site possessed potential for agricultural rehabilitation and advised that the applicant should provide more details on the agricultural activities as well as justification for an additional vegetables collection centre given that an existing one was nearby. The Chief Town Planner/Urban Design and Landscape of the Planning Department (CTP/UD&L, PlanD) had reservation on the application as the cumulative impact of approving similar applications would lead to a general degradation of the rural landscape character. Other concerned government departments had no objection to or no adverse comment on the application;
- (d) during the first three weeks of the statutory publication period, eight public comments objecting to the application were received from Kadoorie Farm & Botanic Garden Corporation, the Hong Kong Bird Watching Society, Designing Hong Kong Limited and five individuals. Major objection grounds were set out in paragraph 10 of the Paper; and
- (e) PlanD's views – PlanD did not support the application based on the assessments set out in paragraph 11 of the Paper. DAFC stated that the application site had high potential for agricultural rehabilitation and justification was required for the proposed paved area, there was no strong planning justification in the submission for a departure from the planning intention even on a temporary basis. The development was considered not

compatible with the surrounding landscape character and CTP/UD&L, PlanD had reservation on the application. The cumulative effect of approving such similar applications would result in a general degradation of the environment of the area. Concerned government departments had no objection to or no adverse comment on the application. Regarding the adverse public comments, the comments of government departments and the planning assessments above were relevant.

81. Members had no question on the application.

Deliberation Session

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

- “(a) the proposed development is not in line with the planning intention of the “Agriculture” (“AGR”) zone which is 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;
- (b) the applicant fails to demonstrate that the proposed development would not generate adverse landscape 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 of the area.”

Agenda Item 25

Section 16 Application

[Open Meeting (Presentation and Question Sessions Only)]

A/YL-LFS/348 Proposed Utility Installation for Private Project (Electricity Transformer Room) and Excavation of Land in “Village Type Development” Zone, Lots 1156 RP (Part) and 1157 (Part) in D.D. 129, Mong Tseng Tsuen, Yuen Long
(RNTPC Paper No. A/YL-LFS/348)

Presentation and Question Sessions

83. 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 utility installation for private project (electricity transformer room) and excavation of land;
- (c) departmental comments – departmental comments were set out in paragraph 9 of the Paper. Concerned government departments had no objection to or no adverse comment on the application;
- (d) no public comment was received during the first three weeks of the statutory publication period; and
- (e) the Planning Department (PlanD)’s views – PlanD had no objection to the application based on the assessment set out in paragraph 11 of the Paper. The proposed electricity transformer room was an essential facility to serve the existing and future developments in Mong Tseng Tsuen. The proposed use would not jeopardize the long-term planning intention of the “Village Type Development” (“V”) and the District Lands Officer/Yuen Long, Lands Department advised that there was no Small House

application approved or under processing at the application site. The proposed use was not incompatible with the surrounding areas. Concerned departments had no adverse comment on the application and relevant approval conditions were recommended to address their technical concerns. Similar applications for utility installation for private project use within the same “V” zone had been approved by the Committee. Approval of the application was considered in line with the Committee’s previous decisions. No public comment was received during the statutory publication period.

84. In response to a Member’s enquiry on whether the applicant was a subsidiary of CLP Power Hong Kong Limited (CLP), Ms Bonnie K.C. Lee, STP/TMYLW, said the applicant had clarified that he was only responsible for submission of the planning application while CLP had undertaken to construct and operate the electricity transformer room.

Deliberation Session

85. The Chairman said the provision of electricity installation was an agreement between the users and the electricity supplier. The Secretary supplemented that according to the Definitions of Terms used in statutory plans endorsed by the Town Planning Board (TPB), small scale electricity installation not larger than 12m² in size and 3m in height within “V” zone was a use always permitted to support Small House/NTEH developments. However, the proposed electricity transformer room exceeded the stipulated parameters hence an approval from TPB was required. A Member remarked that electricity transformer room in such a scale under the subject application was not common for a single small house development. He suspected that the proposed transformer room was to support an estate-like Small Houses cluster. While he had no objection to the subject application, he suggested that the Committee should be more wary of the potential abuse of the Small House Policy.

86. After deliberation, the Committee decided to approve the application, on the terms of the application as submitted to the TPB. The permission should be valid until 4.10.2023, and after the said date, the permission should cease to have effect unless before

the said date, the development permitted was commenced or the permission was renewed. The permission was subject to the following conditions :

- “(a) the submission and implementation of a drainage proposal to the satisfaction of the Director of Drainage Services or of the TPB;
- (b) the implemented drainage facilities shall be maintained at all times during the planning approval period; and
- (c) the provision of water supplies for firefighting and fire service installations to the satisfaction of the Director of Fire Services or of the TPB.”

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

Agenda Item 26

Section 16 Application

[Open Meeting (Presentation and Question Sessions Only)]

A/HSK/182 Temporary Storage of Construction Machinery, Vehicle Assembling, Recycling of Used Electrical Appliances with Ancillary Workshop and Office for a Period of 3 Years in “Residential (Group A) 3” Zone and an area shown as ‘Road’, Short Term Tenancy No. 1869 (Part), Ha Tsuen, Yuen Long
(RNTPC Paper No. A/HSK/182)

Presentation and Question Sessions

88. 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 storage of construction machinery, vehicle assembling, recycling of used electrical appliances with ancillary workshop and office;
- (c) departmental comments – departmental comments were set out in paragraph 9 of the Paper. Concerned government departments had no objection to or no adverse comment on the application;
- (d) no public comment was received during the first three weeks of the statutory publication period; and
- (e) the Planning Department (PlanD)’s views – PlanD considered that the temporary use could be tolerated for a period of three years based on the assessments set out in paragraph 11 of the Paper. Whilst the development was not in line with the planning intention of the “Residential (Group A)3” zone, the implementation programme for the part of the New Development Area (NDA) concerning the application site was still being formulated. The Project Manager (West) of the Civil Engineering and Development Department had no objection to the temporary use. Approval of the application on a temporary basis would not jeopardize the long-term development of the application site. However, the application site might be resumed by the Government at any time during the planning approval period for the implementation of government projects. The use was not incompatible with the surrounding land uses. Concerned government departments had no adverse comment on the application and relevant approval conditions were recommended to address their technical concerns. Previous applications at the site and similar applications for various open storage, warehouse and workshop uses within the same “Residential (Group A)3” zone had been approved by the Committee. Approval of the application was considered in line with the Committee’s previous decisions. No public comment was received during the statutory publication period.

89. In response to a Member’s enquiry, Mr. Simon P.H. Chan, STP/TMYLW, said the application was submitted by a different applicant for the same operation that was already in operation at the application site.

Deliberation Session

90. A Member pointed out that notwithstanding a previous application for the same operation had been approved at the application site, the current application was submitted by a different applicant. The same Member said that any new application of temporary uses within NDA should not be supported as those operations might jeopardize and prolong the land resumption process of NDA development. It was considered that a change in operator an opportunity to advance the land resumption process.

91. Regarding the latest programme of the Hung Shui Kiu (HSK) NDA, the Chairman said that the Chief Executive in Council had approved the Hung Shui Kiu and Ha Tsuen Outline Zoning Plan. The HSK NDA would be taken forward subject to funding approval of the Finance Committee of the Legislative Council targeted at the end of this year. The Chairman drew Members' attention to Para 9.1.9 (b) of the Paper that HSK NDA would be implemented in five stages and land clearance at the application site would not be arranged before 2024.

92. Some Members were of the view that in considering applications for temporary uses in NDA, consideration should be given to the operational needs of some brownfield uses and the implementation programme of NDA development. Since the tentative programme for clearance of the application site under the HSK NDA development was forecasted to be after 2024, the Vice-chairman and some Members supported the approval of the subject application on a temporary basis until 2022.

93. In response to a Member's concern regarding interim arrangement of phasing out brownfield operations in the NDA, the Chairman said that taking into account findings of the Brownfield Survey, some guidelines were being formulated to facilitate Members' consideration of temporary uses within the NDAs.

94. Mr Alan K.L. Lo, Assistant Director/Regional 3 of the Lands Department (AD(R)3, LandsD), supplemented that the land resumption programme arrangement of NDA would tie in with the overall development programme pledged by the development office. As for the procedure, a pre-clearance survey would be conducted to capture existing occupations and business operations within the areas planned for development and land

resumption and clearance notices would be posted to notify those affected. Meanwhile, LandsD would liaise with land owners and clearers in respect of compensation and clearance matters. In this connection, all private lots would be reverted to the Government normally three months after the resumption notices had been served while all affected parties would normally be provided with an earlier notification to keep them informed of the government's clearance programme. He reassured that sufficient manpower would be arranged to avoid delay in meeting the implementation programme.

95. After deliberation, the Committee decided to approve the application on a temporary basis for a period of 3 years until 4.10.2022, on the terms of the application as submitted to the Town Planning Board (TPB) and subject to the following conditions :

- “(a) no operation 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) the existing fencing on the site shall be maintained at all times during the planning approval period;
- (d) all existing trees and landscape plants on the site shall be maintained at all times during the planning approval period;
- (e) the existing drainage facilities on the site shall be maintained at all times during the planning approval period;
- (f) the submission of a condition record of the existing drainage facilities within 3 months from the date of planning approval to the satisfaction of the Director of Drainage Services or of the TPB by 4.1.2020;
- (g) the submission of a fire service installations proposal within 6 months from the date of planning approval to the satisfaction of the Director of Fire Services or of the TPB by 4.4.2020;

- (h) in relation to (g) above, the implementation of the fire service installations proposal within 9 months from the date of planning approval to the satisfaction of the Director of Fire Services or of the TPB by 4.7.2020;
- (i) 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
- (j) if any of the above planning conditions (f), (g) or (h) is not complied with by the above specified date, the approval hereby given shall cease to have effect and shall on the same date be revoked without further notice.”

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

Agenda Item 27

Section 16 Application

[Open Meeting (Presentation and Question Sessions Only)]

A/HSK/183 Proposed Temporary Warehouse for Storage of Construction Machinery, Construction Material, Food and Electronic Goods for a Period of 3 Years in “Open Space” and “Residential (Group A) 3” and “Residential (Group A) 4” Zones and an area shown as ‘Road’, Lots 1835 (Part), 1840(Part), 1841 S.B (Part), 1889 (Part), 1890 (Part), 1891 RP (Part), 1893 RP, 1894 (Part), 1895 RP (Part) and 1911 in D.D. 125 and Adjoining Government Land, Ha Tsuen, Yuen Long
(RNTPC Paper No. A/HSK/183)

Presentation and Question Sessions

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

- (a) background to the application;
- (b) proposed temporary warehouse for storage of construction machinery, construction material, food and electronic goods;
- (c) departmental comments – departmental comments were set out in paragraph 9 of the Paper. Concerned government departments had no objection to or no adverse comment on the application;
- (d) no public comment was received during the first three weeks of the statutory publication period; and
- (e) the Planning Department (PlanD)'s views –PlanD considered that the temporary use could be tolerated for a period of three years based on the assessments set out in paragraph 11 of the Paper. Whilst the development was not in line with the planning intentions, the implementation programme for this part of New Development Area (NDA) was still being formulated. The Project Manager (West) of the Civil Engineering and Development Department and the Director of Leisure and Cultural Services had no objection to the proposed temporary use. Approval of the application on a temporary basis would not jeopardize the long-term development of the application site. However, the application site might be resumed by the Government at any time during the planning approval period for the implementation of government projects. The proposed use was not incompatible with the surrounding land uses. Concerned government departments had no adverse comment on the application and relevant approval conditions were recommended to address their technical concerns. Previous applications at the site and similar applications for various open storage and warehouse uses within the “Residential (Group A)4”, “Residential (Group A)3” and “Open Space” zones had been approved by the Committee. Approval of the application was considered in line with the Committee’s previous decisions. No public comment was received during the statutory publication period.

98. Members had no question on the application.

Deliberation Session

99. After deliberation, the Committee decided to approve the application on a temporary basis for a period of 3 years until 4.10.2022, on the terms of the application as submitted to the Town Planning Board (TPB) and subject to the following conditions :

- “(a) no operation from 11:00 p.m. to 7:00 a.m., as proposed by the applicant, is allowed on the site during the planning approval period;
- (b) no operation on Sundays and public holidays, as proposed by the applicant, is allowed on the site during the planning approval period;
- (c) the existing fencing on the site shall be maintained at all times during the planning approval period;
- (d) the existing landscape planting on the site shall be maintained at all times during the planning approval period;
- (e) the existing drainage facilities shall be maintained at all times during the planning approval period;
- (f) the submission of a condition record of the existing drainage facilities on site within 3 months from the date of the planning approval to the satisfaction of the Director of Drainage Services or of the TPB by 4.1.2020;
- (g) the submission of a fire service installations proposal within 6 months from the date of planning approval to the satisfaction of the Director of Fire Services or of the TPB by 4.4.2020;
- (h) in relation to (g) above, the implementation of the fire service installations proposal within 9 months from the date of planning approval to the satisfaction of the Director of Fire Services or of the TPB by 4.7.2020;

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

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

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

Agenda Item 28

Section 16 Application

[Open Meeting]

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

101. The Committee noted that the applicant requested on 11.9.2019 deferment of consideration of the application for a period of two months so as to allow time to respond to departmental comments. It was the second time that the applicant requested deferment of the application. Since the last deferment, the applicant had submitted further information, including technical notes on the traffic impact arising from the proposed use and drainage proposal in response to departmental comments.

102. 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 (including the previous deferment) for preparation of submission of further information, no further deferment would be granted unless under very special circumstances.

Agenda Item 29

Section 16 Application

[Open Meeting (Presentation and Question Sessions Only)]

A/YL-PS/592 Temporary Public Vehicle Park for Private Cars for a Period of 3 Years
in "Village Type Development" Zone, Lots 262 RP (Part), 263 (Part),
264 (Part), 265, 267 RP and 268 RP in D.D. 122 and adjoining
Government Land, Ping Shan, Yuen Long
(RNTPC Paper No. A/YL-PS/592)

Presentation and Question Sessions

103. Mr Kent K.H. Lee, TP/TMYLW, presented the application and covered the following aspects as detailed in the Paper :

- (a) background to the application;
- (b) temporary public vehicle park for private cars;
- (c) departmental comments – departmental comments were set out in paragraph 9 of the Paper. Concerned government departments had no objection to or no adverse comment on the application;

- (d) during the first three weeks of the statutory publication period, one public comment objecting to the application was received from an individual. Major objection grounds were set out in paragraph 10 of the Paper; and
- (e) the Planning Department (PlanD)'s views – PlanD had no objection to the application on a temporary basis for a period of three years based on the assessment 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, the District Lands Officer/Yuen Long, Lands Department advised that there was currently no Small House application approved or under processing at the application site. Temporary approval of the application would not frustrate the long-term planning intention of the “V” zone. The proposed use was considered not incompatible with the surrounding land uses. Concerned departments had no adverse comment on the application and relevant approval conditions were recommended to address their technical concerns. A previous application at the application site and similar applications for temporary public vehicle park uses within the same “V” zone had been approved by the Committee. Approval of the application was considered in line with the Committee's previous decisions. Regarding the adverse public comment, the comments of government departments and planning assessments above were relevant.

104. Members had no question on the application.

Deliberation Session

105. After deliberation, the Committee decided to approve the application on a temporary basis for a period of 3 years until 4.10.2022, on the terms of the application as submitted to the Town Planning Board (TPB) and subject to the following conditions :

- “(a) no operation between 11:00 p.m. and 7:00 a.m., as proposed by the applicant, is allowed on the site during the planning approval period;

- (b) only private cars, as defined in the Road Traffic Ordinance are allowed to be parked/stored on or enter/exit the site, as proposed by the applicant, at any time during the planning approval period;
- (c) a notice shall be posted at a prominent location of the site at all times to indicate that only private cars as defined in the Road Traffic Ordinance are allowed to be parked/stored on or enter/exit the site during the planning approval period;
- (d) no vehicle without valid licence issued under the Road Traffic Ordinance is allowed to be parked/stored on the site, as proposed by the applicant, at any time during the planning approval period;
- (e) no vehicle washing, repairing, dismantling, car beauty and other workshop activity, as proposed by the applicant, is allowed on the site at any time during the planning approval period;
- (f) no vehicle is allowed to queue back to or reverse onto/from public roads at any time during the planning approval period;
- (g) the existing fencing of the site shall be maintained at all times during the planning approval period;
- (h) the existing trees within the site shall be maintained in good condition at all times during the planning approval period;
- (i) the existing drainage facilities shall be maintained at all times during the planning approval period;
- (j) the submission of a condition record of the existing drainage facilities within 3 months to the satisfaction of the Director of Drainage Services or of the TPB by 4.1.2020;

- (k) the submission of a fire service installations proposal within 6 months from the date of the planning approval to the satisfaction of the Director of Fire Services or of the TPB by 4.4.2020;
- (l) in relation to (k) above, the implementation of the fire service installations proposal within 9 months from the date of the planning approval to the satisfaction of the Director of Fire Services or of the TPB by 4.7.2020;
- (m) if any of the above planning conditions (a), (b), (c), (d), (e), (f), (g), (h) or (i) is not complied with during the planning approval period, the approval hereby given shall cease to have effect and shall be revoked immediately without further notice; and
- (n) if any of the above planning conditions (j), (k) or (l) is not complied with by the specified date, the approval hereby given shall cease to have effect and shall on the same date be revoked without further notice.”

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

Agenda Item 30

Section 16 Application

[Open Meeting (Presentation and Question Sessions Only)]

A/YL-PS/593 Temporary Shop and Wholesale of Construction Materials for a Period of 3 Years in “Government, Institution or Community” and “Village Type Development” Zones, Lots 255 RP (Part), 261 RP (Part), 262 RP (Part) and 263 (Part) in D.D. 122, Ping Shan, Yuen Long
(RNTPC Paper No. A/YL-PS/593)

Presentation and Question Sessions

107. Mr Kent K.H. Lee, TP/TMYLW, presented the application and covered the following aspects as detailed in the Paper :

- (a) background to the application;
- (b) temporary shop and wholesale of construction materials;
- (c) departmental comments – departmental comments were set out in paragraph 9 of the Paper. Concerned government departments had no objection to or no adverse comment on the application;
- (d) during the first three weeks of the statutory publication period, two public comments were received, with one raising concerns from an individual and another objecting to the application from a member of Yuen Long District Council. Major views were set out in paragraph 11 of the Paper; and
- (e) the Planning Department (PlanD)'s views – PlanD considered that the temporary use could be tolerated for a period of three years based on the assessments set out in paragraph 11 of the Paper. Whilst the proposed development was not in line with the planning intention of the “Government, Institution or Community” (“G/IC”) zone, there was no programme/known intention to implement the zoned use on the application site for the time being. Temporary approval of the application would not frustrate the long-term planning intention of the “G/IC” zone. The proposed use was considered not incompatible with the surrounding land uses. Concerned government departments had no adverse comment on the application and relevant approval conditions were recommended to address their technical concerns. Previous applications at the application site and similar applications for shop and services uses within the same “G/IC” zone had been approved by the Committee. Approval of the application was considered in line with the Committee’s previous decisions. Regarding the public comments, the comments of government departments and planning assessments above were relevant.

108. Members had no question on the application.

Deliberation Session

109. After deliberation, the Committee decided to approve the application on a temporary basis for a period of 3 years until 4.10.2022, on the terms of the application as submitted to the Town Planning Board (TPB) and subject to the following conditions :

- “(a) no operation between 7:00 p.m. and 9:00 a.m. is allowed on the site, as proposed by the applicant, during the planning approval period;
- (b) no medium and heavy goods vehicles exceeding 5.5 tonnes, including container tractors/trailers, as defined in the Road Traffic Ordinance are allowed to be parked/stored on or enter/exit the site, as proposed by the applicant, at any time during the planning approval period;
- (c) no cutting, dismantling or other workshop activity, as proposed by the applicant, is allowed at any time during the planning approval period;
- (d) no vehicle is allowed to queue back to or reverse onto/from public road at any time during the planning approval period;
- (e) the existing drainage facilities on the site shall be maintained at all times during the planning approval period;
- (f) the existing trees within the site shall be maintained in good condition at all times during the planning approval period;
- (g) the existing boundary fencing shall be maintained at all times during the planning approval period;
- (h) the submission of a condition record of the existing drainage facilities within 3 months to the satisfaction of the Director of Drainage Services or of the TPB by 4.1.2020;

- (i) the submission of a fire service installations proposal within 3 months from the date of the planning approval to the satisfaction of the Director of Fire Services or of the TPB by 4.1.2020;
- (j) in relation to (i) above, the implementation of the fire service installations proposal within 6 months from the date of the planning approval to the satisfaction of the Director of Fire Services or of the TPB by 4.4.2020;
- (k) if any of the above planning conditions (a), (b), (c), (d), (e), (f) or (g) is not complied with during the planning approval period, the approval hereby given shall cease to have effect and shall be revoked immediately without further notice; and
- (l) if any of the above planning conditions (h), (i) or (j) is not complied with by the specified date, the approval hereby given shall cease to have effect and shall on the same date be revoked without further notice.”

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

Agenda Item 31

Section 16 Application

[Open Meeting (Presentation and Question Sessions Only)]

A/YL-PS/594 Temporary Public Vehicle Park for Private Cars and Light Goods Vehicles for a Period of 3 Years in “Other Specified Uses” annotated “Heritage and Cultural Tourism Related Uses” and “Village Type Development” Zones, Lots 384(Part), 387 S.B RP (Part), 387 S.C ss.1 RP (Part), 387 S.C ss.2 RP (Part), 387 S.C ss.3 RP (Part), 388 (Part) and 390 (Part) in D.D. 122 and adjoining Government land, Ping Shan, Yuen Long

(RNTPC Paper No. A/YL-PS/594)

Presentation and Question Sessions

111. Mr Kent K.H. Lee, TP/TMYLW, presented the application and covered the following aspects as detailed in the Paper :

- (a) background to the application;
- (b) temporary public vehicle park for private car and light goods vehicle;
- (c) departmental comments – departmental comments were set out in paragraph 9 of the Paper. Concerned government departments had no objection to or no adverse comment on the application;
- (d) during the first three weeks of the statutory publication period, one public comment objecting to the application was received from an individual. Major objection grounds were set out in paragraph 10 of the Paper; and
- (e) the Planning Department (PlanD)’s views – PlanD had no objection to the application on a temporary basis for a period of three years based on the assessment set out in paragraph 11 of the Paper. Whilst the proposed development was not entirely in line with the planning intention of the “Other Specified Uses” annotated “Heritage and Cultural Tourism Related Uses” (“OU(HCTRU)”) and “Village Type Development” (“V”) zones, there was currently no permanent development proposal at the application site and the District Lands Officer/Yuen Long, Lands Department advised that there was no Small House application received or approved at the site. Temporary approval of the application would not frustrate the long-term planning intention of the “OU(HCTRU)”) and “V” zones. The proposed use was considered not incompatible with the surrounding land uses. Concerned government departments had no adverse comment on the application and relevant approval conditions were recommended to address their technical concerns. Previous applications at the application site and similar applications for temporary public vehicle park uses within the same “V” zone had been approved by the Committee. Approval of the

application was considered in line with the Committee's previous decisions. Regarding the adverse public comment, the comments of government departments and planning assessments above were relevant.

112. Members had no question on the application.

Deliberation Session

113. After deliberation, the Committee decided to approve the application on a temporary basis for a period of 3 years until 4.10.2022, on the terms of the application as submitted to the Town Planning Board (TPB) and subject to the following conditions :

- “(a) no operation between 11:00 p.m. and 7:00 a.m., as proposed by the applicant, is allowed on the site during the planning approval period;
- (b) no medium and heavy goods vehicles exceeding 5.5 tonnes, including container tractors/trailers, as defined in the Road Traffic Ordinance are allowed to be parked/stored on or enter/exit the site, as proposed by the applicant, at any time during the planning approval period;
- (c) no vehicle without valid licence issued under the Road Traffic Ordinance is allowed to be parked/stored on the site, as proposed by the applicant, at any time during the planning approval period;
- (d) a notice shall be posted at a prominent location of the site at all times to indicate that no medium and heavy goods vehicles exceeding 5.5 tonnes, container tractors/trailers, as defined in the Road Traffic Ordinance are allowed to be parked/stored on or enter/exit the site at all times during the planning approval period;
- (e) no vehicle washing, repairing, dismantling, paint spraying and other workshop activity, as proposed by the applicant, is allowed on the site at any time during the planning approval period;

- (f) no vehicle is allowed to queue back to or reverse onto/from public roads at any time during the planning approval period;
- (g) the existing fencing of the site shall be maintained at all times during the planning approval period;
- (h) the existing trees within the site shall be maintained in good condition at all times during the planning approval period;
- (i) the existing drainage facilities shall be maintained at all times during the planning approval period;
- (j) the submission of a condition record of the existing drainage facilities within 3 months to the satisfaction of the Director of Drainage Services or of the TPB by 4.1.2020;
- (k) the submission of a fire service installations proposal within 6 months from the date of the planning approval to the satisfaction of the Director of Fire Services or of the TPB by 4.4.2020;
- (l) in relation to (k) above, the implementation of the fire service installations proposal within 9 months from the date of the planning approval to the satisfaction of the Director of Fire Services or of the TPB by 4.7.2020;
- (m) if any of the above planning conditions (a), (b), (c), (d), (e), (f), (g), (h) or (i) is not complied with during the planning approval period, the approval hereby given shall cease to have effect and shall be revoked immediately without further notice; and
- (n) if any of the above planning conditions (j), (k) or (l) is not complied with by the specified date, the approval hereby given shall cease to have effect and shall on the same date be revoked without further notice.”

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

Agenda Item 32

Section 16 Application

[Open Meeting (Presentation and Question Sessions Only)]

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

Presentation and Question Sessions

115. Mr Steven Y.H. Siu, STP/TMYLW, drew Members’ attention to two editorial errors on P.14 of the Paper. He then presented the application and covered the following aspects as detailed in the Paper:

- (a) background to the application;
- (b) temporary office and vehicle park for company cars;
- (c) departmental comments – departmental comments were set out in paragraph 9 of the Paper. Concerned government departments had no objection to or no adverse comment on the application;
- (d) during the first three weeks of the statutory publication period, two public comments objecting to the application were received from a local resident and a member of the general public. Major objection grounds were set out in paragraph 10 of the Paper; and
- (e) the Planning Department (PlanD)’s views – PlanD considered that the temporary use could be tolerated for a period of three years based on the

assessments set out in paragraph 11 of the Paper. Although the proposed development was not in line with the planning intention of the “Open Space” zone, the Director of Leisure and Cultural Services currently had no plans to develop the application site into public open space use. Whilst the site also fell mainly within an area designated for proposed road on the Recommended Outline Development Plan of Yuen Long South (YLS), the Chief Engineer/Cross-Boundary Infrastructure and Development of PlanD and the Project Manager (West) of the Civil Engineering and Development Department had no objection to the proposed temporary use. Approval of the application on a temporary basis would not jeopardize the long-term development of the application site. However, the applicant should be advised that the application site and site access might be subject to land resumption for the implementation of YLS which might take place at any time before the expiry of the temporary planning permission. The proposed use was not incompatible with the surrounding land uses. Concerned departments had no adverse comment on the application and relevant approval conditions were recommended to address their technical concerns. A previous application for the same use at the application site had been approved by the Committee. Approval of the application was considered in line with the Committee’s previous decision. Regarding the adverse public comment, the comments of government departments and planning assessments above were relevant.

116. Members had no question on the application.

Deliberation Session

117. After deliberation, the Committee decided to approve the application on a temporary basis for a period of 3 years until 4.10.2022, on the terms of the application as submitted to the Town Planning Board (TPB) and subject to the following conditions :

- “(a) no operation between 7:00 p.m. and 11:00 a.m., as proposed by the applicant, is allowed on the site during the planning approval period;

- (b) in addition to (a) above, no operation between 5:00 p.m. and 7:00 p.m. on Sundays and public holidays, as proposed by the applicant, is allowed on the site during the planning approval period;
- (c) no vehicle without valid license issued under the Road Traffic Ordinance is allowed to be parked/stored on or enter/exit the site during the planning approval period;
- (d) no medium or heavy goods vehicle exceeding 5.5 tonnes, including container trailers/tractors, as defined in the Road Traffic Ordinance, as proposed by the applicant, is allowed to be parked/stored on or enter/exit the site during the planning approval period;
- (e) no vehicle is allowed to queue back to or reverse onto/from public road at any time during the planning approval period;
- (f) the existing boundary fencing on the site shall be maintained at all times during the planning approval period;
- (g) the submission of a revised run-in/out proposal within 3 months from the date of the planning approval to the satisfaction of the Director of Highways or of the TPB by 4.1.2020;
- (h) in relation to (g) above, the implementation of the revised run-in/out proposal within 6 months from the date of planning approval to the satisfaction of the Director of Highways or of the TPB by 4.4.2020;
- (i) the implementation of the agreed landscape proposal within 6 months from the date of planning approval to the satisfaction of the Director of Planning or of the TPB by 4.4.2020;
- (j) the submission of a revised drainage proposal within 3 months from the date of the planning approval to the satisfaction of the Director of Drainage Services or of the TPB by 4.1.2020;

- (k) in relation to (j) above, the implementation of the 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 4.4.2020;
- (l) in relation to (k) above, the implemented drainage facilities shall be maintained at all times during the planning approval period;
- (m) the implementation of the agreed 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 4.4.2020;
- (n) if the above planning conditions (a), (b), (c), (d), (e), (f) or (l) is not complied with at any time during the planning approval period, the approval hereby given shall cease to have effect and shall be revoked immediately without further notice;
- (o) if any of the above planning conditions (g), (h), (i), (j), (k) or (m) is not complied with by the above specified date, the approval hereby given shall cease to have effect and shall on the same date be revoked without further notice; and
- (p) 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.”

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

Agenda Item 33

Section 16 Application

[Open Meeting (Presentation and Question Sessions Only)]

A/YL-TT/473 Proposed Temporary Warehouse (including Cold Storage) for a Period of 3 Years in “Other Specified Uses” annotated “Rural Use” Zone, Lot 1211 RP (Part) in D.D. 118, Tai Tong, Yuen Long
(RNTPC Paper No. A/YL-TT/473A)

Presentation and Question Sessions

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

- (a) background to the application;
- (b) proposed temporary warehouse (including cold storage);
- (c) departmental comments – departmental comments were set out in paragraph 10 of the Paper. The Director of Environmental Protection (DEP) did not support the application as there were sensitive receivers of residential use in the vicinity of the application site and environmental nuisance generated by proposed development was expected. The Chief Town Planner/Urban Design and Landscape of the Planning Department (CTP/UD&L, PlanD) had reservation on the application as the cumulative impact of approving similar applications would lead to a general degradation of the rural landscape character. Other concerned government departments had no objection to or no adverse comment on the application;
- (d) during the first three weeks of the statutory publication period, one public comment objecting to the application was received from an individual. Major objection grounds were set out in paragraph 10 of the Paper; and

- (e) PlanD's views – PlanD did not support the application based on the assessments set out in paragraph 12 of the Paper. The proposed development was not in line with the planning intention of the “Other Specified Uses” annotated “Rural Use” (“OU(RU)”) zone. The development was considered not compatible with the surrounding uses and there was no strong planning justification in the submission for a departure from the planning intention even on a temporary basis. It was not in line with the Town Planning Board Guidelines No. 38 in that there were adverse departmental comments on the application concerning environmental and landscape aspect. In this connection, DEP did not support the application as there were sensitive receivers of residential use in the vicinity while CTP/UD&L, PlanD had reservation on the proposal as it would degrade the rural landscape character. Rejection of the application was generally in line with the Committee's previous decisions on applications at the site or similar application within the “OU(RU)” zone. Regarding the adverse public comments, the comments of government departments and planning assessments above were relevant.

120. Members had no question on the application.

Deliberation Session

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

- “(a) the proposed development is not in line with the planning intention of the “Other Specified Uses” annotated “Rural Use” (“OU(RU)”) zone which is primarily for the preservation of the character of the rural area. No strong planning justification has been given in the submission to justify a departure from the planning intention, even on a temporary basis;
- (b) the proposed development is not in line with the Town Planning Board Guidelines for ‘Designation of “OU(RU)” Zone and Application for Development within “OU(RU)” Zone’ (TPB PG-No. 38) in that there was

insufficient information in the submission to demonstrate that the development would not generate adverse environmental and landscape impacts on the surrounding areas; and

- (c) the approval of the application, even on a temporary basis, would set an undesirable precedent for similar applications within the “OU(RU)” zone. The cumulative effect of approving such applications would result in a general degradation of the environment of the area.”

Agenda Item 34

Section 16 Application

[Open Meeting (Presentation and Question Sessions Only)]

A/YL-TT/480 Temporary Vehicle Repair Workshop for a Period of 3 Years in “Other Specified Uses” annotated “Rural Use” Zone, Lot 1153 RP (Part) in D.D. 119 and Adjoining Government Land, Pak Sha Tsuen, Yuen Long (RNTPC Paper No. A/YL-TT/480)

Presentation and Question Sessions

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

- (a) background to the application;
- (b) temporary vehicle repair workshop;
- (c) departmental comments – departmental comments were set out in paragraph 10 of the Paper. The Chief Town Planner/Urban Design and Landscape of the Planning Department (CTP/UD&L, PlanD) had reservation on the application as the cumulative impact of attracting other incompatible uses would lead to a general degradation of the rural landscape character. Other concerned government departments had no objection to or no adverse comment on the application;

- (d) during the first three weeks of the statutory publication period, four public comments objecting to the application were received from Designing Hong Kong Limited and three members of the general public. Major objection grounds were set out in paragraph 10 of the Paper; and
- (e) PlanD's views – PlanD did not support the application based on the assessments set out in paragraph 12 of the Paper. The proposed development was not in line with the planning intention of the “Other Specified Uses” annotated “Rural Use” (“OU(RU)”) zone. The development was considered not compatible with the surrounding uses and there was no strong planning justification in the submission for a departure from the planning intention, even on a temporary basis. It was not in line with the Town Planning Board Guidelines No. 38 in that there were adverse departmental comments on the application concerning landscape aspect. In that connection, CTP/UD&L, PlanD had reservation on the development as it would degrade the rural landscape character and there was no assessment in the submission to demonstrate that the development would not generate adverse landscape impact on the surrounding areas. Rejection of the application was generally in line with the Committee's previous decisions on applications at the site and the similar application within the “OU(RU)” zone. Regarding the adverse public comments, the comments of government departments and planning assessments above were relevant.

123. Members had no question on the application.

Deliberation Session

124. In response to a Member's enquiry, the Committee noted that the vehicle repair workshop located at the immediate south of the application site was an unauthorised development.

125. 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 “Other Specified Uses” annotated “Rural Use” (“OU(RU)”) zone which is primarily for the preservation of the character of the rural area. No justification has been given in the submission to justify a departure from the planning intention, even on a temporary basis;
- (b) the development is not in line with the Town Planning Board Guidelines for ‘Designation of “OU(RU)” Zone and Application for Development within “OU(RU)” Zone’ (TPB PG-No. 38) in that there was insufficient information in the submission to demonstrate that the development would not generate adverse landscape impact on the surrounding areas; and
- (c) the approval of the application, even on a temporary basis, would set an undesirable precedent for similar applications within the “OU(RU)” zone. The cumulative effect of approving such applications would result in a general degradation of the environment of the area.”

Agenda Item 35

Section 16 Application

[Open Meeting]

A/YL/259

Proposed Minor Relaxation of Plot Ratio Restriction in “Other Specified Uses” annotated “Business” Zone, 21-35 Wang Yip Street East, Tung Tau Industrial Area, Yuen Long (Yuen Long Town Lot No. 362)

(RNTPC Paper No. A/YL/259)

126. The Secretary reported that Landes Limited (Landes) was one of the consultants of the applicant. Mr Ivan C.S. Fu had declared an interest on the item as he was having current business dealings with Landes.

127. The Committee noted that the applicant had requested deferment of consideration of the application. As Mr Ivan C.S. Fu had no involvement in the application, the Committee agreed that he could stay in the meeting.

128. The Committee noted that the applicant's representative requested on 17.9.2019 deferment of consideration of the application for a period of two months so as to allow time to prepare further information in response to departmental comments. It was the first time that the applicant requested deferment of the application.

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

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

Agenda Item 36

Any Other Business

130. There being no other business, the meeting closed at 4:10 p.m..