

TOWN PLANNING BOARD

Minutes of 638th Meeting of the Rural and New Town Planning Committee held at 2:30 p.m. on 15.11.2019

Present

Director of Planning
Mr Raymond K.W. Lee

Chairman

Mr H.W. Cheung

Vice-chairman

Dr F.C. Chan

Mr Peter K.T. Yuen

Mr Philip S.L. Kan

Mr K.K. Cheung

Dr C.H. Hau

Dr Lawrence K.C. Li

Miss Winnie W.M. Ng

Mr K.W. Leung

Mr Ricky W.Y. Yu

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

Chief Engineer (Works), Home Affairs Department
Mr Paul Y.K. Au

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

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

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

Secretary

Absent with Apologies

Mr Ivan C.S. Fu

Mr David Y.T. Lui

Mr Stephen L.H. Liu

Mr L.T. Kwok

Dr Jeanne C.Y. Ng

In Attendance

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

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

Town Planner/Town Planning Board
Miss Denise M.S. Ho

Agenda Item 1

Confirmation of the Draft Minutes of the 637th RNTPC Meeting held on 1.11.2019

[Open Meeting]

1. The draft minutes of the 637th RNTPC meeting held on 1.11.2019 were confirmed without amendments.

Agenda Item 2

Matters Arising

[Open Meeting]

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

Tuen Mun and Yuen Long West District

Agenda Item 3

Section 12A Application

[Open Meeting]

Y/TM-LTY Y/8 Application for Amendment to the Approved Lam Tei and Yick Yuen Outline Zoning Plan No. S/TM-LTY Y/10 and Approved Tuen Mun Outline Zoning Plan No. S/TM/35, To Rezone the Application Site from “Residential (Group E)”, “Residential (Group E)1” and an area shown as ‘Road’ to “Residential (Group A)”, Lots 212 RP, 232, 233, 234, 235, 236 RP, 237, 238, 239, 243, 244, 245, 246 RP, 246 S.A, 246 S.B, 247, 365 RP, 366, 367 and 368 RP in D.D. 130 and Adjoining Government Land, Lam Tei, Tuen Mun
(RNTPC Paper No. Y/TM-LTY Y/8)

3. The Secretary reported that the application was submitted by Join Smart Ltd., which was a subsidiary of Sun Hung Kai Properties Ltd. (SHK), with Masterplan Ltd. (Masterplan), Ramboll Hong Kong Ltd. (Ramboll), AECOM Asia Co. Ltd. (AECOM) and Ronald Lu & Partners (HK) Ltd. (RLP) as four 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 SHK, Masterplan, Ramboll and AECOM; |
| 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; |
| Dr C.H. Hau | - having current business dealings with AECOM; |
| Mr K.K. Cheung | - his firm having current business dealings with |

SHK and past business dealings with RLP; and

Mr Stephen L.H. Liu - his firm having past business dealings with SHK and RLP.

4. The Committee noted that the applicant had requested deferment of consideration of the application, and Messrs Ivan C.S. Fu and Stephen L.H. Liu 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 Dr. C.H. Hau and Mr K.K. Cheung had no involvement in the application, the Committee agreed that they could stay in the meeting.

5. The Committee noted that the applicant's representative requested on 21.10.2019 deferment of consideration of the application for two months so as to allow time for preparation of further information to address departmental comments. It was the first time that the applicant requested deferment of the application.

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/15 Application for Amendment to the Approved Yuen Long Outline Zoning Plan No. S/YL/23, To Rezone the Application Site from “Open Space” to “Residential (Group A) 5”, Lot 801 RP in D.D. 116, Kong Yau Road, Yuen Long
(RNTPC Paper No. Y/YL/15A)

7. The Committee noted that the applicant’s representative requested on 16.10.2019 deferment of the consideration of the application for two months so as to allow time for preparation of supplementary information to address departmental comments. It was the second time that the applicant requested deferment of the application. Since the last deferment, the applicant had submitted further information to address departmental comments.

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

Sai Kung and Islands District

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

Agenda Item 5

Section 16 Application

[Open Meeting (Presentation and Question Sessions Only)]

A/SK-PK/255 Renewal of Planning Approval for Temporary Place of Recreation
(Canoe Club) for a Period of 3 Years in “Coastal Protection Area”
Zone, Government Land in D.D. 216, Tai Mong Tsai Road, Tai Wan,
Sai Kung

(RNTPC Paper No. A/SK-PK/255)

Presentation and Question Sessions

9. Ms Carol Y.M. Cheuk, STP/SKIs, presented the application and covered the following aspects as detailed in the Paper :

- (a) background to the application;
- (b) the renewal of planning approval for temporary place of recreation (canoe club) for a period of three years;
- (c) departmental comments – departmental comments were set out in paragraph 9 of the Paper. Concerned government departments had no objection to or no adverse comments on the application;
- (d) during the first three weeks of the statutory publication period, one public comment from the Tai Wan Village Committee objecting to the application was received. Major grounds were set out in paragraph 10 of the Paper; and

- (e) the Planning Department (PlanD)'s views – PlanD considered that the temporary place of recreation (canoe club) could be tolerated for a further period of three years based on the assessments set out in paragraph 11 of the Paper. Whilst the proposed use was not in line with the planning intention of the “Coastal Protection Area” (“CPA”) zone, the site was paved and currently used as an extension to the adjoining existing canoe club, temporary use of the site would not jeopardize the planning intention of the “CPA” zone. The temporary use under the renewal application was not incompatible with its surrounding environment. Concerned government departments consulted had no objection to or adverse comment on the application. The application complied with the Town Planning Board Guidelines No. 34C. Regarding the adverse public comment, the comments of government departments and planning assessments above were relevant.

10. Members had no question on the application.

Deliberation Session

11. After deliberation, the Committee decided to approve the application on a temporary basis for a period of 3 years from 24.12.2019 to 23.12.2022, 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. to 8:30 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 commencement of the renewed planning approval to the satisfaction of the Director of Fire Services or of the TPB by 24.6.2020;
- (c) in relation to (b) above, the implementation of the fire service installations proposal within 9 months from the date of commencement of the renewed

planning approval to the satisfaction of the Director of Fire Services or of the TPB by 24.9.2020;

- (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 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.”

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

Agenda Item 6

Section 16 Application

[Open Meeting (Presentation and Question Sessions Only)]

A/SK-PK/256 Proposed Temporary Public Vehicle Park (excluding Container Vehicles) for a Period of 3 Years in “Green Belt” Zone, Lots 504 S.A and 504 S.B in D.D. 222, Pak Kong Village, Sai Kung
(RNTPC Paper No. A/SK-PK/256)

Presentation and Question Sessions

13. Ms Carol Y.M. Cheuk, STP/SKIs, presented the application and covered the following aspects as detailed in the Paper :

- (a) background to the application;
- (b) the proposed temporary public vehicle park (excluding container vehicles) for a period of three years;

- (c) departmental comments – departmental comments were set out in paragraph 10 of the Paper. The Chief Town Planner/Urban Design & Landscape, Planning Department (CTP/UD&L, PlanD) had reservation on the application as approval of the application would set an undesirable precedent to encourage similar applications within the “Green Belt” (“GB”) zone, and the cumulative effect of which would result in a general degradation of the landscape character of the area and affect the integrity of the “GB” zone. The Director of Environmental Protection (DEP) objected to the application as the site fell entirely within the Safety Buffer Zone (SBZ) of Pak Kong Water Treatment Works (PKWTW), which was an area with high chlorine risk. The Director of Agriculture, Fisheries and Conservation (DAFC) had no strong view on the application, but advised that according to aerial photo records, the site was paved in recent years. Other concerned government departments had no objection to or no adverse comments on the application;

- (d) during the first three weeks of the statutory publication period, five public comments from Kadoorie Farm and Botanic Garden Corporation, Designing Hong Kong Limited, World Wide Fund For Nature Hong Kong, The Hong Kong Bird Watching Society and an individual objecting to the application were received. Major grounds were set out in paragraph 11 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 “GB” zone and there was no strong planning justification in the submission for a departure from the planning intention even on a temporary basis. The application was not in line with the Town Planning Board Guidelines No. 10 in that there were neither exceptional circumstances nor strong planning grounds to justify the proposed development. There was also no information in the application to justify the need of the proposed car park under application. CTP/UD&L, PlanD had reservation on the application from landscape planning perspective, while DEP objected to the application

from chlorine risk perspective. Regarding the adverse public comments received, the comments of government departments and planning assessments above were relevant.

14. Members had no question on the application.

Deliberation Session

15. 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. There is no strong justification to warrant 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 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 applications would result in a general degradation of the landscape character and affect the integrity of the “GB” zone.”

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

Sha Tin, Tai Po and North District

Agenda Item 7

Section 16 Application

[Open Meeting]

A/NE-LT/678 Proposed Public Utility Installation (Radio Base Station and Antennas)
in an area shown as 'Road', Lot 428 S.C (Part) in D.D. 10, Lam Tsuen,
Tai Po
(RNTPC Paper No. A/NE-LT/678)

16. The Secretary reported that the application was submitted by Hong Kong Telecommunications Ltd. (HKT) and SmarTone Mobile Communications Ltd. (SmarTone), which were subsidiaries of PCCW Ltd. (PCCW) and Sun Hung Kai Properties Ltd. (SHK) respectively. The following Members had declared interests on the item:

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

17. The Committee noted that the applicants had requested deferment of consideration of the application, and Messrs Ivan C.S. Fu and Stephen L.H. Liu had tendered apologies for being unable to join the meeting and Miss Winnie W.M. Ng had not yet arrived to join the meeting. As Mr K.K. Cheung had no involvement in the application, the

Committee agreed that he could stay in the meeting.

18. The Committee noted that the applicants' representative requested on 6.11.2019 deferment of consideration of the application for two months so as to allow time for preparation of further information to address departmental comments. It was the first time that the applicants requested deferment of the application.

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

Agenda Item 8

Section 16 Application

[Open Meeting]

A/MOS/125 Proposed School with Recreational Area in "Other Specified Uses" annotated "Educational and Recreational Development" Zone, Various Lots in D.D.167 and Adjoining Government Land, Nai Chung, Ma On Shan

(RNTPC Paper No. A/MOS/125)

20. The Secretary reported that the application was submitted by Prelong Ltd., which was a subsidiary of Sun Hung Kai Properties Ltd. (SHK). Llewelyn-Davies Hong Kong Ltd. (LD), AECOM Asia Co. Ltd. (AECOM), Archiplus International (HK) Ltd. (ARCHI) and Ramboll Hong Kong Ltd. (Ramboll) were four 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 SHK, AECOM and Ramboll;
- 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;
- Dr C.H. Hau - having current business dealings with AECOM;
- Mr K.K. Cheung - his firm having current business dealings with SHK and ARCHI;
- Mr Stephen L.H. Liu - his firm having past business dealings with SHK and LD; and
- Mr Ricky W.Y. Yu - his firm having current business dealings with LD.

21. The Committee noted that the applicant had requested deferment of consideration of the application, and Messrs Ivan C.S. Fu and Stephen L.H. Liu had tendered apologies for being unable to join the meeting and Miss Winnie W.M. Ng had not yet arrived to join the meeting. As Dr. C.H. Hau, Messrs K.K. Cheung and Ricky W.Y. Yu had no involvement in the application, the Committee agreed that they could stay in the meeting.

22. The Committee noted that the applicant's representative requested on 4.11.2019 deferment of consideration of the application for two months so as to allow time for preparation of further information to address departmental comments. It was the first time that the applicant requested deferment of the application.

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

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

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

Agenda Item 9

Section 16 Application

[Open Meeting (Presentation and Question Sessions Only)]

A/MOS/126 Proposed Public Utility Installation (Electricity Package Substation) in
"Green Belt" Zone, Government land in D.D.167, Cheung Muk Tau
Village, Sai Kung North
(RNTPC Paper No. A/MOS/126)

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

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|---------------------|---|
| Dr Jeanne C.Y. Ng | - being the Director – Group Sustainability of CLP; |
| Mr Stephen L.H. Liu | - having past business dealings with CLP;
and |
| Mr K.K. Cheung | - his firm having current business dealings with CLP. |

25. The Committee noted that Dr Jeanne C.Y. Ng and Mr Stephen L.H. Liu had tendered apologies for being unable to attend the meeting. As Mr K.K. Cheung had no involvement in the application, the Committee agreed that he could stay in the meeting.

Presentation and Question Sessions

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

- (a) background to the application;
- (b) the proposed public utility installation (electricity package substation);
- (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 from an individual raising concern on the proposed location was received. Major views were set out in paragraph 10 of the Paper; and
- (e) the Planning Department (PlanD)'s views – PlanD had no objection to the application based on the assessments set out in paragraph 11 of the Paper. The proposed electricity package substation (ESS) was small in scale and not entirely incompatible with the surrounding rural environment. The proposed ESS was an essential public utility facility for the provision of adequate and reliable power supply to the existing villages and future developments in the vicinity. The applicant had provided justifications that the application site was the only feasible location to establish ESS for the proposed supply area. Concerned government departments had no objection to or no adverse comment on the application. Regarding the public comment, the comments of government departments and the planning assessments above were relevant.

27. Members had no question on the application.

Deliberation Session

28. After deliberation, the Committee decided to approve the application, on the terms of the application as submitted to the Town Planning Board (TPB). The permission should be valid until 15.11.2023, and after the said date, the permission should cease to have effect unless before the said date, the development permitted was commenced or the permission was renewed. The permission was subject to the following condition :

“the provision of fire service installations and water supplies for fire fighting to the satisfaction of the Director of Fire Services or of the TPB.”

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

Agenda Item 10

Section 16 Application

[Open Meeting (Presentation and Question Sessions Only)]

A/NE-KLH/577 Proposed House (New Territories Exempted House - Small House) in
“Agriculture” Zone, Lot 326 S.C in D.D. 9, Kau Lung Hang Village,
Tai Po
(RNTPC Paper No. A/NE-KLH/577)

Presentation and Question Sessions

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

(a) background to the application;

- (b) the proposed house (New Territories Exempted House - Small House);
- (c) departmental comments – departmental comments were set out in paragraph 9 and Appendix IV of the Paper. The Director of Agriculture, Fisheries and Conservation (DAFC) did not support the application as there were active agricultural activities in the vicinity of the application site (the Site) and the Site possessed potential for agricultural rehabilitation. The Director of Environmental Protection (DEP) did not support the application as the applicant proposed the use of septic tank and soakaway system to treat wastewater generated onsite, which should be avoided within water gathering ground (WGG). The Chief Engineer/Construction, Water Supplies Department (CE/C, WSD) objected to the application as the wastewater generated from the proposed Small House would have the potential to cause water pollution to the WGG. The Commissioner for Transport (C for T) had reservation on the application but considered that the application only involving the development of a Small House could be tolerated on traffic grounds. 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 from MTR Corporation Limited, Designing Hong Kong Limited, The Hong Kong Bird Watching Society and an individual objecting to the application were received. Major objection grounds were set out in paragraph 10 of the Paper; and
- (e) the Planning Department (PlanD)'s views – PlanD did not support the application based on the assessments set out in paragraph 11 of the Paper. The proposed development was not in line with the planning intention of the “Agriculture” (“AGR”) zone and DAFC did not support the application. DEP and CE/C of WSD did not support or objected to the application as the proposed adoption of septic tank for foul disposal and the wastewater generated from the proposed Small House might cause water pollution to the WGG. Regarding the Interim Criteria for Consideration of Application for NTEH/Small House in New Territories, more than 50% of

the footprint of the proposed Small House fell within the village ‘environs’ (‘VE’) of Yuen Leng, Kau Lung Hang San Wai and Lo Wai. While land available within the “Village Type Development” (“V”) zone was insufficient to fully meet the future Small House demand, it was capable to meet the 134 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. Regarding the adverse public comments, the comments of government departments and planning assessments above were relevant.

31. Members had no question on the application.

Deliberation Session

32. 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 applicant fails to demonstrate that the proposed development located within the Water Gathering Ground would be able to be connected to the existing or planned sewerage system and would not cause adverse impact on the water quality in the area; and
- (c) land is still available within the “Village Type Development” (“V”) zones

of Yuen Leng and Kau Lung Hang which is primarily intended for Small House development. It is considered more appropriate to concentrate the proposed Small House development within the “V” zone for more orderly development pattern, efficient use of land and provision of infrastructure and services.”

Agenda Item 11

Section 16 Application

[Open Meeting (Presentation and Question Sessions Only)]

A/NE-TK/676 Renewal of Planning Approval for Temporary Private Garden Ancillary to New Territories Exempted House for a Period of 3 Years in “Agriculture” and “Village Type Development” Zones, Lots 1830 (Part) and 1738 S.B ss.3 (Part) in D.D. 17 and Adjoining Government Land, Lung Mei, Tai Po
(RNTPC Paper No. A/NE-TK/676)

Presentation and Question Sessions

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

- (a) background to the application;
- (b) the renewal of planning approval for temporary private garden ancillary to New Territories Exempted House for a period of three years;
- (c) departmental comments – departmental comments were set out in paragraph 9 of the Paper. Concerned government departments had no objection to or no adverse comment on the application;
- (d) during the first three weeks of the statutory publication period, one public comment from an individual objecting to the application was received.

Major 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 further period of three years based on the assessments set out in paragraph 11 of the Paper. Whilst the applied use was not in line with the planning intention of “Agriculture” (“AGR”) zone, the concerned area and its vicinity was within the village proper and had been paved. The applied use was not incompatible with the surrounding environment comprising mainly natural woodland and village houses. Concerned government departments had no objection to or no adverse comment on the application. The application was also complied with the Town Planning Board Guidelines No. 34C. Regarding the adverse public comment, the comments of government departments and planning assessments above were relevant.

34. Members had no question on the application.

Deliberation Session

35. After deliberation, the Committee decided to approve the application on a temporary basis for a period of 3 years from 24.12.2019 to 23.12.2022, on the terms of the application as submitted to the Town Planning Board (TPB) and subject to the following conditions :

- “(a) the existing trees and landscape plantings on the site shall be maintained at all times during the planning approval period;
- (b) 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
- (c) upon the expiry of the planning permission, the reinstatement of the site to an amenity area to the satisfaction of the Director of Planning or of the TPB.”

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

Agenda Item 12

Section 16 Application

[Open Meeting (Presentation and Question Sessions Only)]

A/NE-LK/122 Proposed House (New Territories Exempted House - Small House) in
“Agriculture”, “Green Belt” and “Village Type Development” Zones,
Lots 1510 S.A and 1510 S.B in D.D. 39, Ma Tseuk Leng, Sha Tau Kok
(RNTPC Paper No. A/NE-LK/122)

Presentation and Question Sessions

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

- (a) background to the application;
- (b) the proposed house (New Territories Exempted House - Small House);
- (c) departmental comments – departmental comments were set out in paragraph 10 and Appendix V of the Paper. The Director of Agriculture, Fisheries and Conservation (DAFC) did not support the application as the site possessed potential for agricultural rehabilitation. The Chief Town Planner/Urban Design & Landscape, Planning Department (CTP/UD&L, PlanD) had some reservations on the application as the site was located in the area with rural landscape character comprising woodland, farmland and village houses, and was inaccessible by road. Approval of the application would set an undesirable precedent for similar applications of vegetation clearance prior to planning approval, and encourage more similar proposals within the area. The Commissioner for Transport (C for T) considered

that Small House development should be confined within the “Village Type Development” (“V”) zone as far as possible but given that the proposed development only involved the construction of one Small House, the application could be tolerated. Other concerned government departments had no objection to or no adverse comment on the application. Local views conveyed by the District Officer (North), Home Affairs Department (DO(N), HAD) were set out in paragraph 10.1 of the Paper;

- (d) during the first three weeks of the statutory publication period, seven public comments were received. The Chairman of Sheung Shui District Rural Committee indicated that he had no comment on the application. The Hong Kong Bird Watching Society, Kadoorie Farm and Botanic Garden Corporation, World Wide Fund For Nature Hong Kong, Designing Hong Kong Limited, a local villager and an individual objected to the application. Major grounds were set out in paragraph 11 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 Small House development was not in line with the planning intention of the “Agriculture” (“AGR”) and “Green Belt” (“GB”) zones. DAFC did not support the application as the site possessed potential for agricultural rehabilitation. The application did not comply with the Town Planning Board Guidelines No. 10 in that the proposed development would affect the existing natural landscape on the surrounding environment. Regarding the Interim Criteria, the whole footprint of the proposed Small House fell within the village ‘environs’ (‘VE’) of Ma Tseuk Leng, Ma Tseuk Leng San Uk Ha and Wo Tong Kong. While land available within the “V” zone was insufficient to fully meet the future Small House demand of 552, it was capable to meet the 57 outstanding 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. Regarding the adverse public comments, planning assessments and comments of the government departments 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 in the Luk Keng and Wo Hang area which is primarily to retain and safeguard good quality agricultural land/farm/fish ponds for agricultural purposes and to retain fallow arable land with good potential for rehabilitation for cultivation and other agricultural purposes. There is no strong planning justification in the submission for a departure from the planning intention;
- (b) the proposed development is not in line with the planning intention of the “Green Belt” (“GB”) zone, which is primarily for defining the limits of urban and sub-urban development areas by natural features and to contain urban sprawl as well as to provide passive recreational outlets. There is a general presumption against development within this zone. There is no strong planning justification in the submission for a departure from the planning intention of the “GB” zone;
- (c) the proposed development does not comply with the Town Planning Board Guidelines No. 10 for Application for Development within “GB” zone under section 16 of the Town Planning Ordinance and the Interim Criteria for consideration of Application for New Territories Exempted House/Small House in New Territories in that the proposed development would affect the existing natural landscape of the surrounding environment;
- (d) land is still available within the “Village Type Development” (“V”) zone of Ma Tseuk Leng, Ma Tseuk Leng San Uk Ha and Shek Kiu Tau village cluster for Small House development. It is considered more appropriate to

concentrate the proposed Small House within “V” zone for more orderly development pattern, efficient use of land and provision of infrastructures and services; and

- (e) the approval of the application would set an undesirable precedent for similar applications in the “GB” zone. The cumulative effect of approving such similar applications would result in a general degradation of the environment and landscape quality of the area.”

Agenda Item 13

Section 16 Application

[Open Meeting (Presentation and Question Sessions Only)]

A/NE-LYT/712 Proposed Temporary Public Vehicle Park (Private Car) for a Period of 3 Years in “Agriculture” Zone, Lots 1532 S.A ss.1 to 1532 S.A ss.15 and 1532 S.A RP in D.D. 76, Kan Tau Tsuen, Fanling
(RNTPC Paper No. A/NE-LYT/712)

Presentation and Question Sessions

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

- (a) background to the application;
- (b) the proposed temporary public vehicle park (private car) for a period of three years;
- (c) departmental comments – departmental comments were set out in paragraph 9 of the Paper. The Director of Agriculture, Fisheries and Conservation (DAFC) did not support the application as agricultural activities were active in the vicinity and agricultural infrastructures such as road access and water source were available. Other concerned

government departments had no objection to or no adverse comment on the application. Local views conveyed by the District Officers (North), Home Affairs Department (DO(N), HAD) were set out in paragraph 9.1.11 of the Paper;

- (d) during the first three weeks of the statutory publication periods, nine public comments were received. One public comment from a North District Council Member supported the application. Two comments were from the Chairman of Sheung Shui District Rural Committee indicating no comment on the application. The remaining six comments were from Kadoorie Farm and Botanic Garden Corporation, Designing Hong Kong Limited, The Hong Kong Bird Watching Society and an individual objecting to the application. Major views 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. Whilst the proposed development was not in line with the planning intention of the “Agriculture” (“AGR”) zone and DAFC did not support the application, given its temporary nature and small in scale, it was considered that the approval of the application on a temporary basis would not frustrate the long-term planning intention of the “AGR” zone. The temporary public vehicle park was considered not entirely incompatible with the surrounding areas where village houses, temporary structures and active/fallow agricultural land could be found. Significant adverse impact on existing landscape resources arising from the proposed development was not anticipated. Other concerned government departments had no objection to or no adverse comments on the application. Regarding the adverse public comments, comments of concerned departments and the planning assessments above were relevant.

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

- (a) noting that a previous application on the site for the same temporary use submitted by the same applicant was rejected by the Committee on 19.7.2019, the major reason for recommending approval for the current application; and
- (b) the rejection reasons of planning application No. A/NE-LYT/699 adjacent to the site and whether it was still in operation.

42. Mr Tim T.Y. Fung, STP/STN, made the following responses:

- (a) the previous application (No. A/NE-LYT/698) was rejected by the Committee mainly on the ground that the applicant had failed to demonstrate that the temporary public vehicle park would not cause adverse traffic impact on the surrounding areas. For the current application, the applicant had submitted information to demonstrate satisfactory manoeuvring of vehicles within the site and proposed the erection of a traffic sign near the entrance of the vehicle park to ensure pedestrian safety. In that regard, the Commissioner for Transport (C for T) had no in-principle objection to the application from the traffic engineering point of view; and
- (b) application No. A/NE-LYT/699 was rejected by the Committee mainly on the ground that the applicant had failed to demonstrate that the proposed use would not cause adverse traffic impact on the surrounding areas. The site was currently vacant.

Deliberation Session

43. After deliberation, the Committee decided to approve the application on a temporary basis for a period of 3 years until 15.11.2022, 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 vehicle without valid licence issued under the Road Traffic (Registration and Licensing of Vehicles) Regulations is allowed to be parked/stored on the site at any time during the planning approval period;
- (c) only private car as defined in the Road Traffic Ordinance is allowed to be parked/stored on or enter/exit the site at any time during the planning approval period;
- (d) a notice should be posted at a prominent location of the site to indicate that only private car as defined in the Road Traffic Ordinance is allowed to be parked/stored on or enter/exit the site at any time during the planning approval period;
- (e) no car washing, vehicle repair, dismantling, paint spraying or other workshop activities is allowed on the site at any time during the planning approval period;
- (f) the maintenance of peripheral fencing on site at all times during the planning approval period;
- (g) 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 15.5.2020;
- (h) in relation to (g) above, the provision of drainage facilities within 9 months from the date of planning approval to the satisfaction of the Director of Drainage Services or of the TPB by 15.8.2020;
- (i) the submission of proposals for water supplies for firefighting and fire service installations within 6 months from the date of planning approval to the satisfaction of the Director of Fire Services or of the TPB by 15.5.2020;
- (j) in relation to (i) above, the provision of water supplies for firefighting and

fire service installations within 9 months from the date of planning approval to the satisfaction of the Director of Fire Services or of the TPB by 15.8.2020;

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

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

[The Chairman thanked Mr Kenny C.H. Lau, Mr Tony Y.C. Wu and Mr Tim T.Y. Fung, STPs/STN, for their attendance to answer Members’ enquiries. They left the meeting at this point.]

Fanling, Sheung Shui and Yuen Long East District

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

Agenda Item 14

Section 16 Application

[Open Meeting (Presentation and Question Sessions Only)]

A/YL-SK/267 Proposed Temporary Public Vehicle Park (Private Cars Only) for a Period of 3 Years in “Village Type Development” Zone, Lot 911 RP (Part) in D.D.114, Shek Kong, Yuen Long
(RNTPC Paper No. A/YL-SK/267)

Presentation and Question Sessions

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

- (a) background to the application;
- (b) the proposed temporary public vehicle park (private cars only) for a period of three years;
- (c) departmental comments – departmental comments were set out in paragraph 9 of the Paper. 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 from individuals were received, including four supporting and one 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 based on the assessments set out in paragraph 11 of the Paper. Whilst the public vehicle park use was not entirely in line with the planning intention of “Village Type Development” (“V”) zone, approval of the application on a temporary basis for a period of three years would not frustrate the long-term planning intention of the “V”

zone. In view of its small scale, the temporary public vehicle park with a single-storey structure for ancillary office on site was not incompatible with the surrounding land uses. Concerned government departments had no objection to or no adverse comment on the application. Approval of the application was in line with the previous decisions of the Committee on similar applications. Regarding the adverse public comment, the comments of government departments and planning assessments above were relevant.

46. Two Members raised the following questions:

- (a) as shown on Plan A-4 of the Paper, the proposed run-in/out to the site was unformed land covered with vegetation and there was a road barrier between the proposed run-in/out and Nam Hing East Road. In that regard, whether road works including removal of the road barrier would be required; and
- (b) whether the proposed run-in/out fell within government land.

47. Mr Patrick M.Y. Fung, STP/FSYLE, made the following responses:

- (a) the applicant had proposed a vehicular run-in/out from the site to Nam Hing East Road, which would involve road works and removal of the existing road barrier. The Commissioner for Transport (C for T) had no objection to the proposal; and
- (b) the proposed run-in/out was on government land. The applicant was required to submit an application to the Lands Department (LandsD) for right-of-way over the government land for access to the site.

Deliberation Session

48. Two Members expressed concern on whether the proposed run-in/out between Nam Hing East Road and the site could be implemented given that it was on government land.

One of the Members also noted that there were other access points along Nam Hing East Road in the vicinity of the site and questioned whether the run-in/out would be implemented as proposed. Mr B.K. Chow, Chief Traffic Engineer/New Territories West of Transport Department (TD), said that the applicant needed to seek LandsD's approval for right-of-way over government land and the proposed run-in/out had to meet the requirements of TD and the Highways Department. Mr Alan K.L. Lo, Assistant Director/Regional 3 of LandsD, supplemented that the proposed run-in/out, if approved, would be a non-exclusive right-of-way, serving not only the site and the applicant would normally be required to be responsible for its maintenance work.

49. To address the Members' concern, the Chairman suggested that an approval condition on the submission and implementation of a run-in/out proposal to the satisfaction of the concerned departments could be imposed should the application be approved. Members agreed.

50. After deliberation, the Committee decided to approve the application on a temporary basis for a period of 3 years until 15.11.2022, on the terms of the application as submitted to the Town Planning Board (TPB) and subject to the following conditions :

- “(a) only private cars as defined in the Road Traffic Ordinance and its subsidiary regulations, as proposed by the applicant, are allowed to enter/be parked on the site at all times during the planning approval period;
- (b) no vehicles without valid licences issued under the Road Traffic (Registration and Licensing of Vehicles) Regulations are allowed to be parked/stored on the site 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 and its subsidiary regulations are allowed to enter/be parked on the site during the planning approval period;
- (d) no dismantling, maintenance, repairing, cleansing, paint spraying or other workshop activities are allowed on the site at any time during the planning

approval period;

- (e) no vehicle is allowed to queue back to or reverse onto/from public road at any time during the planning approval period;
- (f) 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 15.5.2020;
- (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 15.8.2020;
- (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 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 15.5.2020;
- (j) in relation to (i) above, the implementation of the proposal for fire service installations and water supplies for fire-fighting within 9 months from the date of planning approval to the satisfaction of the Director of Fire Services or of the TPB by 15.8.2020;
- (k) the submission of a run-in/out proposal within 6 months from the date of planning approval to the satisfaction of the Commissioner for Transport and the Director of Highways or of the TPB by 15.5.2020;
- (l) in relation to (k) above, the implementation of the run-in/out proposal within 9 months from the date of planning approval to the satisfaction of the Commissioner for Transport and the Director of Highways or of the TPB by 15.8.2020;

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

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

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

Agenda Item 15

Section 16 Application

[Open Meeting (Presentation and Question Sessions Only)]

A/YL-SK/268 Proposed Temporary Logistics Centre for a Period of 3 Years in
“Industrial (Group D)” Zone, Lot 574 S.A in D.D. 114, Shek Kong,
Yuen Long
(RNTPC Paper No. A/YL-SK/268)

Presentation and Question Sessions

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

- (a) background to the application;
- (b) the proposed temporary logistics centre for a period of three years;

- (c) departmental comments – departmental comments were set out in paragraph 10 of the Paper. Concerned government departments had no objection to or no adverse comment on the application;
- (d) during the first three weeks of the statutory publication period, three public comments from the resident’s representatives of Sheung Tsuen objecting to the application were received. Major grounds were set out in paragraph 11 of the Paper; and
- (e) the Planning Department (PlanD)’s views – PlanD had no objection to the application based on the assessments set out in paragraph 12 of the Paper. The proposed use was not in conflict with the planning intention of the “Industrial (Group D)” (“I(D)”) zone and was considered not incompatible with the surrounding area. The applied use was in line with the Town Planning Board Guidelines No. 13E in that the site fell within Category 1 areas which were considered suitable for open storage and port back-up uses. Relevant approval conditions had been recommended to minimize any possible environmental impact and to address the technical requirements of concerned government departments. Regarding the adverse public comments, the comments of government departments and planning assessments above were relevant.

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 3 years until 15.11.2022, on the terms of the application as submitted to the Town Planning Board (TPB) and subject to the following conditions :

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

is allowed on the site during the planning approval period;

- (c) no medium or heavy goods vehicles exceeding 5.5 tonnes, including container tractors/trailers, as defined in the Road Traffic Ordinance, as proposed by the applicant, are allowed to be parked/stored on or enter/exit the site at any time during the planning approval period;
- (d) no dismantling, maintenance, repairing, cleansing, paint spraying or other workshop activities shall be carried out on the site, as proposed by the applicant, at any time during the planning approval period;
- (e) no vehicle is allowed to queue back to or reverse onto/from public road at any time during the planning approval period;
- (f) the submission of a revised drainage proposal within 6 months from the date of planning approval to the satisfaction of the Director of Drainage Services or of the TPB by 15.5.2020;
- (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 15.8.2020;
- (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 15.5.2020;
- (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 15.8.2020;
- (k) if any of the above planning conditions (a), (b), (c), (d), (e) 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 (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.”

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

Agenda Item 16

Section 16 Application

[Open Meeting (Presentation and Question Sessions Only)]

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

56. The Secretary reported that the application was submitted by Ease Gold Development Ltd., which was a subsidiary of Sun Hung Kai Properties Ltd. (SHK), with Llewelyn-Davies Hong Kong Ltd. (LD), Archiplus International (HK) Ltd. (ARCHI), Black & Veatch Hong Kong Ltd. (B&V), Ramboll Environ Hong Kong Ltd. (Ramboll), Urbis Ltd. (Urbis) and Hyder Consulting Ltd. (Hyder) as six 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 SHK, Ramboll and Urbis;

Miss Winnie W.M. Ng - being a Director of the Kowloon Motor Bus

Company (1933) Limited (KMB) and SHK was one of the shareholders of KMB;

- Mr Stephen L.H. Liu - having past business dealings with SHK and LD;
- Mr K.K. Cheung - his firm having current business dealings with SHK, ARCHI, B&V and Hyder; and
- Mr Ricky W.Y. Yu - his firm having past business dealings with LD.

57. The Committee noted that Messrs Ivan C.S. Fu and Stephen L.H. Liu had tendered apologies for being unable to attend the meeting. As the interest of Miss Winnie W.M. Ng was direct, the Committee agreed that she should be invited to leave the meeting temporarily for the item. The Committee also agreed that Messrs K.K. Cheung and Ricky W.Y. Yu could stay in the meeting as they had no involvement in the application.

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

Presentation and Question Sessions

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

- (a) background to the application;
- (b) the proposed residential development (flats);
- (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 periods, 61 public

comments were received. Amongst them, five comments from a Yuen Long District Council member and individuals objected to the application while 55 comments from residents in Yuen Long and New Territories and individuals supported the application and one comment provided suggestion. Major grounds were set out in paragraph 10 of the Paper; and

- (e) the Planning Department (PlanD)'s views – PlanD had no objection to the application based on the assessments set out in paragraph 11 of the Paper. The proposed development would help phasing out the existing vacant temporary structures at the application site (the Site). The proposed development was considered in line with the planning intention of the “Residential (Group E)” zone. The applicant had submitted relevant technical assessments to demonstrate the feasibility of the proposed development on traffic, environment, air ventilation, drainage and sewerage aspects. Relevant government departments had no objection to or no adverse comment on the application. A major part of the Site was the subject of a previously approved application for the same applied use and submitted by the same applicant. There was no major change in planning circumstances and approval of the current application was in line with the Committee's decision on the previous application. Regarding the public comments, the planning consideration and assessments above were relevant.

59. Some Members raised the following questions:

- (a) noting that there were existing noise barriers along Kam Tin Road, whether there was any need for additional noise barriers for the proposed development; and
- (b) the noise mitigation measures to be adopted.

60. Ms Ivy C.W. Wong, STP/FSYLE, made the following responses:

- (a) according to Drawing A-6 of the Paper, there were two existing noise

barriers to the southeast of the Site along the pavement of Kam Tin Road. The applicant had submitted an Environmental Assessment with proposed noise mitigation measures and the Director of Environmental Protection (DEP) had no adverse comment on the application; and

- (b) as shown in Drawings A-8a and A-8b, the proposed noise mitigation measures included blank wall, fixed glazing, architectural fins and acoustic balcony. According to the applicant, most of the window in the residential units at the northern direction not facing Kam Tin Road could be opened. The noise mitigation measures would be provided subject to the satisfaction of DEP.

61. In response to a Member's question on land premium valuation for including the government land in the Site, Mr Alan K.L. Lo, Assistant Director/ Regional 3, Lands Department said that land exchange was required for the proposed development on the Site and a premium would be payable. The premium to be charged would be based on the difference in the value of the land to be surrendered and the value of the regrant land which was larger in size and permitting residential development after the land exchange.

Deliberation Session

62. Some Members raised concerns on whether the proposed noise mitigation measures would affect natural lighting and ventilation of the residential units and whether the applicant could provide noise barriers outside the application site, Mr Terence S.W. Tsang, Assistant Director (Environmental Assessment), Environmental Protection Department (EPD) said that the detailed design of the mitigation measures would be subject to further consideration by EPD in the building plan submission stage and there were other means such as acoustic windows which could minimise traffic noise impact while maintaining adequate ventilation. Regarding the noise barrier, Mr Tsang said that generally speaking, such provision would be within the site boundary, but it would also depend on the site condition. The Vice-chairman noted that balcony would be provided in some master bedrooms to enhance the natural lighting and ventilation.

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

terms of the application as submitted to the Town Planning Board (TPB). The permission should be valid until 15.11.2023, 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 landscape proposal to the satisfaction of the Director of Planning or of the TPB;
- (b) the submission of a consolidated Traffic Impact Assessment to the satisfaction of the Commissioner for Transport or of the TPB;
- (c) the design and provision of vehicular access and car parking and loading/unloading facilities for the proposed development to the satisfaction of the Commissioner for Transport or of the TPB;
- (d) the design and provision of public transport facilities to the satisfaction of the Commissioner for Transport or of the TPB;
- (e) the submission of an updated Noise Impact Assessment and the implementation of mitigation measures identified therein to the satisfaction of the Director of Environmental Protection or of the TPB;
- (f) the submission of an updated Sewerage Impact Assessment for the connections to the public sewers and implementation of the sewerage improvement measures identified therein to the satisfaction of the Director of Environmental Protection and the Director of Drainage Services or of the TPB;
- (g) the implementation of the accepted drainage proposal to the satisfaction of the Director of Drainage Services or of the TPB; and
- (h) the design and provision of water supply for fire fighting and fire service installations to the satisfaction of the Director of Fire Services or of the TPB.”

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

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

Agenda Item 17

Section 16 Application

[Open Meeting (Presentation and Question Sessions Only)]

A/YL-KTN/677 Temporary Open Storage of Vehicles (Lorries, Vans and Private Cars)
for Sale for a Period of 3 Years in “Residential (Group D)” Zone, Lot
667 (Part) in D.D.110, Kam Tin Road, Yuen Long
(RNTPC Paper No. A/YL-KTN/677)

Presentation and Question Sessions

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

- (a) background to the application;
- (b) the temporary open storage of vehicles (lorries, vans and private cars) for sale for a period of three years;
- (c) departmental comments – departmental comments were set out in paragraph 10 of the Paper. Concerned government departments had no objection to or no adverse comment on the application;
- (d) during the first three weeks of the statutory publication period, one public comment was received objecting to the application. Major grounds were set out in paragraph 11 of the Paper; and

- (e) the Planning Department (PlanD)'s views – PlanD considered that the temporary open storage of vehicles (lorries, vans and private cars) for sale could be tolerated for a period of three years based on the assessments as set out in paragraph 12 of the Paper. Whilst the applied use was not in line with the planning intention of “Residential (Group D)” (“R(D)”) zone, there was no known programme for permanent development at the site. It was considered that approval of the application on a temporary basis would not frustrate the long-term planning intention of the “R(D)”) zone. The applied use was not incompatible with the surrounding areas. The site fell within Category 3 areas under the Town Planning Board Guidelines No. 13E (TPB PG-No. 13E). The application generally complied with TPB PG-No. 13E in that the site was previously approved for the same use and concerned government departments had no adverse comment on the application. Regarding the adverse public comment, the comments of government departments and planning assessments above were relevant.

66. Members had no question on the application.

Deliberation Session

67. After deliberation, the Committee decided to approve the application on a temporary basis for a period of 3 years until 15.11.2022, on the terms of the application as submitted to the Town Planning Board (TPB) and subject to the following conditions :

- “(a) no operation between 7:00 p.m. and 9:00 a.m., as proposed by the applicant, is allowed on the site during the planning approval period;
- (b) no operation on Sundays and public holidays, as proposed by the applicant, is allowed on the site during the planning approval period;
- (c) no dismantling, maintenance, repairing, cleansing, paint spraying or other workshop activities, as proposed by the applicant, shall be carried out on the site at any time during the planning approval period;

- (d) no medium or heavy goods vehicles exceeding 5.5 tonnes, including container tractors/trailers, as defined in the Road Traffic Ordinance, as proposed by the applicant, are allowed to be parked/stored on or enter/exit the site at any time during the planning approval period;
- (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 drainage facilities on the site shall be maintained at all times during the planning approval period;
- (g) the submission of records of the existing drainage facilities on the site within 3 months from the date of planning approval to the satisfaction of the Director of Drainage Services or of the TPB by 15.2.2020;
- (h) the provision of fire extinguisher(s) with a valid fire certificate (FS 251) within 6 weeks from the date of planning approval to the satisfaction of the Director of Fire Services or of the TPB by 27.12.2019;
- (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 15.5.2020;
- (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 15.8.2020;
- (k) if any of the above planning conditions (a), (b), (c), (d), (e) or (f) is not complied with during the planning approval period, the approval hereby given shall cease to have effect and shall be revoked immediately without further notice; and
- (l) if any of the above planning conditions (g), (h), (i) or (j) is not complied with by the specified date, the approval hereby given shall cease to have

effect and shall on the same date be revoked without further notice.”

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

Agenda Item 18

Section 16 Application

[Open Meeting]

A/YL-KTN/678 Proposed Temporary Shop and Services (Retail of Forklift) for a Period of 3 Years in “Agriculture” Zone, Lots 484 (Part), 486 (Part), 487 (Part), 488, 489 (Part), 490 and 1643 (Part) in D.D. 107, Fung Kat Heung, Yuen Long
(RNTPC Paper No. A/YL-KTN/678)

69. The Secretary reported that the application was submitted by Harvest Hill (Hong Kong) Ltd. (Harvest). Mr. K.K. Cheung had declared an interest on the item as his firm was having current business dealings with Harvest. As Mr K.K. Cheung had no involvement in the application, the Committee agreed that he could stay in the meeting.

70. The Committee noted that the applicant’s representative requested on 3.11.2019 deferment of consideration of the application for two months so as to allow time for preparation of further information to address departmental comments. It was the first time that the applicant requested deferment of the application.

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

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

Agenda Item 19

Section 16 Application

[Open Meeting]

A/YL-KTN/679 Proposed Temporary Shop and Services (Selling of Hardware Accessories) for a Period of 3 Years in “Agriculture” and “Village Type Development” Zones, Lots 1674 (Part), 1676 (Part), 1680 (Part), 1681, 1682, 1683 and 1684 in D.D.107, Fung Kat Heung, Yuen Long (RNTPC Paper No. A/YL-KTN/679)

72. The Secretary reported that the application was submitted by Harvest Hill (Hong Kong) Ltd. (Harvest). Mr. K.K. Cheung had declared an interest on the item as his firm was having current business dealings with Harvest. As Mr K.K. Cheung had no involvement in the application, the Committee agreed that he could stay in the meeting.

73. The Committee noted that the applicant’s representative requested on 3.11.2019 deferment of consideration of the application for two months so as to allow time for preparation of further information to address departmental comments. It was the first time that the applicant requested deferment of the application.

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

Agenda Item 20

Section 16 Application

[Open Meeting (Presentation and Question Sessions Only)]

A/YL-KTN/680 Proposed Temporary School (Student Outdoor Activities Area) for a Period of 5 Years in “Village Type Development” Zone, Government Land in D.D. 109, Shing Mun San Tsuen, Kam Tin, Yuen Long
(RNTPC Paper No. A/YL-KTN/680)

Presentation and Question Sessions

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

- (a) background to the application;
- (b) the proposed temporary school (student outdoor activities area) for a period of five years;
- (c) departmental comments – departmental comments were set out in paragraph 9 of the Paper. Concerned government departments had no objection to or no adverse comment on the application;
- (d) during the first three weeks of the statutory publication period, one public comments was received providing views on the application. Major views were set out in paragraph 10 of the Paper; and
- (e) the Planning Department (PlanD)’s views – PlanD had no objection to the proposed temporary school (student outdoor activities area) for a period of five years based on the assessments set out in paragraph 11 of the Paper. Whilst the proposed use was not entirely in line with the planning intention of the “Village Type Development” (“V”) zone, it was considered that temporary approval of the application for a period of five years would not frustrate the long-term planning intention of the “V” zone and would not

adversely affect Small House applications within the site. The proposed use was considered not incompatible with the surrounding land uses, which were generally residential in character. Concerned government departments had no objection to or no adverse comment on the application. Regarding the public comment received, departmental comments and planning assessment above were relevant.

76. Members had no question on the application.

Deliberation Session

77. After deliberation, the Committee decided to approve the application on a temporary basis for a period of 5 years until 15.11.2024, 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 public road at any time during the planning approval period;
- (b) 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 15.5.2020;
- (c) in relation to (b) 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 15.8.2020;
- (d) in relation to (c) above, the implemented drainage facilities on the site shall be maintained at all times during the planning approval period;
- (e) if any of the above planning conditions (a) 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
- (f) 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.”

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

Agenda Item 21

Section 16 Application

[Open Meeting]

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

79. The Committee noted that the applicant requested on 30.10.2019 deferment of consideration of the application for two months so as to allow time for preparation of further information to address departmental comments. It was the second time that the applicant requested deferment of the application. Since the last deferment, the applicant had submitted further information to address departmental comments.

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

Agenda Item 22

Section 16 Application

[Open Meeting (Presentation and Question Sessions Only)]

A/YL-PH/820 Temporary Private Car Park for a Period of 3 Years in “Village Type Development” Zone, Lot 761 (Part) in D.D. 111, Sheung Che Tsuen, Pat Heung, Yuen Long
(RNTPC Paper No. A/YL-PH/820)

Presentation and Question Sessions

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

- (a) background to the application;
- (b) the temporary private car park for a period of three years;
- (c) departmental comments – departmental comments were set out in paragraph 9 of the Paper. Concerned departments had no objection to or no adverse comment on the application;
- (d) during the first three weeks of the statutory publication period, three public comments from an indigenous inhabitant of Sheung She Village and individuals objecting to the application were received. Major grounds were set out in paragraph 10 of the Paper; and
- (e) the Planning Department (PlanD)’s views – PlanD had no objection to the temporary private car park for a period of three years based on the assessments set out in paragraph 11 of the Paper. Whilst the applied use was not entirely in line with the planning intention of “Village Type Development” (“V”) zone, there was no Small House application approved and under processing at the site, temporary approval of the application would not frustrate the long-term planning intention of the “V” zone. The

applied use was considered not incompatible with the surrounding areas which were generally rural in character. Concerned government departments had no objection to or no adverse comment on the application. While the previous application No. A/YL-PH/759 was revoked due to non-compliance with an approval condition relating to the implementation of fire service installations (FSI) proposal, drainage and FSI proposals were submitted in the current application. As there was no major change in planning circumstances since the last approval, sympathetic consideration might be given to the current application. A shorter compliance period was recommended to closely monitor the progress on compliance with associated approval conditions. Approval of the current application was in line with the decisions of the Committee on similar applications within the same “V” zone. Regarding the adverse public comments, the comments of government departments and the assessment above were relevant.

82. Members had no question on the application.

Deliberation Session

83. After deliberation, the Committee decided to approve the application on a temporary basis for a period of 3 years until 15.11.2022, on the terms of the application as submitted to the Town Planning Board (TPB) and subject to the following conditions :

- “(a) 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;
- (b) no vehicles without valid licences issued under the Road Traffic (Registration and Licensing of Vehicles) Regulations are allowed to be parked/stored on the site at any time during the planning approval period;
- (c) a notice should be posted at a prominent location of the site to indicate that

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 all times 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 submission of a drainage proposal including proposal not to adversely affect the watercourse to the west of the site within 3 months from the date of planning approval to the satisfaction of the Director of Drainage Services or of the TPB by 15.2.2020;
- (f) in relation to (e) 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 15.5.2020;
- (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 3 months from the date of planning approval to the satisfaction of the Director of Fire Services or of the TPB by 15.2.2020;
- (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 15.5.2020;
- (j) if any of the above planning condition (a), (b), (c), (d) or (g) is not complied with during the planning approval period, the approval hereby given shall cease to have effect and shall be revoked immediately without further notice; and
- (k) if any of the above planning condition (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.”

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

Agenda Item 23

Section 16 Application

[Open Meeting (Presentation and Question Sessions Only)]

A/YL-MP/286 Proposed School in “Village Type Development” Zone, Ex-Koon Ying Public School Site and the Adjacent Former School Office Building, Government Land in D.D. 105, Mai Po San Tsuen, Mai Po, Yuen Long
(RNTPC Paper No. A/YL-MP/286)

Presentation and Question Sessions

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

- (a) background to the application;
- (b) the proposed school;
- (c) departmental comments – departmental comments were set out in paragraph 10 of the Paper. Concerned government departments had no objection to or no adverse comment on the application;
- (d) no public comment was received during the first three weeks of the statutory publication period; and
- (e) the Planning Department (PlanD)’s views – PlanD had no objection to the application based on the assessments set out in paragraph 12 of the Paper.

The site was previously used as a primary school until 2006. Considering that the application was to utilise the vacated premises of a previously closed school for school development, it was not in conflict with the planning intention of the site. The proposed development was considered not incompatible with the surrounding areas. While the site fell within the Wetland Buffer Area (WBA) of the Town Planning Board Guidelines No. 12C (TPB PG-No. 12C), the Director of Agriculture, Fisheries and Conservation had no adverse comment on the application from nature conservation point of view. Other concerned government departments had no objection to or no adverse comment on the application. There was one similar application for proposed school (kindergarten) within the "Village Type Development" ("V") zone approved by the Committee. Approval of the current application was in line with the previous decision of the Committee.

86. The Chairman and some Members raised the following questions:
- (a) the background of the site;
 - (b) justification of the applicant for choosing the site for special school use;
 - (c) any reason why the Special Education Division of Education Bureau (EDB) was not in a position to offer comments on the proposal;
 - (d) whether the Leisure and Cultural Services Department (LCSD) would take up the site for children's playground given that the current application was for permanent school use;
 - (e) the transport facilities and arrangement for students with physical disabilities;
 - (f) whether the proposed school would require building plans submission; and
 - (g) whether the existing roof structure was made of asbestos.

87. Ms Emily P.W. Tong, STP/FSYLE, made the following responses:

- (a) prior to zoning of a larger area covering the site as “V” on the first statutory plan, the site had been used as a primary school until it was closed down and had been left vacant since 2006;
- (b) according to the applicant, the proposed school was dedicated for children with special education needs and learning disabilities (SEND), who were in need of a modified teaching programme. The former Koon Ying School site could offer specialist holistic education and therapy in a safe and caring environment;
- (c) EDB was consulted on the application and they could not offer any comment at the current stage as policy support for school development at the site was not yet granted. The applicant would further liaise with EDB upon approval of the planning application;
- (d) the proposal for construction of a children’s playground and a sitting-out area at the site was under review by the Yuen Long District Council (YLDC) and there was no implementation programme at present. LCSD had no in-principle objection to the application subject to the agreement of YLDC. The proposed school use, if approved, would be subject to short-term tenancy (STT), which might be terminated if YLDC decided to implement its proposal on the site;
- (e) according to Drawing A-1 submitted by the applicant, the proposed school would be accessed through a track to the north of the site. There would be one private car parking space, two private car/taxi lay-bys and three school bus lay-bys within the site. The school would adopt a school bus policy and encourage the students to take school bus instead of taking other means of transport. There was no information in the applicant’s submission on the number of students with physical disabilities;

- (f) according to the applicant, the existing buildings at the site would require refurbishment, and would not involve any major alterations and additions except for necessary structural repair/maintenance. The applicant also indicated that all works would be carried out to follow the requirements of the Buildings Department (BD). BD had no comment on the application; and
- (g) there was no information provided by the applicant regarding the existing condition of the roof structure.

Deliberation Session

88. A Member expressed in-principle support to the proposed school but raised concern on the potential air and noise impacts generated by heavy vehicles using Castle Peak Road near the application site. In that regard, Members noted that the Director of Environmental Protection had no adverse comment on the application and the applicant had indicated that all internal area within the premises would be air-conditioned. Another Member also rendered support to the proposal but expressed concern on the mechanism for monitoring the implementation of the proposed development. The Chairman said that upon granting of planning approval, the applicant needed to seek EDB's policy support before applying for STT from the Lands Department (LandsD) and sort out the building structure and related issues with BD prior to implementation of the proposed school. Mr Alan K.L. Lo, Assistant Director (Regional 3), LandsD, in response to a Member's enquiry, said that EDB's policy support would be required prior to the approval of the STT for the proposed school on the site.

89. After deliberation, the Committee decided to approve the application, on the terms of the application as submitted to the Town Planning Board (TPB). The permission should be valid until 15.11.2023, 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; and

- (b) the design and provision of fire services installations and water supplies for firefighting to the satisfaction of the Director of Fire Services or of the TPB.”

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

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

Agenda Item 24

Section 16 Application

[Open Meeting]

A/YL-NSW/274 Proposed Residential (Flat) and Community Hub (Shop and Services, Eating Place, School, Place of Recreation, Sports or Culture and Public Transport Terminus) Development in “Undetermined” Zone, Lots 592 S.C ss.1 S.A, 592 S.C ss.4 and 1252 S.C in D.D. 115, Tung Shing Lei, Yuen Long
(RNTPC Paper No. A/YL-NSW/274)

91. The Secretary reported that the application was submitted by Richduty Development Ltd., which was an affiliate company of Sun Hung Kai Properties Ltd. (SHK) and Llewelyn-Davies Hong Kong Ltd. (LD), Archiplus International (HK) Ltd. (ARCHI), Ove Arup & Partners Hong Kong Ltd. (Arup), Ramboll Ltd. (Ramboll) and Urbis Ltd. (Urbis) were five 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 SHK, Arup, Ramboll and Urbis; |
| Miss Winnie W.M. Ng | - being a Director of the Kowloon Motor Bus Company (1933) Limited (KMB) and SHK was one of the shareholders of KMB; |

- Mr K.K. Cheung - his firm having current business dealings with SHK, ARCHI and Arup;
- Mr Stephen L.H. Liu - his firm having past business dealings with SHK and LD; and
- Mr Ricky W.Y. Yu - his firm having past business dealings with LD.

92. The Committee noted that the applicant had requested deferment of consideration of the application and Messrs Ivan C.S. Fu and Stephen L.H. Liu had tendered apologies for being unable to join the meeting. The Committee agreed that Miss Winnie W.M. Ng could stay in the meeting but should refrain from participating in the discussion as her interest was direct. As Mr K.K. Cheung had no involvement in the application, the Committee agreed that he could stay in the meeting. The Committee noted that Mr Ricky W.Y. Yu had already left the meeting.

93. The Committee noted that the applicant's representative requested on 6.11.2019 deferment of consideration of the application for two months so as to allow time for preparation of further information to address departmental comments. It was the first time that the applicant requested deferment of the application.

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

Agenda Item 25

Section 16 Application

[Open Meeting (Presentation and Question Sessions Only)]

A/YL-ST/559 Temporary Shop and Services (Motor Vehicle Showroom) for a Period of 3 Years in “Other Specified Uses” annotated “Service Stations” Zone, Lots 737 RP (Part), 738 RP (Part), 741 (Part), 742 RP (Part) and 744 RP (Part) in D.D. 99 and Adjoining Government Land, San Tin, Yuen Long
(RNTPC Paper No. A/YL-ST/559)

Presentation and Question Sessions

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

- (a) background to the application;
- (b) the temporary shop and services (motor vehicle showroom) for a period of three years;
- (c) departmental comments – departmental comments were set out in paragraph 10 of the Paper. Concerned government departments had no objection to or no adverse comment on the application;
- (d) during the first three weeks of the statutory publication period, one public comment was received from the San Tin Rural Committee objecting to the application. Major grounds were set out in paragraph 11 of the Paper; and
- (e) the Planning Department (PlanD)’s views – PlanD had no objection to the application based on the assessments set out in paragraph 12 of the Paper. There was no known proposal for permanent development at that part of the “Other Specified Uses” annotated “Service Stations” (“OU(SS)”) zone. Approval of the application on a temporary basis for a period of three years

would not frustrate the long-term planning intention of the “OU(SS)” zone. The proposed development was not incompatible with the surrounding uses. Concerned government departments had no adverse comment on the application. The Committee had approved similar applications within the same “OU(SS)” zone. Approval of the application was in line with the previous decisions of the Committee. Regarding the adverse public comment, the comments of government departments and planning assessments above were relevant.

96. Members had no question on the application.

Deliberation Session

97. After deliberation, the Committee decided to approve the application on a temporary basis for a period of 3 years until 15.11.2022, on the terms of the application as submitted to the Town Planning Board (TPB) and subject to the following conditions :

- “(a) no operation between 8:00 p.m. and 8:00 a.m., as proposed by the applicant, is allowed on the site during the planning approval period;
- (b) no vehicle is allowed to queue back to or reverse onto/from the site to the public road at any time during the planning approval period;
- (c) 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 15.5.2020;
- (d) in relation to (c) 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 15.8.2020;
- (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 15.5.2020;

- (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 15.8.2020;
- (g) in relation to (f) above, the implemented drainage facilities shall be maintained at all times during the planning approval period;
- (h) if any of the above planning condition (a), (b) or (g) is not complied with during the planning approval period, the approval hereby given shall cease to have effect and shall be revoked immediately without further notice; and
- (i) if any of the above planning condition (c), (d), (e) or (f) is not complied with by the specified date, the approval hereby given shall cease to have effect and shall on the same date be revoked without further notice.”

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

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

Tuen Mun and Yuen Long West District

Agenda Item 26

Section 16 Application

[Open Meeting]

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

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

- | | |
|---------------------------------------|--|
| Mr H.W. Cheung
(the Vice-Chairman) | - being a member of the Private Columbaria Licensing Board (PCLB); |
| Mr Ivan C.S. Fu | - being a member of the Private Columbaria Appeal Board (PCAB); |
| Mr K.K. Cheung | - his firm being legal advisor of PCLB; and |
| Dr Jeanne C.Y. Ng | - co-owning with spouse a flat in Tuen Mun. |

100. The Committee noted that the applicant had requested deferment of consideration of the application and Mr Ivan C.S. Fu and Dr Jeanne C.Y. Ng had tendered apologies for being unable to join the meeting. As the interests of the Vice-Chairman and Mr K.K. Cheung were indirect, the Committee agreed that they could stay in the meeting.

101. The Committee noted that the applicant's representative requested on 30.10.2019 deferment of consideration of the application for two months so as to allow time for preparation of further information to address departmental comments. It was the second time that the applicant requested deferment of the application. Since the last deferment, the applicant had arranged a traffic consultant to prepare a revised Traffic Impact Assessment and Traffic and Crowd Management Plan to address 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 for preparation of submission of further information, no further deferment would be granted unless under very special circumstances.

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

Agenda Item 27

Section 16 Application

[Open Meeting (Presentation and Question Sessions Only)]

A/TM-SKW/104 Temporary Barbecue Area for a Period of 3 Years in “Green Belt”
Zone, Lot 206 RP in D.D. 374 and adjoining Government Land, So
Kwun Wat, Tuen Mun
(RNTPC Paper No. A/TM-SKW/104)

Presentation and Question Sessions

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

- (a) background to the application;
- (b) the temporary barbecue area for a period of three years;
- (c) departmental comments – departmental comments were set out in paragraph 9 of the Paper. The Chief Town Planner/Urban Design & Landscape, the Planning Department (CTP/UD&L, PlanD) had reservation on the proposed use as clearance of vegetation had taken place prior to granting of the planning approval. Approval of the application would set an undesirable precedent to encourage similar vegetation clearance and the

cumulative impact of such approval would further degrade the landscape quality of the surrounding environment and the integrity of the “Green Belt” (“GB”) zone. The Director of Agriculture, Fisheries and Conservation (DAFC) expressed concern on the application as the site had been paved and mostly disturbed recently which should not be encouraged. The Director of Environmental Protection (DEP) did not support the application as there was insufficient information in the applicant’s submission to address the sewerage and wastewater impacts arising from the proposed use. The Chief Engineer/Mainland North, Drainage Services Department (CE/MN, DSD) advised that the information provided by the applicant did not contain sufficient information and details to demonstrate the adequacy of the drains and that no adverse drainage impact would result from the proposed use. 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, five public comments from Kadoorie Farm and Botanic Garden, Aegean Coast Owners’ Committee, The Hong Kong Bird Watching Society, Designing Hong Kong Limited and an individual objecting to the application were received. Major 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. The proposed use was not in line with the planning intention of the “GB” zone and the applicant had not provided any strong planning justification in the submission to merit a departure from such planning intention, even on a temporary basis. The proposed use was not entirely compatible with the surrounding area. The application did not meet the Town Planning Board Guidelines No. 10 in that the applicant failed to demonstrate that the proposed use would not generate adverse traffic, noise, sewage, wastewater, odour and landscape impacts on the surrounding areas. Regarding the adverse public comments, the comments of government departments and the planning assessments above were relevant.

104. Members had no question on the application.

Deliberation Session

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

- “(a) the proposed use 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. No strong justification has been given in the submission for a departure from the planning intention, even on a temporary basis;
- (b) the proposed use is not in line with the Town Planning Board Guidelines for ‘Application for Development within the Green Belt zone under Section 16 of the Town Planning Ordinance’ (TPB PG-No. 10) in that the applicant fails to demonstrate that the proposed use would not generate adverse traffic, noise, sewerage, wastewater, odour and landscape impacts on the surrounding areas; and
- (c) the approval of the application would set an undesirable precedent for similar applications within the “GB” zone. The cumulative effect of approving such similar applications would result in a general degradation of the environment of the area.”

Agenda Item 28

Section 16 Application

[Open Meeting (Presentation and Question Sessions Only)]

A/HSK/191 Temporary Public Vehicle Park (Private Car and Light Goods Vehicle)
for a Period of 3 Years in “Village Type Development” Zone, Lot 924
RP(Part) in D.D. 125 and Adjoining Government Land, Ha Tsuen,
Yuen Long

(RNTPC Paper No. A/HSK/191)

Presentation and Question Sessions

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

- (a) background to the application;
- (b) the temporary public vehicle park (private car and light goods vehicle) for a period of three years;
- (c) departmental comments – departmental comments were set out in paragraph 9 of the Paper. Concerned government departments had no objection to or no adverse comment on the application;
- (d) during the first three weeks of the statutory publication period, one public comment from an individual was received raising concern. Major views were set out in paragraph 10 of the Paper; and
- (e) the Planning Department (PlanD)’s views – PlanD had no objection to the application based on the assessments set out in paragraph 11 of the Paper. Whilst the applied use was not entirely in line with the planning intention of the “Village Type Development” (“V”) zone, approval of the application on a temporary basis for three years would not affect the processing of Small House development nor frustrate the long-term development of the

area. The applied use was considered not incompatible with the surrounding land uses which were predominantly rural in character. The public vehicle parking facilities would be able to meet certain demand of the villagers/residents in the area. There were no adverse comments from the concerned government departments. Six similar planning applications for public vehicle park use within the same “V” zone were approved, and approval of the current application was in line with the Committee’s previous decisions. Regarding the public comment, the comments of government departments and the planning assessments above were relevant.

107. Members had no question on the application.

Deliberation Session

108. After deliberation, the Committee decided to approve the application on a temporary basis for a period of 3 years until 15.11.2022, 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 license issued under the Road Traffic Ordinance, as proposed by the applicant, is allowed to be parked/stored on the site at any time during the planning approval period;
- (b) no medium and heavy goods vehicles exceeding 5.5 tonnes, including container tractors/trailers, as defined in the Road Traffic Ordinance, as proposed by the applicant, are allowed to be parked/stored on or enter/exit the site at any time during the planning approval period;
- (c) a notice shall be posted at a prominent location of the site at all times to indicate that only private cars and light goods vehicles not exceeding 5.5 tonnes as defined in the Road Traffic Ordinance, as proposed by the applicant, are allowed to enter/be parked on the site 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 15.5.2020;
- (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 15.8.2020;
- (f) in relation to (e) above, the implemented drainage facilities on the site shall be maintained at all times during the approval period;
- (g) 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 15.5.2020;
- (h) in relation to (g) 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 15.8.2020;
- (i) if any of the above planning conditions (a), (b), (c) or (f) is not complied with during the planning approval period, the approval hereby given shall cease to have effect and shall be revoked immediately without further notice; and
- (j) if any of the above planning conditions (d), (e), (g) or (h) is not complied with by the specified date, the approval hereby given shall cease to have effect and shall on the same date be revoked without further notice.”

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

Agenda Item 29

Section 16 Application

[Open Meeting]

A/TM-LTYYY/386 Proposed Temporary Public Vehicle Park (excluding Container Vehicle) for a Period of 5 Years in “Green Belt” Zone, Lot 883 RP in D.D. 130, Lam Tei, Tuen Mun
(RNTPC Paper No. A/TM-LTYYY/386)

110. The Committee noted that the applicant requested on 29.10.2019 deferment of the consideration of the application for two months so as to allow time for preparation of further information to address departmental comments. It was the first time that the applicant requested deferment of the application.

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

Agenda Item 30

Section 16 Application

[Open Meeting (Presentation and Question Sessions Only)]

A/TM-LTY Y/387 Renewal of Planning Approval for Temporary Shop and Services (Real Estate Agency) for a Period of 3 Years in “Village Type Development” Zone, Lot 2995 RP (Part) in D.D. 124 and Adjoining Government Land, Chung Uk Tsuen, Tuen Mun
(RNTPC Paper No. A/TM-LTY Y/387)

Presentation and Question Sessions

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

- (a) background to the application;
- (b) the renewal of planning approval for temporary shop and services (real estate agency) for a period of three years;
- (c) departmental comments – departmental comments were set out in paragraph 10 of the Paper. Concerned government departments had no objection to or no adverse comment on the application;
- (d) no public comment was received during the first three weeks of the statutory publication period; and
- (e) the Planning Department (PlanD)’s views – PlanD had no objection to the application based on the assessments set out in paragraph 12 of the Paper. Whilst the applied use was not entirely in line with the planning intention of the “Village Type Development” (“V”) zone, the development would provide real estate services to serve any such demand in the area. Approval of the application on a temporary basis would not jeopardize the long-term planning intention of the “V” zone. The development was

considered not incompatible with the surrounding land uses and the rural character of the surrounding area. The application was generally in line with the Town Planning Board Guidelines No. 34C in that there was no material change in planning circumstances since the previous temporary approval was granted, all conditions under the previous approval had been complied with and the approval period sought was the same as that of the previous approval. Relevant government departments had no objection to or no adverse comment on the application.

113. Members had no question on the application.

Deliberation Session

114. After deliberation, the Committee decided to approve the application on a temporary basis for a period of 3 years from 10.12.2019 until 9.12.2022, on the terms of the application as submitted to the Town Planning Board (TPB) and subject to the following conditions :

- “(a) no operation between 8:00 p.m. and 9:00 a.m., as proposed by the applicant, is allowed on the site during the planning approval period;
- (b) no vehicle is allowed to enter or be parked/stored on the site, as proposed by the applicant, at any time during the planning approval period;
- (c) the existing trees on the site shall be maintained at all times during the planning approval period;
- (d) the existing drainage facilities on the site shall be maintained at all times during the planning approval period;
- (e) the submission of a condition record of the existing drainage facilities on the site within 3 months from the date of commencement of the renewed planning approval to the satisfaction of the Director of Drainage Services or of the TPB by 10.3.2020;

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

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

Agenda Items 31 and 32

Section 16 Applications

[Open Meeting (Presentation and Question Sessions Only)]

A/YL-PS/596 Proposed Filling of Pond for a Permitted House (New Territories Exempted House - Small House) in “Village Type Development” Zone, Lot 178 S.A ss.4 S.C in D.D. 123, Ping Shan, Yuen Long
(RNTPC Paper No. A/YL-PS/596 and 597)

A/YL-PS/597 Proposed Filling of Pond for a Permitted House (New Territories Exempted House - Small House) in “Village Type Development” Zone, Lot 178 S.A ss.4 RP in D.D. 123, Ping Shan, Yuen Long
(RNTPC Paper No. A/YL-PS/596 and 597)

116. The Committee agreed that as the two applications for proposed filling of pond for permitted houses (New Territories Exempted Houses (NTEHs) – Small Houses) were similar in nature and the application sites were abutting each other within the same “Village

Type Development” (“V”) zone, they could be considered together.

Presentation and Question Sessions

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

- (a) background to the applications;
- (b) the proposed filling of pond for permitted houses (NTEHs - Small Houses);
- (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 applications from nature conservation point of view as the sites fell within the Wetland Buffer Area (WBA) and were in close proximity to the Wetland Conservation Area (WCA) which was intended to conserve the ecological value of the fish pond forming part of the wetland ecosystem in the Deep Bay area. Approving the subject applications might cause undesirable precedent on encouraging other similar development within the WBA and further degrade the ecological value of the fishpond/wetland in Deep Bay area. Other concerned government departments had no objection to or no adverse comment on the applications;
- (d) during the first three weeks of the statutory publication period, two public comments, one for each application, were received from the same individual objecting to the applications. Major grounds were set out in paragraph 11 of the Paper; and
- (e) the Planning Department (PlanD)’s views – PlanD had no objection to the applications based on the assessments set out in paragraph 12 of the Paper. The proposed pond filling to facilitate Small House developments, which were always permitted within “V” zone, were considered in line with the planning intention of the “V” zone. Whilst not supporting the applications,

DAFC noted that the application sites were zoned “V” and under private ownership of villagers. The applications were considered not in contravention with the Town Planning Board Guidelines No. 12C (TPB PG-No. 12C). Other concerned government departments had no objection to or no adverse comment on the applications. There were six similar approved applications for land or pond filling for NTEHs in the vicinity of the application sites within the same “V” zone. Approval of the applications was in line with the previous decisions of the Committee. Regarding the adverse public comments, the comments of the government departments and the planning assessments above were relevant.

[Dr F.C. Chan left the meeting at this point.]

118. In response to a Member’s question on whether the proposed filling of ponds would require compensation of wetland loss, Ms Bonnie K.C. Lee, STP/TMYLW said that according to TPB PG-No. 12C, if the site was within WBA, there was no requirement for the submission of ecological impact assessment and wetland compensation for the proposed use.

Deliberation Session

119. After deliberation, the Committee decided to approve the applications, on the terms of the applications as submitted to the Town Planning Board (TPB). Each of the permissions should be valid until 15.11.2023, 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. Each of the permissions was subject to the following conditions :

- “(a) no vehicle is allowed to enter the site at any time during the planning approval period;
- (b) the submission of a drainage proposal including drainage mitigation measures before the issue of any certificate of exemption by the Lands Department to the satisfaction of the Director of Drainage Services or of the TPB;

- (c) the implementation of the drainage proposal including drainage mitigation measures identified therein upon completion of the pond filling works to the satisfaction of the Director of Drainage Services or of the TPB; and
- (d) if any of the above planning conditions (a), (b) or (c) is not complied with, the approval hereby given shall cease to have effect and shall be revoked immediately without further notice.”

120. 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-TYST/987 Proposed Temporary Warehouse for Storage of Construction Material for a Period of 3 Years in “Undetermined” Zone, Lot 777 (Part) in D.D. 119, Pak Sha Tsuen, Yuen Long
(RNTPC Paper No. A/YL-TYST/987)

Presentation and Question Sessions

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

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

objection to or no adverse comment on the application;

- (d) no public comment was received during the first three weeks of the statutory publication period; and
- (e) the Planning Department (PlanD)'s views – PlanD considered that the proposed temporary warehouse for storage of construction material 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 in conflict with the planning intention of the “Undetermined” (“U”) zone which was generally intended for open storage use but was designated with this zoning mainly due to concerns of the capacity of Kung Um Road. Whilst the site partly fell within an area zoned “Residential – Zone 2 (Subsidised Sale Flats with Commercial)” on the Recommended Outline Development Plan of “Planning and Engineering Study for Housing Sites in Yuen Long South”, the Chief Engineer/Cross-Boundary Infrastructure and Development, PlanD and the Project Manager (West), Civil Engineering and Development Department had no objection to the proposed temporary use for three years. Approval of the application on a temporary basis for three years would not jeopardise the long-term development of the area. The development was generally not incompatible with the surrounding uses. There was no adverse comment on the application from concerned government departments.

122. Members had no question on the application.

Deliberation Session

123. After deliberation, the Committee decided to approve the application on a temporary basis for a period of 3 years until 15.11.2022, on the terms of the application as submitted to the Town Planning Board (TPB) and subject to the following conditions :

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

- (b) no operation on Sundays and public holidays, as proposed by the applicant, is allowed on the site during the planning approval period;
- (c) no open storage, repairing, dismantling, cleaning, spraying or other workshop activities, as proposed by the applicant, shall be carried out on the site at any time during the planning approval period;
- (d) no medium or heavy goods vehicles exceeding 5.5 tonnes, including container tractor/trailers, as defined in the Road Traffic Ordinance are allowed to be parked/stored on or enter/exit the site, as proposed by the applicant, at any time during the planning approval period;
- (e) no vehicle is allowed to queue back to or reverse onto/from public road at any time during the planning approval period;
- (f) all existing trees within the site shall be maintained at all times, as proposed by the applicant, during the planning approval period;
- (g) the existing drainage facilities on the site shall be maintained at all times during the planning approval period;
- (h) the submission of condition records of the existing drainage facilities on the site within 3 months from the date of planning approval to the satisfaction of the Director of Drainage Services or of the TPB by 15.2.2020;
- (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 15.5.2020;
- (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 15.8.2020;

- (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.”

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

Agenda Item 34

Section 16 Application

[Open Meeting (Presentation and Question Sessions Only)]

A/YL-TYST/988 Temporary Warehouse for Storage of Construction Material for a Period of 3 Years in “Undetermined” Zone, Lots 1492, 1493 S.B (Part), 1493 RP (Part) and 1495 (Part) in D.D. 119 and Adjoining Government Land, Kung Um Road, Yuen Long
(RNTPC Paper No. A/YL-TYST/988)

Presentation and Question Sessions

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

- (a) background to the application;
- (b) the temporary warehouse for storage of construction material for a period of three years;
- (c) departmental comments – departmental comments were set out in

paragraph 9 of the Paper. Concerned government departments had no objection to or no adverse comment on the application;

- (d) no public comment was received during the first three weeks of the statutory publication period; and
- (e) the Planning Department (PlanD)'s views – PlanD considered that the proposed temporary warehouse for storage of construction material 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 in conflict with the planning intention of the “Undetermined” (“U”) zone which was generally intended for open storage use but was designated with this zoning mainly due to concerns of the capacity of Kung Um Road. Whilst the site partly fell within an area zoned “District Open Space” and partly fell within an area shown as ‘Road’ on the Recommended Outline Development Plan of “Planning and Engineering Study for Housing Sites in Yuen Long South”, the Chief Engineer/Cross-Boundary Infrastructure and Development, PlanD and the Project Manager (West), Civil Engineering and Development Department had no objection to the applied use for three years. Approval of the application on a temporary basis for three years would not jeopardise the long-term development of the area. The development was generally not incompatible with the surrounding uses. There was no adverse comment on the application from concerned government departments.

126. Members had no question on the application.

Deliberation Session

127. After deliberation, the Committee decided to approve the application on a temporary basis for a period of 3 years until 15.11.2022, on the terms of the application as submitted to the Town Planning Board (TPB) and subject to the following conditions :

- “(a) no operation between 9:00 p.m. and 7:00 a.m., as proposed by the applicant,

is allowed on the site during the planning approval period;

- (b) no operation on Sundays and public holidays, as proposed by the applicant, is allowed on the site during the planning approval period;
- (c) no open storage, repairing, cleaning, dismantling and other workshop activities, as proposed by the applicant, shall be carried out on the site at any time during the planning approval period;
- (d) no medium or heavy goods vehicles exceeding 5.5 tonnes, including container tractors/trailers, as defined in the Road Traffic Ordinance are allowed to be parked/stored on or enter/exit the site, as proposed by the applicant, at any time during the planning approval period;
- (e) no vehicle is allowed to queue back to or reverse onto/from public road at any time during the planning approval period;
- (f) all existing trees within the site shall be maintained at all times during the planning approval period;
- (g) the existing boundary fencing on the site shall be maintained at all times during the planning approval period;
- (h) the existing drainage facilities on the site shall be maintained at all times during the planning approval period;
- (i) the submission of condition records of the existing drainage facilities on the site within 3 months from the date of planning approval to the satisfaction of the Director of Drainage Services or of the TPB by 15.2.2020;
- (j) the submission of a fire service installations proposal within 6 months from the date of planning approval to the satisfaction of the Director of Fire Services or of the TPB by 15.5.2020;

- (k) in relation to (j) above, the implementation of the fire service installations proposal within 9 months from the date of planning approval to the satisfaction of the Director of Fire Services or of the TPB by 15.8.2020;
- (l) if any of the above planning conditions (a), (b), (c), (d), (e), (f), (g) or (h) is not complied with during the planning approval period, the approval hereby given shall cease to have effect and shall be revoked immediately without further notice; and
- (m) if any of the above planning conditions (i), (j) or (k) is not complied with by the specified date, the approval hereby given shall cease to have effect and shall on the same date be revoked without further notice.”

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

Agenda Item 35

Section 16 Application

[Open Meeting (Presentation and Question Sessions Only)]

A/YL-TYST/989 Temporary Open Storage of Construction Machinery and Construction Materials for a Period of 3 Years in “Green Belt” and “Residential (Group D)” Zones, Lot 653 in D.D. 121, Long Hon Road, Yuen Long
(RNTPC Paper No. A/YL-TYST/989)

Presentation and Question Sessions

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

- (a) background to the application;
- (b) the temporary open storage of construction machinery and construction

materials for a period of three years;

- (c) departmental comments – departmental comments were set out in paragraph 10 of the Paper. The Director of Environmental Protection (DEP) did not support the application as there were sensitive receivers of residential use in the vicinity and the applied use would cause traffic of heavy vehicles and environmental nuisance was expected. Other concerned government departments had no objection to or no adverse comment on the application;
- (d) during the first three weeks of the statutory publication period, two public comments from an individual and an alleged local representative of Tong Yan San Tsuen objecting to the application were received. Major grounds were set out in paragraph 11 of the Paper; and
- (e) the Planning Department (PlanD)'s views – PlanD did not support the application based on the assessments set out in paragraph 12 of the Paper. The applied use was not in line with the planning intention of the “Residential (Group D)” (“R(D)”) zone. No strong justifications had been provided in the submission for a departure from the planning intention, even on a temporary basis. The applied use was considered not compatible with the rural character of the area. The application was not in line with the Town Planning Board Guidelines No. 13E. The site mainly fell within Category 3 areas, but it was not the subject of any previous planning approval for open storage use, there were adverse departmental comment and local objection to the application on environmental aspect. Six previous applications for similar open storage use within the same “R(D)” zone were rejected by the Committee/the Board on review. Rejection of the application was in line with the previous decisions of the Committee on similar applications in the area. Regarding the adverse public comments, the comments of relevant government departments and the planning assessments above were relevant.

130. Members had no question on the application.

Deliberation Session

131. 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 “Residential (Group D)” (“R(D)”) zone which is primarily for improvement and upgrading of existing temporary structures within the rural areas into permanent buildings. No strong planning justification has been given in the submission for a departure from the planning intention, even on a temporary basis;
- (b) the development is not in line with the Town Planning Board Guidelines No. 13E for Application for Open Storage and Port Back-up Uses in that there are adverse departmental comments on environmental aspect and local objection to the application; and
- (c) the approval of the application, even on a temporary basis, would set an undesirable precedent for similar applications within the “R(D)” zone. The cumulative effect of approving such similar applications would result in a general degradation of the rural environment of the area.”

Agenda Item 36

Section 16 Application

[Open Meeting (Presentation and Question Sessions Only)]

A/YL-TYST/990 Temporary Warehouse for Storage of Advertising Material, Construction Material, Electronic Goods and Household Product for a Period of 3 Years in “Undetermined” Zone, Lots 1399 (Part), 1401 S.A to S.D (Part), 1402 (Part) and 1403 (Part) in D.D. 119, Kung Um Road, Yuen Long
(RNTPC Paper No. A/YL-TYST/990)

Presentation and Question Sessions

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

- (a) background to the application;
- (b) the temporary warehouse for storage of advertising material, construction material, electronic goods and household product for a period of three years;
- (c) departmental comments – departmental comments were set out in paragraph 9 of the Paper. The Director of Environmental Protection (DEP) did not support the application as there were sensitive receivers of residential use in the vicinity of the site and the applied use would cause traffic of heavy vehicles and environmental nuisance was expected. Other concerned government departments had no objection to or no adverse comment on the application;
- (d) no public comment was received during the first three weeks of the statutory publication period; and
- (e) the Planning Department (PlanD)’s views – PlanD considered that the temporary warehouse could be tolerated for a period of three years based on the assessments set out in paragraph 11 of the Paper. The applied use was not in conflict with the planning intention of the “Undetermined” (“U”) zone which was generally intended for open storage use but was designated with this zoning mainly due to concerns of the capacity of Kung Um Road. Whilst the site fell within an area zoned “Special Residential – Public Rental Housing (with Commercial)” and “Residential – Zone 1 (Subsidised Sale Flats with Commercial)” on the Recommended Outline Development Plan of “Planning and Engineering Study for Housing Sites in Yuen Long South”, the Chief Engineer/Cross-Boundary Infrastructure and

Development, PlanD and the Project Manager (West), Civil Engineering and Development Department had no objection to the temporary use for three years. Approval of the application on a temporary basis for three years would not jeopardise the long-term development of the area. The development was generally not incompatible with the surrounding uses. There was no adverse comment on the application from concerned government departments except DEP. Whilst DEP did not support the application, there had been no environmental complaint concerning the site received in the past three years and relevant approval conditions were recommended to minimise any potential environmental nuisances or to address the technical requirements of other concerned government departments.

133. Members had no question on the application.

Deliberation Session

134. After deliberation, the Committee decided to approve the application on a temporary basis for a period of 3 years until 15.11.2022, 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 operation on Sundays and public holidays, as proposed by the applicant, is allowed on the site during the planning approval period;
- (c) no open storage, repairing, cleaning, dismantling, other workshop activities and handling/storage of electronic wastes and cathode-ray tubes, as proposed by the applicant, shall be carried out on the site at any time during the planning approval period;
- (d) no heavy goods vehicles exceeding 24 tonnes, including container tractors/trailers, as defined in the Road Traffic Ordinance are allowed to be

parked/stored on or enter/exit the site, as proposed by the applicant, at any time during the planning approval period;

- (e) no vehicle is allowed to queue back to or reverse onto/from public road at any time during the planning approval period;
- (f) all existing trees within the site shall be maintained at all times, as proposed by the applicant, during the planning approval period;
- (g) the existing boundary fencing on the site shall be maintained at all times during the planning approval period;
- (h) the submission of a drainage proposal within 6 months from the date of planning approval to the satisfaction of the Director of Drainage Services or of the TPB by 15.5.2020;
- (i) in relation to (h) above, the implementation of the drainage proposal within 9 months from the date of planning approval to the satisfaction of the Director of Drainage Services or of the TPB by 15.8.2020;
- (j) in relation to (i) above, the implemented drainage facilities on the site shall be maintained at all times during the planning approval period;
- (k) the submission of a fire service installations proposal within 6 months from the date of planning approval to the satisfaction of the Director of Fire Services or of the TPB by 15.5.2020;
- (l) in relation to (k) above, the implementation of the fire service installations proposal within 9 months from the date of planning approval to the satisfaction of the Director of Fire Services or of the TPB by 15.8.2020;
- (m) if any of the above planning conditions (a), (b), (c), (d), (e), (f), (g) or (j) is not complied with during the planning approval period, the approval hereby given shall cease to have effect and shall be revoked immediately without

further notice; and

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

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

Agenda Item 37

Any Other Business

136. There being no other business, the meeting closed at 4:20 p.m..