

**TOWN PLANNING BOARD**

**Minutes of 641<sup>st</sup> Meeting of the  
Rural and New Town Planning Committee held at 2:30 p.m. on 3.1.2020**

**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

Mr Stephen L.H. Liu

Mr L.T. Kwok

Mr K.W. Leung

Dr Jeanne C.Y. Ng

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

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

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

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

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

Secretary

**Absent with Apologies**

Mr Ivan C.S. Fu

Dr Lawrence K.C. Li

Mr David Y.T. Lui

Miss Winnie W.M. Ng

Mr Ricky W.Y. Yu

**In Attendance**

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

Chief Town Planner/Town Planning Board  
Ms W.H. Ho

Town Planner/Town Planning Board  
Mr Gary T.L. Lam

**Agenda Item 1**

**Confirmation of the Draft Minutes of the 640<sup>th</sup> RNTPC Meeting held on 13.12.2019**

[Open Meeting]

1. The draft minutes of the 640<sup>th</sup> RNTPC meeting held on 13.12.2019 were confirmed without amendments.

**Agenda Item 2**

**Matters Arising**

[Open Meeting]

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

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

**Agenda Item 3**

**Section 12A Application**

[Open Meeting]

Y/TP/28                      Application for Amendment to the Approved Tai Po Outline Zoning Plan S/TP/28, to Rezone the Application Site from “Residential (Group C) 10” to “Residential (Group B)11”, Various Lots in D.D. 34 and D.D. 36 and Adjoining Government Land, Tsiu Hang, Tai Po  
(RNTPC Paper No. Y/TP/28A)

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3.            The Secretary reported that the application was located in Tai Po and was submitted by Ford World Development Ltd., which was a subsidiary of Henderson Land Development Company Ltd. (HLD). MVA Hong Kong Ltd. (MVA), Ramboll (HK) Ltd. (Ramboll) and AECOM Asia Co. Ltd. (AECOM) were three of the consultants of the applicant. The following Members had declared interests on the item:

- Mr Ivan C.S. Fu                      -    having current business dealings with HLD, MVA, Ramboll and AECOM;
  
- Mr Peter K.T. Yuen                      -    being a member of the Board of Governors of the Hong Kong Arts Centre which had received a donation from an Executive Director of HLD before;
  
- Mr K.K. Cheung                      -    his firm having current business dealings with HLD;
  
- Dr C.H. Hau                      -    being an employee of the University of Hong Kong which had received a donation from a family member of the Chairman of HLD before, and having current business dealings with AECOM;
  
- Dr Lawrence K.C. Li                      -    being the Deputy Chairman of the Council of the Hong Kong Polytechnic University which had obtained sponsorship from HLD before;

- Mr Stephen L.H. Liu - having past business dealings with HLD; and
- Mr H.W. Cheung - owning a flat in Tai Po.  
(*the Vice-chairman*)

4. The Committee noted that the applicant had requested deferment of consideration of the application and Mr Ivan C.S. Fu and Dr Lawrence K.C. Li had tendered apologies for being unable to join the meeting. As the interest of Mr Peter K.T. Yuen was indirect, Dr C.H. Hau and Messrs K.K. Cheung and Stephen L.H. Liu had no involvement in the application, and the property of Mr H.W. Cheung had no direct view of the application site, the Committee agreed that they could stay in the meeting.

5. The Committee noted that the applicant's representative requested on 9.12.2019 deferment of consideration of the application for a period of two months so as to allow time to address the departmental and public comments received. It was the second time that the applicant requested deferment of the application. Since the last deferment, the applicant had submitted further information including responses to departmental comments, replacement page of Master Layout Plan, revised/supplementary pages for supplementary planning statement, visual impact assessment, air ventilation and environmental assessment, drainage impact assessment, sewerage impact assessment, revised traffic impact assessment and land registry record.

6. After deliberation, the Committee decided to defer a decision on the application as requested by the applicant pending the submission of further information from the applicant. The Committee agreed that the application should be submitted for its consideration within three months from the date of receipt of further information from the applicant. If the further information submitted by the applicant was not substantial and could be processed within a shorter time, the application could be submitted to an earlier meeting for the Committee's consideration. The Committee also agreed to advise the applicant that two months were allowed for preparation of the submission of the further information. Since it was the 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 4**

**Section 12A Application**

[Open Meeting]

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

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7.                      The Secretary reported that the application was withdrawn by the applicant.

**Sai Kung and Islands District**

**Agenda Item 5**

**Section 16 Application**

[Open Meeting]

A/SK-PK/257                      Columbarium (Within a Religious Institution or Extension of Existing Columbarium only) in “Green Belt” Zone, Lot 1145 (part) in D.D. 217, Tai Chung Hau, Mang Kung Wo Road, Pak Sha Wan, Sai Kung  
  
(RNTPC Paper No. A/SK-PK/257)

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8.                      The Secretary reported that the application was for columbarium use. MVA Hong Kong Limited (MVA) was one of the consultants of the applicant. The following Members had declared interests on the item:

Mr H.W. Cheung                      -    being a member of the Private Columbaria  
(*the Vice-chairman*)                      Licensing Board (PCLB);

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

Appeal Board, and having current business dealings with MVA; and

Mr K.K. Cheung - his firm being legal advisor of PCLB.

9. The Committee noted that the applicant had requested deferment of consideration of the application, and Mr Ivan C.S. Fu had tendered apology for being unable to attend the meeting. As the interests of Messrs H.W. Cheung and K.K. Cheung in relation to PCLB were indirect, the Committee agreed that they could stay in the meeting.

10. The Committee noted that the applicant's representative requested on 16.12.2019 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.

11. 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.

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

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

**Agenda Item 6**

**Section 16 Application**

[Open Meeting (Presentation and Question Sessions Only)]

A/NE-HLH/38            Temporary Open Storage of Construction Materials and Machinery, Office, Staff Rest Room and Store Room for a Period of 3 Years in “Agriculture” Zone, Lot 327 in D.D. 87, Ta Kwu Ling  
(RNTPC Paper No. A/NE-HLH/38)

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**Presentation and Question Sessions**

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

- (a) background to the application;
- (b) the temporary open storage of construction materials and machinery, office, staff rest room and store room for a period of three years;
- (c) departmental comments – departmental comments were set out in paragraph 10 of the Paper. The Director of Agriculture, Fisheries and Conservation (DAFC) did not support the application as the site possessed potential for agricultural rehabilitation. The Commissioner for Transport (C for T) did not render support to the application as the applicant had not provided traffic-related information for his consideration. The Chief Town Planner/Urban Design and Landscape, Planning Department (CTP/UD&L, PlanD) had reservation on the application as the site had been extensively hard paved and connected by access road in close proximity since 2018. Approval of the application might set an undesirable precedent of landscape character alteration by vegetation clearance and site formation prior to planning approval and encourage other similar applications. Other concerned government departments had no objection to or no adverse comments on the application. Local views conveyed by the District Officer (North), Home Affairs Department were set out in paragraph



10.1.10 of the Paper;

- (d) during the first three weeks of the statutory publication period, seven public comments were received. Amongst them, the Chairman of Sheung Shui District Rural Committee and the North District Council member indicated no comment on the application. The Kadoorie Farm and Botanic Garden Corporation, World Wide Fund for Nature Hong Kong, the Hong Kong Bird Watching Society, Designing Hong Kong Limited and an individual objecting to the application. Major views were set out in paragraph 11 of the Paper; and
  
- (e) the PlanD's views – PlanD did not support the application based on the assessments set out in paragraph 12 of the Paper. The temporary open storage use was not in line with the planning intention of the “Agriculture” (“AGR”) zone. DAFC did not support the application as the site possessed potential for agricultural rehabilitation and could be used as greenhouse or plant nurseries. No strong justification had been given in the submission to justify a departure from the planning intention. CTP/UD&L, PlanD had reservation on the application as significant adverse landscape impact had taken place prior to planning approval. Approval of the application might set an undesirable precedent of landscape character alteration by vegetation clearance and site formation and encourage other similar applications. C for T did not support the application as the applicant failed to demonstrate that the temporary development would not cause adverse traffic impact on the surrounding area. The application did not comply with the Town Planning Board Guidelines No. 13E (TPB PG-No. 13E) in that the site fell within Category 3 area where applications would normally not be favourably considered unless with previous planning approvals. Five similar applications for open storage use within the same “AGR” zone were rejected, and the circumstances of the current application were similar to those rejected applications. Regarding the adverse public comments received, the comments of government departments and planning assessments above were relevant.

13. Members had no question on the application.

Deliberation Session

14. A Member enquired the basis for categorising the site. In response, the Chairman said that the categorisation was set out in the TPB PG-No. 13E which was prepared by PlanD and endorsed by the Town Planning Board to provide general planning criteria in the assessment of planning application for open storage and port back-up uses. The categories were designated according to the suitability of the sites for such uses.

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

- “(a) the development is not in line with the planning intention of the “Agriculture” zone for the Hung Lung Hang area, which is primarily to retain and safeguard good quality agricultural land/farm/fish ponds for agricultural purposes and to retain fallow arable land with good potential for rehabilitation for cultivation and other agricultural purposes. There is no strong justification in the submission for a departure from such planning intention, even on a temporary basis;
- (b) the application does not comply with the Town Planning Board Guidelines for ‘Application for Open Storage and Port Back-up Uses under Section 16 of the Town Planning Ordinance’ in that there is no previous approval for open storage granted for the Site; and there are adverse comments from the relevant government departments and local objections on the application; and
- (c) the applicant fails to demonstrate that the development would not cause adverse traffic impact on the surrounding areas.”

**Agenda Item 7**

**Section 16 Application**

[Open Meeting]

A/NE-TKL/626      Proposed Temporary Logistics Centre for a Period of 3 Years in “Open Storage” Zone, Taxlord Lot 483 S.B RP (Part) in D.D. 83, Kwan Tei North, Fanling  
(RNTPC Paper No. A/NE-TKL/626A)

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16.            The Committee noted that the applicant’s representative requested on 16.12.2019 deferment of consideration of the application for a period of two months so as to allow time to address the comments from the Lands Department, Environmental Protection Department, Agriculture, Fisheries and Conservation Department and Transport Department. It was the second time that the applicant requested deferment of the application. Since the last deferment, the applicant had liaised with the relevant government departments. However, new issues regarding land ownership and arrangement for vehicle access had arisen and more time was required to prepare further information to address departmental concerns.

17.            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 8**

**Section 16 Application**

[Open Meeting (Presentation and Question Sessions Only)]

A/NE-TKL/631      Renewal of Planning Approval for Temporary Private Car Park for a Period of 3 Years in “Agriculture” and “Village Type Development” Zones, Lot 365 S.C (Part) in D.D. 84, Tai Po Tin Village, Ping Che  
(RNTPC Paper No. A/NE-TKL/631)0

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**Presentation and Question Sessions**

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

- (a) background to the application;
- (b) the renewal of planning approval for temporary private car park 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 comments on the application. Local views conveyed by the District Officer (North), Home Affairs Department were set out in paragraph 10.1.7 of the Paper;
- (d) during the first three weeks of the statutory publication period, three public comments were received from a North District Council (NDC) Member, the Chairman of Sheung Shui District Rural Committee (SSDRC) and an individual. The NDC Member supported the application, the Chairman of SSDRC indicated no comment on the application and the individual 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 development could be tolerated for a further period of three years based on the assessments set out in paragraph 12 of the Paper. Although the temporary development was not in line with the planning intentions of “Agriculture” (“AGR”) and “Village Type Development” (“V”) zones, the Director of Agriculture, Fisheries and Conservation had no strong view against the application. As there was no Small House application at the site, approval of the application on a temporary basis for another three years would not jeopardize the long-term planning intention of the subject zones. The temporary development was considered not incompatible with the surrounding rural landscape character, and would not cause significant adverse traffic, environmental, drainage and landscape impacts on the surrounding areas. Concerned government departments had no objection to or no adverse comments on the application. As five previous applications for the same temporary use were approved, approval of the application was in line with the Committee’s previous decisions. The renewal application generally complied with the Town Planning Board Guidelines No. 34C for renewal of planning approval. Regarding the adverse public comments received, the comments of government departments and planning assessments above were relevant.

19. Members had no question on the application.

#### Deliberation Session

20. After deliberation, the Committee decided to approve the application on a temporary basis for a period of 3 years from 12.3.2020 until 11.3.2023, on the terms of the application as submitted to the Town Planning Board (TPB) and subject to the following conditions :

- “(a) the car park should be restricted for parking of private cars only and should not be opened to the public on a commercial basis;
- (b) the existing fire service installations implemented on the site should be maintained in efficient working order at all times;

- (c) the submission of a condition record of the existing drainage facilities within 3 months from the date of commencement of the renewed planning approval to the satisfaction of the Director of Drainage Services or of the TPB by 12.6.2020;
- (d) if any of the above planning conditions (a) or (b) is not complied with during the planning approval period, the approval hereby given shall cease to have effect and shall be revoked immediately without further notice;
- (e) if the above planning condition (c) is not complied with by the specified date, the approval hereby given shall cease to have effect and shall be revoked immediately without further notice; and
- (f) upon expiry of the planning permission, the reinstatement of the Site to an amenity area to the satisfaction of the Director of Planning or of the TPB.”

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

### **Agenda Item 9**

#### **Section 16 Application**

[Open Meeting (Presentation and Question Sessions Only)]

A/NE-SSH/132      Temporary Golf Driving Range for a Period of 3 Years in  
“Comprehensive Development Area” Zone, Tai Po Town Lot  
157(Part), Sai Sha, Shap Sz Heung  
(RNTPC Paper No. A/NE-SSH/132)

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22. The Secretary reported that Llewelyn-Davies Hong Kong Ltd. (LD) was the consultant of the applicant. The following Members had declared interest on the item:

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

Mr Ricky W.Y. Yu - his firm having past business dealings with LD.

23. The Committee noted that Mr Ricky W.Y. Yu had tendered apology for being unable to attend the meeting. As Mr Stephen L.H. Liu had no involvement in the application, the Committee agreed that he could stay in the meeting.

#### Presentation and Question Sessions

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

- (a) background to the application;
- (b) the temporary golf driving range 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) 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 golf driving range could be tolerated for a further period of three years based on the assessments set out in paragraph 11 of the Paper. It was located within the site with two planning permissions for comprehensive development. As the approved comprehensive development was anticipated to complete in phases from 2025 to 2030, approval of the application on a temporary basis for three years would not jeopardise the implementation of the comprehensive development and long-term planning intention of the subject zone. Five previous applications for the same temporary use were approved. Comparing with the latest approved scheme, the current proposal mainly involved

adjustment to the boundary, reduction in site area, relocation of ancillary temporary structures, and increase in total gross floor area, number of driving bays and parking spaces. The proposed temporary golf driving range was not incompatible with the surrounding uses in the area. Concerned government departments had no objection to or no adverse comments on the application.

25. Members had no question on the application.

### Deliberation Session

26. A Member asked if the consideration of planning applications would need to be adjusted in response to the latest economic situation in the society. In response, the Chairman said that the Town Planning Board would consider planning applications based on the latest Government's policies and guidelines, which would be reviewed to cater for the changing circumstances.

27. After deliberation, the Committee decided to approve the application on a temporary basis for a period of 3 years until 3.1.2023, on the terms of the application as submitted to the Town Planning Board (TPB) and subject to the following conditions :

- “(a) the submission of a stormwater 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 3.7.2020;
- (b) in relation to (a) above, the implementation of the stormwater drainage proposal within 9 months from the date of the planning approval to the satisfaction of the Director of Drainage Services or of the TPB by 3.10.2020;
- (c) 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 3.7.2020;



- (d) in relation to (c) 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 3.10.2020; and
- (e) if any of the above planning conditions (a), (b), (c) or (d) is not complied with by the specified date, the approval hereby given shall cease to have effect and shall on the same date be revoked without further notice.”

28. 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]

A/NE-KLH/580 Proposed Public Utility Installation (Cabinet Transformer) in “Agriculture” Zone, Government Land in D.D. 9, Yuen Leng, Kau Lung Hang, Tai Po  
(RNTPC Paper No. A/NE-KLH/580)

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

- |                     |   |   |
|---------------------|---|---|
| Mr Stephen L.H. Liu | - | having past business dealings with CLP;                         |
| Mr K.K. Cheung      | - | his firm having current business dealings with CLP; and         |
| Dr Jeanne C.Y. Ng   | - | being the Director – CLP Research Institute, CLP Holdings Ltd.. |

30. The Committee noted that the applicant had requested deferment of consideration of the application. As the interest of Dr Jeanne C.Y. Ng was direct, the Committee agreed

that she could stay in the meeting but should refrain from participating in the discussion. As Messrs Stephen L.H. Liu and K.K. Cheung had no involvement in the application, the Committee agreed that they could stay in the meeting.

31. The Committee noted that the applicant's representative requested on 12.12.2019 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.

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

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

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

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

## **Agenda Items 11 to 13**

### **Section 16 Applications**

[Open Meeting (Presentation and Question Sessions Only)]

A/NE-KTS/481 Proposed House (New Territories Exempted House - Small House) in “Agriculture” Zone, Lot 1228 S.B in D.D. 100, Chan Uk Po, Tsiu Keng Village, Sheung Shui  
(RNTPC Paper No. A/NE-KTS/481 to 483)

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A/NE-KTS/482 Proposed House (New Territories Exempted House - Small House) in “Agriculture” Zone, Lot 1235 S.A in D.D. 100, Chan Uk Po, Tsiu Keng Village, Sheung Shui  
(RNTPC Paper No. A/NE-KTS/481 to 483)

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A/NE-KTS/483 Proposed House (New Territories Exempted House - Small House) in “Agriculture” Zone, Lot 1228 S.A in D.D. 100, Chan Uk Po, Tsiu Keng Village, Sheung Shui  
(RNTPC Paper No. A/NE-KTS/481 to 483)

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33. The Committee agreed that as the three applications for proposed House (New Territories Exempted House (NTEH) – Small House) were similar in nature and the application sites were located in proximity to one another within the same “Agriculture” (“AGR”) zone, they could be considered together.

34. The Secretary reported that the application was located in Kwu Tung South. Dr Lawrence K.C. Li had declared interest on the item as he was a member of the Hong Kong Golf Club, which was located adjacent to Kwu Tung South. The Committee noted that Dr Lawrence K.C. Li had tendered apology for being unable to attend the meeting.

### **Presentation and Question Sessions**

35. Ms S.H. Lam, STP/FSYLE, presented the applications and covered the following aspects as detailed in the Paper :

- (a) background to the applications;

- (b) proposed house (NTEH – Small House) at each of the application sites;
- (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 applications as the sites possessed potential for agricultural rehabilitation. The Commissioner for Transport had reservation on the applications due to setting an undesirable precedent resulting in cumulative adverse traffic impact, but considered that the applications each involving construction of one Small House could be tolerated. Other concerned government departments had no objection to or no adverse comment on the applications. Local views conveyed by the District Officer (North), Home Affairs Department were set out in paragraph 10.1 of the Paper;
- (d) during the first three weeks of the statutory publication period, nine public comments on the three applications were received. Six comments from World Wildlife Fund Hong Kong, Designing Hong Kong Limited and two individuals objecting to/raised concerns on the applications and the remaining three comments indicated no comment on the applications. Major views were set out in paragraph 11 of the Paper; and
- (e) the Planning Department (PlanD)’s views – PlanD had no objection to the applications based on the assessments set out in paragraph 12 of the Paper. While the applications were not in line with the planning intention of the “Agriculture” zone and DAFC did not support the applications, the proposed Small House developments were not incompatible with the surrounding environment. Regarding the Interim Criteria for Consideration of Application for NTEH/Small House in New Territories, the whole footprint of the proposed Small Houses fell within the village ‘environs’ (‘VE’) of Tsiu Keng. There was sufficient land available within the two “Village Type Development” (“V”) zone of Tsiu Keng Village to meet the 40 outstanding Small House applications though it could not fully meet the 10-year Small House demand. The sites were the

subject of previously approved planning applications submitted by the same applicants and the processing of the Small House grants was already at an advance stage. According to the District Lands Officer/North, Lands Department, the Small House grant application at the site of application No. A/NE-KTS/482 was approved pending execution. The planning circumstances of the current applications were similar to the previous applications. There were a number of existing village houses and an approved house in close proximity. Sympathetic consideration might be given to the applications in accordance with the Interim Criteria. Regarding the adverse public comments received, the comments of government departments and planning assessments above were relevant.

36. Members had no question on the application.

#### Deliberation Session

37. After deliberation, the TPB decided to approve the applications, on the terms of the applications as submitted to the Town Planning Board (TPB). Each of the permissions should be valid until 3.1.2024, 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) the provision of septic tank, as proposed by the applicant, at a location to the satisfaction of the Director of Lands or of the TPB; and
- (b) the submission and implementation of drainage proposal to the satisfaction of the Director of Drainage Services or of the TPB.”

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

**Agenda Item 14**

**Section 16 Application**

[Open Meeting]

A/NE-KTS/484 Proposed Houses in “Comprehensive Development Area” Zone and area shown as ‘Road’, Lots 1027, 1029, 1030, 1034A, 1034B, 1039 (Part), 1040, 1042 RP, 1043 RP, 1044 RP (Part), 1045, 1047, 2233 (Part), 2251 S.A RP, 2256 RP, 2315 (Part) and 2316 RP (Part) in D.D. 92 and adjoining Government Land, Kwu Tung South, Sheung Shui (RNTPC Paper No. A/NE-KTS/484)

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39. The Secretary reported that the application was located in Kwu Tung South and the application was submitted by Hinying Ltd., which was a subsidiary of Sun Hung Kai Properties Limited (SHK). Llewelyn-Davies Hong Kong Limited (LD), Black & Veatch Hong Kong Ltd. (B&V), CYS Associates (HK) Ltd. (CYS), MVA Hong Kong Ltd. (MVA) and Ramboll Hong Kong Ltd. (Ramboll) 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, MVA and Ramboll;  |
| Mr K.K. Cheung      | - | his firm having current business dealings with SHK and B&V;  |
| Mr Stephen L.H. Liu | - | having past business dealings with SHK, LD and CYS;  |
| 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 Ricky W.Y. Yu    | - | his firm having past business dealings with LD; and  |
| Dr Lawrence K.C. Li | - | being a member of the Hong Kong Golf Club, which was adjacent to Kwu Tung South.                                   |

40. The Committee noted that the applicant had requested deferment of consideration of the application and Messrs Ivan C.S. Fu and Ricky W.Y. Yu, Miss Winnie W.M. Ng and

Dr Lawrence K.C. Li had tendered apologies for being unable to attend the meeting. As Messrs Stephen L.H. Liu and K.K. Cheung had no involvement in the application, the Committee agreed that they could stay in the meeting.

41. The Committee noted that the applicant's representative requested on 27.12.2019 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.

42. 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 15**

#### **Section 16 Application**

[Open Meeting]

A/FLN/21	Proposed Underground Public Vehicle Park (excluding container vehicle) in "Open Space" Zone, Basement Level 2 (-2.4mPD) of Lots 2083 (Part), 2085 (Part), 2086 (Part), 2087 (Part), 2088 (Part), 2089 (Part) and 2130 (Part) in D.D. 51, Fanling North <hr/> (RNTPC Paper No. A/FLN/21)
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43. The Secretary reported that the application was submitted by Best Galaxy Ltd., which was a subsidiary of Henderson Land Development Company Limited (HLD). Ronald Lu & Partners (HK) Ltd. (RLP) and MVA Hong Kong Ltd. (MVA) were two of the

consultants of the applicant. The following Members had declared interest on the item :

- Mr Ivan C.S. Fu - having current business dealings with HLD and MVA;
- Mr Peter K.T. Yuen - being a member of the Board of Governors of the Hong Kong Arts Centre which had received a donation from an Executive Director of HLD before;
- Mr K.K. Cheung - his firm having current business dealings with HLD and RLP;
- Dr C.H. Hau - being an employee of the University of Hong Kong which had received a donation from a family member of the Chairman of HLD before;
- Dr Lawrence K.C. Li - being the Deputy Chairman of the Council of the Hong Kong Polytechnic University which had obtained sponsorship from HLD before; and
- Mr Stephen L.H. Liu - having past business dealings with HLD and RLP.

44. The Committee noted that the applicant had requested deferment of consideration of the application, and Mr Ivan C.S. Fu and Dr Lawrence K.C. Li had tendered apologies for being unable to attend the meeting. As the interests of Dr C.H. Hau and Mr Peter K.T. Yuen were indirect and Messrs K.K. Cheung and Stephen L.H. Liu had no involvement in the application, the Committee agreed that they could stay in the meeting.

45. The Committee noted that the applicant's representative requested on 11.12.2019 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.

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



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

## **Agenda Item 16**

### **Section 16 Application**

[Open Meeting (Presentation and Question Sessions Only)]

A/YL-SK/272            Proposed Temporary Barbecue Site with Ancillary Site Office, Shroff and Car Park for a Period of 3 Years in "Residential (Group D)" and "Conservation Area" Zones, Lot 1515 (Part) in D.D.114, Lui Kung Tin, Route Twisk, Shek Kong, Yuen Long  
(RNTPC Paper No. A/YL-SK/272)

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### **Presentation and Question Sessions**

47.            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 barbecue site and ancillary site office, shroff and car park for a period of three years;
- (c)    departmental comments – departmental comments were set out in paragraph 9 and Appendix III of the Paper. The Director of Agriculture, Fisheries and Conservation (DAFC) had reservation on the application as there was a general presumption against development in the zone and it might be a case

of “destroy first, develop later” that should not be encouraged. The Director of Environmental Protection (DEP) stated that all projects including earthworks and other building works partly or wholly in a conservation area was a designated project under Environmental Impact Assessment Ordinance, except those stated in paragraph 9.1.5 of the Paper, and there was no valid environmental permit (EP) issued in relation to the proposed use at the site. The applicant should comply with the requirements under the Water Pollution Control Ordinance if there was any effluent discharges from the proposed development, and provide necessary mitigation measures to prevent polluting the watercourse adjacent to the Site. In the past three years, there was one substantiated environmental complaint related to waste at the site. The Commissioner for Transport (C for T) did not support the application as the applicant failed to provide sufficient traffic-related information to demonstrate that the proposed development would not cause adverse traffic impact on the surrounding area. The Chief Town Planner/Urban Design and Landscape, Planning Department (CTP/UD&L, PlanD) had reservation on the application from landscape planning perspective as the proposed use was not in line with the planning intention of “Conservation Area” (“CA”) zone, there was no information relating to treatment of existing stream, and potential adverse impact on the landscape resources could not be ascertained. Other concerned government departments had no objection to or no adverse comments on the application. Local views conveyed by the District Officer (Yuen Long), Home Affairs Department were set out in paragraph 9.1.11 of the Paper;

- (d) during the first three weeks of the statutory publication period, eight public comments were received from the Pat Heung Rural Committee, Resident Representative of Lui Kung Tin Tsuen, World Wide Fund for Nature Hong Kong, Hong Kong Bird Watching Society, Kadoorie Farm and Botanic Garden Corporation, Designing Hong Kong Limited and two individuals objecting to the application. Major views were set out in paragraph 10 of the Paper; and

- (e) the PlanD's views – PlanD did not support the application based on the assessments set out in paragraph 11 of the Paper. The proposed temporary development was not in line with the planning intentions of the “CA” and “Residential (Group D)” zones and no strong justification had been given in the submission to justify a departure from the planning intentions, even on a temporary basis. C for T did not support the application, while DAFC and CTP/UD&L, PlanD had reservation on the application. The proposed development would set an undesirable precedent for similar applications within the “CA” zone and the cumulative impact would result in a general degradation of the landscape quality and impact on the landscape character of the area. Regarding the local views and adverse public comments received, the comments of government departments and planning assessments above were relevant.

48. Members had no question on the application.

#### Deliberation Session

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

- “(a) the proposed development is not in line with the planning intentions of the “Conservation Area” (“CA”) and “Residential (Group D)” (“R(D)”) zones, which are primarily to protect and retain the existing natural landscape, ecological or topographical features of the area for conservation, educational and research purposes and to separate sensitive natural environment such as Country Park from the adverse effects of development; and for improvement and upgrading of existing temporary structures within the rural areas through redevelopment of existing temporary structures into permanent buildings respectively. There are no strong planning justifications in the submission to merit a departure from the planning intention of “CA” and “R(D)”) zones, even on a temporary basis;
- (b) the proposed development is incompatible with the surrounding areas which

are tranquil and predominantly rural in character intermixed with woodland, natural hillslope, fallow agricultural land and domestic dwellings/structures;

- (c) the applicant fails to demonstrate that the proposed development would not cause adverse environmental, landscape and traffic impacts to the surrounding area; and
- (d) the approval of the application would set an undesirable precedent for similar applications within the “CA” zone. The cumulative effect of approving such similar applications would result in a general degradation of the rural environment of the area.”

### **Agenda Item 17**

#### **Section 16 Application**

[Open Meeting (Presentation and Question Sessions Only)]

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

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

50.            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 private club for a period of three years;
- (c) departmental comments – departmental comments were set out in paragraph

9 of the Paper. The Director of Agriculture, Fisheries and Conservation (DAFC) did not support the application as the site possessed potential for agricultural rehabilitation. 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, four public comments were received from the World Wide Fund for Nature Hong Kong, Kadoorie Farm and Botanic Garden Corporation, 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 did not support the application based on the assessments set out in paragraph 11 of the Paper. The proposed temporary development was not in line with the planning intentions of the “Agriculture” (“AGR”), “Conservation Area” (“CA”) and “Industrial (Group D)” zones. DAFC did not support the application and no strong justification had been given in the submission to justify a departure from the planning intention, even on a temporary basis. The proposed private club including shooting/obstacle race activities was not compatible with the natural and rural character of the surrounding areas which comprised vegetated land, residential dwellings/structures and unused/vacant land. Approving the application would set an undesirable precedent for similar applications within the “AGR” and “CA” zones, and the cumulative effect would result in a general degradation of the environment of the area. Regarding the adverse public comments received, the comments of government departments and planning assessments above were relevant.

51. Members had no question on the application.

Deliberation Session

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

- “(a) the proposed development is not in line with the planning intentions of the “Agriculture” (“AGR”), “Conservation Area” (“CA”) and “Industrial (Group D)” (“I(D)”) zones. The planning intention of the “AGR” zone is to retain and safeguard good quality agricultural land/farm/fish ponds for agricultural purpose, and to retain fallow arable land with good potential for rehabilitation for cultivation and other agricultural purposes. The planning intention of the “CA” zone is to protect and retain the existing natural landscape, ecological or topographical features of the area for conservation, educational and research purposes and to separate sensitive natural environment such as Country Park from the adverse effects of development. There is a general presumption against development in “CA” zone. The planning intention of the “I(D)” zone is for industrial uses that cannot be accommodated in conventional flatted factories due to extensive land and/or high ceiling requirements and for the redevelopment of existing informal industrial uses to properly designed permanent industrial buildings. No strong planning justification had been given in the submission to justify a departure from the planning intentions, even on a temporary basis; and
  
- (b) approval of the application would set an undesirable precedent for similar applications within the “AGR” and “CA” zones. The cumulative effect of approving such similar applications would result in a general degradation of the environment of the area.”

**Agenda Item 18**

**Section 16 Application**

[Open Meeting (Presentation and Question Sessions Only)]

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

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**Presentation and Question Sessions**

53. 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 religious institution (retreat centre);
- (c) departmental comments – departmental comments were set out in paragraph 9 and Appendix IV of the Paper. The Director of Agriculture, Fisheries and Conservation (DAFC) did not support the application as the site possessed potential for agricultural rehabilitation. 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, three public comments were received. Tung Tak School and S.K.H. St. Joseph’s Church supported the application 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 had no objection to the application based on the assessments set out in paragraph 11 of the Paper. While the application was not in line with the planning intention of the “Agriculture” (“AGR”) zone and DAFC did not support the application, the site was small in area and farming activities would be part of the daily

operation of the proposed retreat centre. The proposed retreat centre was considered not incompatible with the surrounding area and visual context, and no significant adverse visual impact was anticipated. Other concerned government departments had no objection to or no adverse comments on the application. Although a similar application (No. A/YL-KTS/778) in the adjacent “AGR” zone was rejected by the Committee, the circumstances of the application were different from the subject application in that it was of a larger scale, the Director of Environmental Protection (DEP) and the Chief Town Planner/Urban Design and Landscape, Planning Department (CTP/UD&L, PlanD) had adverse comments on the application and no agricultural activities were proposed at the site. Regarding the adverse public comment received, the comments of government departments and planning assessments above were relevant.

54. A Member asked the differences in planning circumstances between the similar application and the subject application. In response, Ms Ivy C.W. Wong, STP/FSYLE, said that the similar application was for a mosque and kindergarten with a larger scale (a site area of 1,730m<sup>2</sup>, a total gross floor area (GFA) of 3,095m<sup>2</sup> and a building height (BH) of 3 storeys). In comparison, the proposed development in the subject application had a site area of 688m<sup>2</sup>, a total GFA of 550m<sup>2</sup> and a BH of 2 storeys. Besides, DEP and CTP/UD&L, PlanD had adverse comments on the similar application due to insufficient information on environmental and landscape aspects. In response to a Member’s question, Ms Ivy C.W. Wong clarified that there was an editorial error in paragraph 11.4 of the Paper in that DEP and CTP/UD&L had adverse comments on the similar application.

55. A Member enquired whether the applicant of the similar application had applied for a review of the decision of the Committee. Ms Ivy C.W. Wong, STP/FSYLE, responded that the applicant had missed the deadline of applying for a review of the Committee’s decision.

#### Deliberation Session

56. Members noted that the circumstances of the subject application were different from the similar application. Apart from the scale of the proposed development, there were



other planning considerations including environmental and landscape impacts on the site and the surrounding areas that should also be taken account of in the consideration of the applications. In response to a Member's question, the Chairman said that for a previously rejected application, the applicant could submit a fresh application at any time and the Committee would consider the application based on the latest planning circumstances and its individual merits.

57. 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 3.1.2024, 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 impact assessment to the satisfaction of the Director of Drainage Services or of the TPB; and
- (b) 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.”

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

### **Agenda Item 19**

#### **Section 16 Application**

[Open Meeting]

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

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59. The Committee noted that the applicant's representative requested on 23.12.2019

deferment of consideration of the application for a period of 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 in response to departmental comments.

60. 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 20**

### **Section 16 Application**

[Open Meeting]

A/YL-KTS/835      Proposed Temporary Private Garden for a Period of 3 Years in "Village Type Development" Zone, Government Land in D.D. 113, Kam Tin South, Yuen Long  
  
(RNTPC Paper No. A/YL-KTS/835)

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61. The Committee noted that the applicant requested on 20.12.2019 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.

62. 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 21**

#### **Section 16 Application**

[Open Meeting]

A/YL-KTS/836      Proposed Temporary Private Garden for a Period of 3 Years in "Village Type Development" Zone, Government Land in D.D. 113, Kam Tin South, Yuen Long  
(RNTPC Paper No. A/YL-KTS/836)

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63.            The Committee noted that the applicant requested on 20.12.2019 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.

64.            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 22**

**Section 16 Application**

[Open Meeting]

A/YL-KTS/837      Proposed Temporary Private Garden for a Period of 3 Years in “Village Type Development” Zone, Government Land in D.D. 113, Kam Tin South, Yuen Long  
(RNTPC Paper No. A/YL-KTS/837)

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65.            The Committee noted that the applicant’s representative requested on 20.12.2019 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.

66.            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 23**

**Section 16 Application**

[Open Meeting (Presentation and Question Sessions Only)]

A/YL-PH/818            Proposed Temporary Shop and Services with Ancillary Staff Canteen for a Period of 5 Years in “Village Type Development” Zone, Lot 893 (Part), 894 S.A (Part), 894 S.B (Part), 895 (Part) and 3083 (Part) in D.D. 111, Pat Heung, Yuen Long  
(RNTPC Paper No. A/YL-PH/818A)

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**Presentation and Question Sessions**

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

- (a) background to the application;
- (b) the proposed temporary shop and services with ancillary staff canteen 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 comments on the application;
- (d) during the first three weeks of the statutory publication period, three public comments were received. The Pat Heung Rural Committee and village representatives of Ha Che Tsuen supported the application, while 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 had no objection to the application based on the assessments set out in paragraph 11 of the Paper. Although the proposed temporary shop and services with ancillary staff canteen was not entirely in line with the planning intention of “Village

Type Development” (“V”) zone, there was no Small House application approved or under processing at the site and the proposed development was mainly intended to serve nearby residents, and the temporary approval would not frustrate the long-term planning intention of the “V” zone. The proposed development was considered not incompatible with the surrounding land uses. Concerned government departments had no objection to or no adverse comments on the application. Relevant approval conditions had been recommended to minimise any possible environmental nuisance. A similar application for proposed temporary shop and services (pet clinic) was approved by the Committee. Approval of the application was in line with the Committee’s previous decisions. Regarding the adverse public comment received, the comments of government departments and planning assessments above were relevant.

68. In response to the Chairman’s enquiry, Ms Ivy C.W. Wong, STP/FSYLE, said that the application site was currently vacant.

#### Deliberation Session

69. After deliberation, the Committee decided to approve the application on a temporary basis for a period of 5 years until 3.1.2025, 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 10:00 a.m., as proposed by the applicant, is allowed on the Site during the planning approval period;
- (b) no vehicle is allowed to queue back to or reverse onto/from public road at any time during the planning approval period;
- (c) the 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 3.7.2020;
- (d) in relation to (c) 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 3.10.2020;

- (e) in relation to (d) above, the implemented drainage facilities shall be maintained at all times during the planning approval period;
- (f) 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 3.7.2020;
- (g) in relation to (f) 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 3.10.2020;
- (h) if any of the above planning condition (a), (b) or (e) is not complied with during the planning approval period, the approval hereby given shall cease to have effect and shall be revoked immediately without further notice; and
- (i) if any of the above planning condition (c), (d), (f) or (g) is not complied with by the specified date, the approval hereby given shall cease to have effect and shall on the same date be revoked without further notice.”

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

#### **Agenda Item 24**

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

[Open Meeting (Presentation and Question Sessions Only)]

A/YL-PH/824 Proposed Temporary Place of Recreation, Sports or Culture for a Period of 3 Years in “Village Type Development” Zone, Government Land in D.D. 111, Kam Tin Road, Pat Heung, Yuen Long  
(RNTPC Paper No. A/YL-PH/824)

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Presentation and Question Sessions

71. 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 place of recreation, sports and culture 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, 24 public comments were received from the Pat Heung Rural Committee (PHRC), individual members of PHRC, various village representatives of villages in Pat Heung, a nearby land owner and individuals objecting to the application. Major views were set out in paragraph 10 of the Paper; and
- (e) the Planning Department (PlanD)’s views – PlanD had no objection to the application based on the assessments set out in paragraph 11 of the Paper. Although the proposed temporary place of recreation, sports or culture was not in line with the planning intention of “Village Type Development” (“V”) zone, there was no Small House application approved or under processing at the site. It was considered that the temporary approval of the subject application for a period of three years would not frustrate the long-term planning intention of the “V” zone. The site was located at the fringe of the “V” zone and the proposed development was considered not incompatible with the surrounding land uses. The proposed use would unlikely cause adverse environmental, traffic, drainage, and fire safety impacts on the surrounding areas. Concerned government departments had no objection to or no adverse comments on the application. Relevant



approval conditions had been recommended to minimise any possible environmental nuisance by restricting the operation hours and use of portable loudspeakers/ audio amplification system. Regarding the adverse public comments received, the comments of government departments and planning assessments above were relevant, and an advisory clause was also recommended to advise the applicant to liaise with the locals on the proposed use at the site.

72. In response to a Member's enquiry regarding the demographic situation of the area, Ms Ivy C.W. Wong, STP/FSYLE, said that according to the 2016 by-census, while there was no statistics on the population of Africans in the area, the population of the 'Others' ethnicity in the Pat Heung North constituency area was about 6.6% of the total population.

73. In response to the Chairman's enquiry, Ms Ivy C.W. Wong, STP/FSYLE, said that only a small portion of land along the south-western boundary of the current application overlapped with the previous applications (Nos. A/YL-PH/88 and A/YL-PH/117). The application site was a piece of government land and currently vacant. Comments from relevant bureau/departments, including Home Affairs Bureau (HAB), would be sought at the processing of short term tenancy (STT) application at the site by the Lands Department.

74. In response to a Member's question on the background information of the applicant, Ms Ivy C.W. Wong, STP/FSYLE, said that the Hong Kong African Association was founded in 2014 as a non-profit making charity which was exempted from tax under section 88 of the Inland Revenue Ordinance. The organisation aimed to promote African culture for the general public so as to eliminate the public's misunderstanding of the African culture and achieve social inclusion. It had organised various activities in the Yuen Long District.

75. In response to a Member's query on whether the site would form part of the access road for the villagers, Ms Ivy C.W. Wong, STP/FSYLE, explained that the site was currently vacant and fenced off.

## Deliberation Session

76. Members generally supported the application as the proposed development could serve the Africans currently residing and working in the area and enhance social inclusion. Members noted that an advisory clause was recommended to advise the applicant to liaise with the locals on the proposed use at the site due to adverse public comments received during the statutory public inspection period. Some Members raised concerns on the difficulties the applicant might encounter in the future liaison with the locals. Members noted that the same applicant had previously submitted a planning application (No. A/YL-KTS/756) for the same use at a vacant school premises in the “V” zone on the Kam Tin South Outline Zoning Plan in 2018. While the application was approved by the Committee, the proposed development was not taken forward due to local objections in the processing of the STT application and the private land owners’ objection to an access to the site through their land. In response to a Member’s question, the Chairman said that should the application be approved, the applicant would still need to obtain policy support from HAB for the STT application before the implementation of the proposal. Noting that the local liaison issue would be dealt with in the processing of the STT application, Members agreed that there was no need to include an advisory clause on local liaison issue.

77. After deliberation, the Committee decided to approve the application on a temporary basis for a period of 3 years until 3.1.2023, on the terms of the application as submitted to the Town Planning Board (TPB) and subject to the following conditions :

- “(a) no operation between 10:00p.m. and 11:00a.m., as proposed by the applicant, is allowed on the Site during the planning approval period;
- (b) no public announcement system, whistle blowing, portable loudspeakers or any form of audio amplification system is allowed to be used on the Site at any time during the planning approval period;
- (c) 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 3.7.2020;

- (d) in relation to (c) 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 3.10.2020;
- (e) in relation to (d) above, the implemented drainage facilities on the Site shall be maintained at all times during the planning approval period;
- (f) the 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 3.7.2020;
- (g) in relation to (f) 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 3.10.2020;
- (h) if any of the above planning condition (a), (b) or (e) is not complied with during the planning approval period, the approval hereby given shall cease to have effect and shall be revoked immediately without further notice; and
- (i) if any of the above planning condition (c), (d), (f) or (g) is not complied with by the specified date, the approval hereby given shall cease to have effect and shall on the same date be revoked without further notice.”

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

“liaise with the locals on the proposed use at the Site.”

**Agenda Item 25**

**Section 16 Application**

[Open Meeting]

A/YL-NSW/273 Proposed Temporary Eating Place and Shop and Services (Convenience Store) for a Period of 3 Years in “Undetermined” Zone, Lot 751 (Part) in D.D. 115, Castle Peak Road - Yuen Long Section, Yuen Long  
(RNTPC Paper No. A/YL-NSW/273A)

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79. The Committee noted that the applicant’s representative requested on 17.12.2019 deferment of consideration of the application for a period of 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 appointed traffic and environmental consultants to conduct studies. The applicant needed more time to complete the studies 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 26**

**Section 16 Application**

[Open Meeting]

A/YL-MP/281 Proposed School (Expansion of Hong Chi Morninglight School) with Minor Relaxation of the Plot Ratio and Building Height Restrictions in “Residential (Group C)” Zone, Lot 4748 in D.D. 104, Mai Po, Yuen Long  
(RNTPC Paper No. A/YL-MP/281B)

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81. The Secretary reported that the application site was located in Mai Po. Meinhardt (M & E) Ltd. (M(M&E)) and Meinhardt (C & S) Ltd. (M(C&S)) were two 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 M(M&E) and M(C&S);
- Mr K.K. Cheung - his firm having current business dealings with Meinhardt (Singapore) Pte Ltd.; and
- Mr K.W. Leung - owning a flat in Mai Po.

82. The Committee noted that the applicant had requested deferment of consideration of the application and Mr Ivan C.S. Fu had tendered apology for being unable to attend the meeting. As Mr K.K. Cheung had no involvement in the application and the property owned by Mr K.W. Leung had no direct view of the application site, the Committee agreed that they could stay in the meeting.

83. The Committee noted that the applicant’s representative requested on 17.12.2019 deferment of consideration of the application for a period of two months so as to allow time for preparation of further information to address comments from the Transport Department. It was the third time that the applicant requested deferment of the application. Since the last deferment, the applicant had been preparing a traffic survey for identifying trip generation with breakdown for the site.

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

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

[The Chairman thanked Ms S.H. Lam, Mr Patrick M.Y. Fung and Ms Ivy C.W. Wong, 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 27**

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

[Open Meeting]

A/YL/261                      Proposed Minor Relaxation of Building Height Restriction in “Government, Institution or Community (1)” and “Government, Institution or Community (5)” Zones, Lot 1846 RP (Part) in D.D. 120 and adjoining Government Land, Ma Tin Pok, Yuen Long  
(RNTPC Paper No. A/YL/261)

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85.                      The Secretary reported that Landes Limited (Landes) was one of the consultants of the applicant. Mr Ivan C.S. Fu had declared an interest on the item for having current business dealings with Landes. The Committee noted that the applicant had requested deferment of consideration of the application and Mr Ivan C.S. Fu had tendered an apology for being unable to attend the meeting.

86. The Committee noted that the applicant's representative requested on 12.12.2019 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.

87. 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 Alan K.L. Lo arrived to join the meeting at this point.]

[Mr Simon P.H. Chan, Ms Jessica Y.C. Ho, 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 28**

**Section 16 Application**

[Open Meeting (Presentation and Question Sessions Only)]

A/HSK/201            Temporary Warehouse for Storage of Miscellaneous Goods for a Period of 3 Years in “Other Specified Uses” annotated “Port Back-up, Storage and Workshop Uses”, “Other Specified Uses” annotated “Refuse Transfer Station” and “Other Specified Uses” annotated “Sewage Treatment Works” Zones, Lots 515 RP (Part), 516 (Part), 517 (Part), 518 (Part), 519 (Part) and 520 (Part) in D.D. 125, Ha Tsuen, Yuen Long  
(RNTPC Paper No. A/HSK/201)

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**Presentation and Question Sessions**

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

- (a) background to the application;
- (b) the temporary warehouse for storage of miscellaneous goods 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) 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 warehouse for storage of miscellaneous goods could be tolerated for a further period of three years based on the assessments set out in paragraph 11 of the Paper. Although the applied use was not in line with



the planning intentions of the “Other Specified Uses” annotated “Refuse Transfer Station” and annotated “Sewage Treatment Works” zones, the implementation programme for that part of the new development area was still being formulated, and approval of the application on a temporary basis of three years would not frustrate the long-term development of the site. The applied use was considered not incompatible with the surrounding land uses. Concerned government departments had no objection to or no adverse comments on the application. Relevant approval conditions had been recommended to address the concerns on the possible environmental nuisances or the technical requirements of other concerned government departments. There were nine previous applications for similar open storage/warehouse uses at the site and seven of them were approved. The circumstances of the current application were similar to those approved cases and approval of the application was in line with the Committee’s previous decisions. Regarding the adverse public comments received, the comments of government departments and planning assessments above were relevant.

89. Members had no question on the application.

#### Deliberation Session

90. After deliberation, the Committee decided to approve the application on a temporary basis for a period of 3 years until 3.1.2023, on the terms of the application as submitted to the Town Planning Board (TPB) and subject to the following conditions :

- “(a) no operation between 11:00 p.m. to 7:00 a.m., as proposed by the applicant, is allowed on the Site during the planning approval period;
- (b) no operation on Sundays and public holidays, as proposed by the applicant, is allowed on the Site during the planning approval period;
- (c) no repairing, dismantling, assembling or other workshop activity, as proposed by the applicant, is allowed on the Site at any time during the

planning approval period;

- (d) the existing landscape planting on the Site shall be maintained at all times during the planning approval period;
- (e) the existing drainage facilities on Site shall be maintained at all times during the planning approval period;
- (f) the submission of a condition record of existing drainage facilities within 3 months to the satisfaction of the Director of Drainage Services or of the TPB by 3.4.2020;
- (g) the submission of a fire service installations proposal within 6 months from the date of planning approval to the satisfaction of Director of Fire Services or of the TPB by 3.7.2020;
- (h) in relation to (g) above, the implementation of the fire service installations proposal within 9 months from the date of planning approval to the satisfaction of Director of Fire Services or of the TPB by 3.10.2020;
- (i) if any of the above planning conditions (a), (b), (c), (d) or (e) is not complied with during the planning approval period, the approval hereby given shall cease to have effect and shall be revoked immediately without further notice; and
- (j) if any of the above planning conditions (f), (g) or (h) is not complied with by the specified date, the approval hereby given shall cease to have effect and shall on the same date be revoked without further notice.”

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

**Agenda Item 29**

**Section 16 Application**

[Open Meeting (Presentation and Question Sessions Only)]

A/HSK/202                      Proposed Temporary Private Club with Ancillary Office for a Period of  
3 Years in “Village Type Development” Zone, Lot 1149 (Part) in  
D.D.125, Yuen Long  
(RNTPC Paper No. A/HSK/202)

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**Presentation and Question Sessions**

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

- (a) background to the application;
- (b) the proposed temporary private club with ancillary office for a period of three years;
- (c) departmental comments – departmental comments were set out in paragraph 9 and Appendix IV of the Paper. Concerned government departments had no objection to or no adverse comments on the application;
- (d) during the first three weeks of the statutory publication period, one public comment was received from an individual objecting to the application. Major 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 site was the subject of a previous application (No. A/HSK/158) for a similar temporary private club use submitted by the same applicant, which was rejected by the Committee on 5.7.2019. To address the concern of the Committee on the previous application, the applicant of the current application had provided the membership list and scope of past

activities/functions organised by the Association of the New Territories Environment (the Association), the proposed operator. While the application was not entirely in line with the planning intention of the “Village Type Development” zone, the Association could help to promote environmental awareness within the local community and to serve the local villagers. As there was no Small House application at the site, it was considered that approval of the application on a temporary basis for three years would not jeopardize the long-term planning intention of the area. The proposed temporary use was also considered not incompatible with the surrounding land uses. In view of the small scale of the temporary development, it was unlikely that the development would generate adverse traffic or environmental nuisances to the surrounding areas. Concerned government departments had no objection to or no adverse comments on the application. Relevant approval conditions had been recommended to address the concerns of the concerned government departments. Regarding the adverse public comment, the comments of government departments and planning assessments above were relevant.

93. In response to two Members’ enquiries on the background of the proposed operator, Mr Simon P.H. Chan, STP/TMYLW, said that the Association was a society registered under the Societies Ordinance and was applying for the status as charity which could be exempted from tax under section 88 of the Inland Revenue Ordinance.

#### Deliberation Session

94. Some Members raised concerns on how the proposed private club could help promote environmental awareness of villagers and whether the justifications provided by the applicant in support of that objective were sufficient. Members noted that the applicant had provided relevant information to support the application, including the status and the membership list of, and the scope of past activities/function organised by, the proposed operator. Members also noted that the current application was to cater for an expansion of the office of the Association in Lam Tei of Tuen Mun, which was too small to accommodate their members and organise activities. The Vice-chairman said that while promoting environmental awareness was the objective of the Association, it was only one of the

justifications provided by the applicant. In the consideration of the application, more weighing should be given to the nature of the proposed use (i.e. private club) and the potential impacts of the proposed development on the surrounding area. Another Member said that should the subject application be approved, the subject of approval should be the private club use rather than the operator of the club.

95. A Member asked if the applicant should be requested to clearly indicate the specific use of the private club in the application. In response, the Chairman said that in general, the proposed use was submitted under a broad use term concept to allow greater flexibility in the use of land. The Secretary supplemented that there was a systematic categorisation of the broad uses with subsumed uses, which was available in the Town Planning Board's website. For a planning permission granted for a broad use, all the uses subsumed under the broad use were allowed. That would obviate the need for further planning application for a change of use from one type to another under the same broad use. In the subject application, should the broad use of private club be approved, there would be no restriction on the change of uses as long as the uses were subsumed under private club.

96. After deliberation, the Committee decided to approve the application on a temporary basis for a period of 3 years until 3.1.2023, on the terms of the application as submitted to the Town Planning Board (TPB) and subject to the following conditions :

- “(a) no operation from 11:00 p.m. 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) the submission of a revised drainage proposal within 6 months from the date of the planning approval to the satisfaction of the Director of Drainage Services or of the TPB by 3.7.2020;
- (d) in relation to (c) above, the implementation of the drainage proposal within 9 months from the date of the planning approval to the satisfaction of the Director of Drainage Services or of the TPB by 3.10.2020;

- (e) in relation to (d) above, the implemented drainage facilities on the Site shall be maintained at all times during the planning approval period;
- (f) the 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 3.7.2020;
- (g) in relation to (f) 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 3.10.2020;
- (h) if any of the above planning conditions (a), (b) or (e) is not complied with during the planning approval period, the approval hereby given shall cease to have effect and shall be revoked immediately without further notice; and
- (i) if any of the above planning conditions (c), (d), (f) or (g) is not complied with by the above specified date, the approval hereby given shall cease to have effect and shall on the same date be revoked without further notice.”

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

**Agenda Item 30**

**Section 16 Application**

[Open Meeting]

A/TM/537 Columbarium Use in “Government, Institution or Community” Zone,  
Lots 501 and 533 in D.D. 131 and Adjoining Government Land, Tsing  
Shan Tsuen, Tuen Mun  
(RNTPC Paper No. A/TM/537B)

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98. The Secretary reported that the application was for columbarium use and the

application site was located in Tuen Mun. MVA Hong Kong Limited (MVA) was one of the consultants of the applicant. 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, and having current business dealings with MVA;
- 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.

99. The Committee noted that the applicants had requested deferment of consideration of the application, and Mr Ivan C.S. Fu had tendered apology for being unable to attend the meeting. As the interests of Messrs H.W. Cheung and K.K. Cheung in relation to PCLB were indirect and as the property co-owned by Dr Jeanne C.Y. Ng and her spouse had no direct view of the site, the Committee agreed that they could stay in the meeting.

100. The Committee noted that the applicants' representative requested on 12.12.2019 deferment of consideration of the application for two months so as to address comments of the Transport Department. It was the third time that the applicants requested deferment of the application. Since the last deferment, the applicants had submitted further information, including a revised Traffic Impact Assessment and a response-to-comment table.

101. After deliberation, the Committee decided to defer a decision on the application as requested by the applicants pending the submission of further information from the applicants. The Committee agreed that the application should be submitted for its consideration within two months from the date of receipt of further information from the applicants. If the further information submitted by the applicants was not substantial and could be processed within a shorter time, the application could be submitted to an earlier meeting for the Committee's consideration. The Committee also agreed to advise the applicants that two months were allowed for preparation of the submission of the further information. Since it was the third deferment and a total of six months had been allowed for preparation of submission of further information as required by the applicants, it was the last

deferment and no further deferment would be granted.

**Agenda Item 31**

**Section 16 Application**

[Open Meeting (Presentation and Question Sessions Only)]

A/TM/542 Proposed Commercial Uses including Office cum Shop and Services\  
Eating Place\  
Place of Recreation, Sports or Culture\  
Art Studio\  
Audio-visual Recording Studio\  
Design and Media Production\  
Research, Design and Development Centre (Wholesale Conversion of  
an Existing Building) in “Industrial” Zone, Castle Peak Town Lot No.  
26, No. 1 Tin Hau Road, Tuen Mun  
(RNTPC Paper No. A/TM/542B)

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102. The Secretary reported that the application site was located in Tuen Mun. Llewelyn-Davies Hong Kong Ltd. (LD), Ramboll Hong Kong Ltd. (Ramboll) and Savills (Hong Kong) Ltd. (Savills) were three of the consultants of the applicant. The following Members had declared interest on the item:

- |                     |   |   |
|---------------------|---|---|
| Mr Ivan C.S. Fu     | - | having current business dealings with Ramboll;          |
| Mr K.K. Cheung      | - | his firm having current business dealings with Savills; |
| Mr Stephen L.H. Liu | - | having past business dealings with LD;                  |
| Mr Ricky W.Y. Yu    | - | his firm having past business dealings with LD;<br>and  |
| Dr Jeanne C.Y. Ng   | - | co-owning with spouse a flat in Tuen Mun.               |

103. The Committee noted that Messrs Ivan C.S. Fu and Ricky W.Y. Yu had tendered apologies for being unable to attend the meeting. As Messrs K.K. Cheung and Stephen L.H. Liu had no involvement in the application and the property co-owned by Dr Jeanne C.Y. Ng and her spouse had no direct view of the site, the Committee agreed that they could stay in the meeting.



Presentation and Question Sessions

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

- (a) background to the application;
- (b) the proposed commercial uses including office cum shop and services/ eating place/ place of recreation, sports or culture/ art studio/ audio-visual recording studio/ design and media production/ research, design and development centre (wholesale conversion of an existing building);
- (c) departmental comments – departmental comments were set out in paragraph 10 and Appendix IV of the Paper. Concerned government departments had no objection to or no adverse comments on the application;
- (d) during the first three weeks of the statutory publication period, one public comment was received from an individual supporting the application. Major views were set out in paragraph 11 of the Paper; and
- (e) the Planning Department (PlanD)’s views – PlanD had no objection to the application based on the assessments set out in paragraph 12 of the Paper. The proposed development was considered not incompatible with the surrounding land uses and was in line with Government’s new policy on revitalising Industrial Buildings (IBs). The Secretary for Development indicated policy support to the application. The Director-General of Trade and Industry (DG of TI) had no comment on the application in view of the Government’s policy on revitalisation of IBs as announced in Policy Address 2018 to meet Hong Kong’s changing social and economic needs and it would make better use of valuable land resources. Other concerned government departments had no objection to or no adverse comments on the application. Appropriate approval conditions as suggested by relevant departments would be imposed to ensure that the proposed wholesale

conversion of the IB would not cause adverse impacts on the surrounding area. The proposed development in general complied with the requirements under the Town Planning Board Guidelines No. 25D. In order not to jeopardise the potential long term planning intention of the site, it was recommended that the approval would be for the lifetime of the building. Nine similar applications for wholesale conversion for the lifetime of the building within the same “Industrial” (“I”) zone and an area zoned “I” or previously zoned “I” in Area 9 of Tuen Mun were approved. Approval of the application was in line with the Committee’s previous decisions.

105. A Member raised query on whether DG of TI had any adverse comment on the application. Ms Jessica Y.C. Ho, STP/TMYLW, clarified that DG of TI had provided factual information based on the 2014 Area Assessment conducted by the PlanD that the larger area covering the subject site was recommended to be retained as ‘Industrial’ area. However, in view of the Government’s policy on revitalisation of IBs to meet Hong Kong’s changing social and economic needs and make better use of valuable land resources, he had no adverse comment on the application.

#### Deliberation Session

106. In response to a Member’s question, the Chairman briefly explained the 2014 Area Assessment conducted by PlanD and the Government’s policy on revitalisation of IBs, which included provision of various incentives for owners to redevelop the IBs or carry out wholesale conversion. Compared with the previous scheme on revitalisation of IBs, there was a new requirement for wholesale conversion that at least 10% of the floor area should be designated for specific uses prescribed by the Government upon completion of such conversion works.

107. Members noted that there was no change in building bulk in the proposed wholesale conversion of the IB and the slight reduction in total gross floor area was due to the conversion of 4/F to an ancillary car park, which could be disregarded from gross floor area/plot ratio calculation.

108. 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 3.1.2024, 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 design and provision of parking facilities, loading/unloading spaces, vehicular access and measures to restrict heavy goods vehicles from accessing the proposed development to the satisfaction of the Commissioner for Transport or of the TPB;
- (b) the submission and implementation of a drainage proposal for the proposed development and the maintenance of the drainage facilities to the satisfaction of the Director of Drainage Services or of the TPB;
- (c) the submission of a sewer upgrading proposal for the proposed development to the satisfaction of the Director of Environmental Protection or of the TPB;
- (d) the implementation of the sewer upgrading proposal to the satisfaction of the Director of Drainage Services or of the TPB; and
- (e) the design and provision of fire service installations and water supply for fire fighting to the satisfaction of the Director of Fire Services or of the TPB.”

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

**Agenda Item 32**

**Section 16 Application**

[Open Meeting (Presentation and Question Sessions Only)]

A/TSW/74 Proposed Government Use / Office / School (Tutorial Schools) / Shop & Services in “Residential (Group B) 1” Zone, Unit No.1, G/F, Ching Moon House, Tin Ching Estate, Tin Shui Wai, Yuen Long  
(RNTPC Paper No. A/TSW/74)

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110. The Secretary reported that the application site was located in Tin Shui Wai and the application was submitted by the Hong Kong Housing Authority (HKHA). The following Members had declared interest on the item:

- |  |   |  |
|--|---|--|
| Mr Paul Y.K. Au<br><i>As Chief Engineer<br/>(Works), Home Affairs<br/>Department</i> | - | being a representative of the Director of Home Affairs who was a member of the Strategic Planning Committee and Subsidised Housing Committee of HKHA;  |
| Mr K.K. Cheung   | - | his firm having current business dealings with HKHA;   |
| Mr Ivan C.S. Fu  | ] | having past business dealings with HKHA;   |
| Mr Stephen L.H. Liu  | ] |  |
| Mr L.T. Kwok   | - | his serving organisation (Christian Family Social Service Centre) was operating a Social Service Team at Mei Tung Estate of the HKHA and had a service unit at Tin Ching Estate of the HKHA; and |
| Mr Ricky W.Y. Yu   | - | his firm having social housing development in Tin Shui Wai.  |

111. The Committee noted that Messrs Ivan C.S. Fu and Ricky W.Y. Yu had tendered apologies for being unable to attend the meeting. The Committee agreed that as the interest of Mr Paul Y.K. Au was direct, he should be invited to leave the meeting temporarily for the item. As the interest of Mr L.T. Kwok was indirect and Messrs K.K. Cheung and Stephen L.H. Liu had no involvement in the application, the Committee agreed that they could stay in

the meeting.

[Mr Paul Y.K. Au left the meeting temporarily at this point.]

### Presentation and Question Sessions

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

- (a) background to the application;
- (b) the proposed government use/ office/ school (tutorial schools)/ shop & services;
- (c) departmental comments – departmental comments were set out in paragraph 9 of the Paper. Concerned government departments had no objection to or no adverse comments on the application;
- (d) no public comment was received during the first three weeks of the statutory publication period; and
- (e) the Planning Department (PlanD)'s views – PlanD had no objection to the application based on the assessments set out in paragraph 11 of the Paper. The proposed uses were generally in line with the planning intention of the “Residential (Group B)1” (“R(B)1”) zone and considered not incompatible with the existing uses on the ground floor of Ching Moon House. It was unlikely that the proposed uses would create nuisances to the residents of Tin Ching Estate. Concerned government departments had no objection to or no adverse comments on the application. Relevant approval condition had been recommended to address the concern on the fire safety aspect. One similar application for proposed social welfare facilities, training centre and public clinic (community health centre) in the same “R(B)1” zone was approved. Approval of the application was in line with the

Committee's previous decision.

113. Members had no question on the application.

### Deliberation Session

114. 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 3.1.2024, 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 submission and implementation of fire service installations proposal to the satisfaction of the Director of Fire Services or of the TPB.”

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

[Mr Paul Y.K. Au returned to join the meeting at this point.]

### **Agenda Item 33**

#### Section 16 Application

[Open Meeting (Presentation and Question Sessions Only)]

A/YL-HTF/1100 Proposed Temporary Place of Recreation, Sports or Culture (Hobby Farm) for a Period of 3 Years in “Coastal Protection Area” Zone, Lots 222 S.B (Part), 222 RP (Part), 223 (Part), 224 S.D (Part), 225, 226, 227 and 228 (Part) in D.D. 128, Lau Fau Shan, Yuen Long  
(RNTPC Paper No. A/YL-HTF/1100)

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#### Presentation and Question Sessions

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

- (a) background to the application;
- (b) the proposed temporary place of recreation, sports or culture (hobby farm) for a period of three years;
- (c) departmental comments – departmental comments were set out in paragraph 9 and Appendix V of the Paper. The Chief Town Planner/Urban Design and Landscape, Planning Department (CTP/UD&L, PlanD) had reservation on the application, as the site had been cleared and paved with concrete, which was incompatible with the surrounding natural environment of the “Coastal Protection Area” (“CPA”) zone. Approval of the application might set an undesirable precedent to encourage other similar applications to form the site prior to obtaining planning permission, the cumulative impact of which would result in a general degradation of the natural environment and landscape quality of the area. 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, two public comments were received from individuals objecting to the application. Major views were set out in paragraph 10 of the Paper; and
- (e) the PlanD’s views – PlanD considered that the proposed temporary place of recreation, sports or culture (hobby farm) could be tolerated for a period of three years based on the assessments set out in paragraph 11 of the Paper. As the site was currently under active cultivation and the proposed use would be mainly related to agricultural activities and the Director of Agriculture, Fisheries and Conservation had no adverse comment on the application, it was considered that the temporary approval would not undermine the long-term planning intention of the “CPA” zone. The proposed development was considered not incompatible with the surrounding land uses and would unlikely cause significant adverse environmental, traffic and drainage impacts on the surrounding areas.

Except CTP/UD&L, PlanD, other concerned government departments had no objection to or no adverse comments on the application. Relevant approval conditions had been recommended to minimise any possible environmental impacts and nuisance on the surrounding developments, and to address the technical requirements of the concerned government departments. Five similar applications for similar recreational uses within the same “CPA” zone were approved. Approval of the application was in line with the Committee’s previous decisions. While four similar applications were rejected, the planning circumstances of the rejected applications were different from the current application. Regarding the adverse public comments received, the comments of government departments and planning assessments above were relevant.

117. In response to the Chairman’s enquiry, Ms Bonnie K.C. Lee, STP/TMYLW, said that there was no relationship between the current application and the approved application to the north of the application site, which were submitted by different applicants.

#### Deliberation Session

118. After deliberation, the Committee decided to approve the application on a temporary basis for a period of 3 years until 3.1.2023, on the terms of the application as submitted to the Town Planning Board (TPB) and subject to the following conditions :

- “(a) no operation between 7:00 p.m. to 9:00 a.m., as proposed by the applicant, is allowed on the Site during the planning approval period;
- (b) removal of the existing hard-paving on the Site, as proposed by the applicant, before the operation of the proposed use;
- (c) no land/pond filling, as proposed by the applicant, is allowed on the Site during the planning approval period;
- (d) no public announcement system is allowed 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 the 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 3.7.2020;
- (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 3.10.2020;
- (h) the implemented drainage facilities shall be maintained at all times during the planning approval period;
- (i) all existing trees within the Site should be maintained in good condition at all times during the planning approval period;
- (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 3.7.2020;
- (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 3.10.2020;
- (l) if the above planning condition (a), (b), (c), (d), (e), (h) or (i) is not complied with during the planning approval period, the approval hereby given shall cease to have effect and shall be revoked immediately without further notice;
- (m) if any of the above planning conditions (f), (g), (j) or (k) is not complied with by the above specified date, the approval hereby given shall cease to have effect and shall on the same date be revoked without further notice;

and

- (n) upon expiry of the planning permission, the reinstatement of the Site to amenity area to the satisfaction of the Director of Planning or of the TPB.”

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

### **Agenda Item 34**

#### **Section 16 Application**

[Open Meeting]

A/YL-LFS/353 Temporary Logistics Centre with Ancillary Office and Parking of Vehicle for a Period of 3 Years in “Residential (Group E)” Zone, Various Lots in D.D. 129 and adjoining Government Land, Lau Fau Shan, Yuen Long  
(RNTPC Paper No. A/YL-LFS/353)

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120. The Committee noted that the applicant’s representative requested on 3.12.2019 deferment of consideration of the application for two months so as to prepare further information regarding implementation of landscape and tree preservation proposal and the submission of fire service installations proposal. It was the first time that the applicant requested deferment of the application.

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

circumstances.

**Agenda Item 35**

**Section 16 Application**

[Open Meeting]

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

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122. The Committee noted that the applicant’s representative requested on 11.12.2019 deferment of consideration of the application for a period of 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 responses to comments of the Agriculture, Fisheries and Conservation Department and revised drawings.

123. 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 36**

**Section 16 Application**

[Open Meeting (Presentation and Question Sessions Only)]

A/YL-TT/488            Temporary Public Vehicle Park (excluding container vehicle) for a Period of 5 Years in “Village Type Development” Zone, Lots 49 (Part), 417 (Part), 418, 419, 420 (Part) and 431 (Part) in D.D. 117, Tai Tong, Yuen Long  
(RNTPC Paper No. A/YL-TT/488)

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**Presentation and Question Sessions**

124.        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 public vehicle park (excluding container vehicle) 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 comments on the application;
- (d) during the first three weeks of the statutory publication period, two public comments were received. The Chairman of Shap Pat Heung Rural Committee supported the application and an individual raised concerns 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 application based on the assessments set out in paragraph 11 of the Paper. Although the proposed temporary public vehicle park (excluding container

vehicle) was not entirely in line with the planning intention of “Village Type Development” (“V”) zone, the proposal could meet any such demand for parking in the area. There was no Small House application approved or under processing at the site and the temporary approval would not frustrate the long-term planning intention of the area. The proposed development was considered not incompatible with the surrounding land uses. Concerned government departments had no objection to or no adverse comments on the application. Relevant approval conditions had been recommended to address the technical requirements of the concerned departments. Six similar applications had been approved in the same “V” zone. Approval of the application was in line with the Committee’s previous decisions. Regarding the adverse public comments received, the comments of government departments and planning assessments above were relevant.

125. Members had no question on the application.

#### Deliberation Session

126. After deliberation, the Committee decided to approve the application on a temporary basis for a period of 5 years until 3.1.2025, 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 are allowed to enter/be parked on the Site, as proposed by the applicant, at any time during the planning approval period;
- (b) no vehicle without valid licences issued under the Road Traffic Ordinance is allowed to be parked/stored on the Site, as proposed by the applicant, at any time during the planning approval period;
- (c) no open storage, vehicle repairing, dismantling or other workshop activities, as proposed by the applicant, are allowed on the Site at any time during the planning approval period;

- (d) no vehicle is allowed to queue back to or reverse onto/from public road at any time during the planning approval period;
- (e) the submission of a run-in/out proposal within 6 months from the date of the planning approval to the satisfaction of the Director of Highways or of the TPB by 3.7.2020;
- (f) in relation to (e) above, the implementation of the run-in/out proposal within 9 months from the date of planning approval to the satisfaction of the Director of Highways or of the TPB by 3.10.2020;
- (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 3.7.2020;
- (h) in relation to (g) 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 3.10.2020;
- (i) in relation to (h) above, the implemented drainage facilities on the Site shall be maintained at all times during the planning approval period;
- (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 3.7.2020;
- (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 3.10.2020;
- (l) if any of the above planning conditions (a), (b), (c), (d) or (i) is not complied with during the planning approval period, the approval hereby given shall cease to have effect and shall be revoked immediately without

further notice; and

- (m) if any of the above planning conditions (e), (f), (g), (h), (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.”

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

### **Agenda Item 37**

#### **Section 16 Application**

[Open Meeting (Presentation and Question Sessions Only)]

A/YL-TT/489 Proposed Public Utility Installation (Package Substation) in  
“Recreation” Zone, Government Land in D.D. 117, Tai Tong, Yuen  
Long  
(RNTPC Paper No. A/YL-TT/489)

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

- |                     |   |   |
|---------------------|---|---|
| Mr Stephen L.H. Liu | - | having past business dealings with CLP;                         |
| Mr K.K. Cheung      | - | his firm having current business dealings with CLP; and         |
| Dr Jeanne C.Y. Ng   | - | being the Director – CLP Research Institute, CLP Holdings Ltd.. |

129. As the interest of Dr Jeanne C.Y. Ng was direct, the Committee agreed that she should be invited to leave the meeting temporarily for the item. As Messrs Stephen L.H. Liu and K.K. Cheung had no involvement in the application, the Committee agreed that they could stay in the meeting.

[Dr Jeanne C.Y. Ng left the meeting temporarily at this point.]

Presentation and Question Sessions

130. 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 public utility installation (package substation);
- (c) departmental comments – departmental comments were set out in paragraph 8 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, 32 public comments were received. An individual provided comment on the application and the remaining 31 comments submitted by alleged residents of Tai Tong Shan Road supported the application. Major views were set out in paragraph 9 of the Paper; and
- (e) the Planning Department (PlanD)’s views – PlanD had no objection to the application based on the assessments set out in paragraph 10 of the Paper. Although the proposed public utility installation (package substation) was not entirely in line with the planning intention of “Recreation” (“REC”) zone, the proposal was intended to alleviate the loading condition of the existing electricity supply facilities and to enhance the reliability of the electricity support system for existing and future developments in and adjacent to the subject “REC” zone. The proposed development was considered not incompatible with the surrounding area. Concerned government departments had no objection to or no adverse comments on the application. Relevant approval condition had been recommended to



address the technical requirements of the Director of Fire Services. Regarding the public comment providing views received, the comments of government departments and planning assessments above were relevant.

131. Members had no question on the application.

### Deliberation Session

132. 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 3.1.2024, 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 firefighting to the satisfaction of the Director of Fire Services or of the TPB.”

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

[Dr Jeanne C.Y. Ng returned to join the meeting at this point.]

### Agenda Item 38

#### Section 16 Application

[Open Meeting]

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

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134. The Committee noted that the applicant’s representative requested on 24.12.2019 deferment of consideration of the application for a period of two months so as to allow time to prepare relevant submission and address departmental comment. It was the second time

that the applicant requested deferment of the application. Since the last deferment, the applicant had submitted a drainage proposal and a fire service installations proposal.

135. 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 39**

#### **Section 16 Application**

[Open Meeting (Presentation and Question Sessions Only)]

A/YL-TYST/983      Temporary Warehouse for Storage of Electronic Goods with Ancillary Site Office for a Period of 3 Years in "Undetermined" zone, Lots 716 RP, 718 RP, 744 S.A, 744 S.B, 745 (Part), 746, 747 (Part), 749 (Part), 750, 751, 752 (Part), 753 (Part), 754 (Part), 755, 756 and 757 in D.D. 117 and Adjoining Government Land, Kung Um Road, Yuen Long  
(RNTPC Paper No. A/YL-TYST/983A)

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

136. 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 electronic goods with ancillary site office for a period of three years;
- (c) departmental comments – departmental comments were set out in paragraph 9 of the Paper. The Director of Environmental Protection (DEP) did not support the application as there were sensitive receivers of residential use in the vicinity of the Site and environmental nuisance from the proposed use was expected. 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, three public comments were received. A public comment from a member of Yuen Long District Council (YLDC) raised objection to the application and the comments from a member of YLDC and an individual raised concerns on the application. Major views were set out in paragraph 10 of the Paper; and
- (e) the Planning Department (PlanD)’s views – PlanD considered the temporary warehouse for storage of electronic goods with ancillary site office could be tolerated for a further 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 and the temporary approval would not jeopardise the long-term planning development of the area. The proposal was generally not incompatible with the surrounding land uses. Except DEP, other concerned government departments had no objection to or no adverse comments on the application. Relevant approval conditions had been recommended to address the concerns on the possible environmental nuisances or the technical requirements of other concerned government departments. There were 10 previous approved applications for various warehouse uses covering different parts of the site. While three of the approved applications submitted by the same applicant were revoked due to non-compliance of approval conditions, the applicant had submitted landscape, drainage and fire service installations proposals in the current application and all of them

had been agreed and implemented to the satisfaction of the concerned departments. Sympathetic consideration might be given to the current application. Given that 10 previous applications for similar warehouse uses at the site and 111 similar applications in that part of the “U” zone were approved, approval of the current application was generally in line with the Committee’s previous decisions. Regarding the adverse public comments received, the comments of government departments and planning assessments above were relevant.

137. Members had no question on the application.

### Deliberation Session

138. After deliberation, the Committee decided to approve the application on a temporary basis for a period of 3 years until 3.1.2023, 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, dismantling, recycling, repairing, cleaning, assembling or other workshop activities and handling (including loading and unloading) of electronic waste 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 vehicle is allowed to queue back to or reverse onto/from public road at any time during the planning approval period;
- (e) all existing trees within the Site shall be maintained at all times, as proposed by the applicant, during the planning approval period;

- (f) the existing boundary fencing on the Site shall be maintained at all times during the planning approval period;
- (g) the implemented drainage facilities on the Site shall be maintained at all times during the planning approval period;
- (h) the existing fire service installations implemented on the Site should be maintained in efficient working order at all times during the planning approval period; and
- (i) 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.”

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

#### **Agenda Item 40**

##### Section 16 Application

[Open Meeting (Presentation and Question Sessions Only)]

A/YL-TYST/996 Proposed Temporary Shop and Services for a Period of 3 Years in  
“Open Storage” Zone, Lot 2631 RP in D.D. 120, Shan Ha Road, Yuen  
Long  
(RNTPC Paper No. A/YL-TYST/996)

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##### Presentation and Question Sessions

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

- (a) background to the application;
- (b) the proposed temporary shop and services 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) no public comment was received during the first three weeks of the statutory publication period; and
- (e) the Planning Department (PlanD)’s views – PlanD had no objection to the application based on the assessments set out in paragraph 11 of the Paper. Although the proposed temporary shop and services was not entirely in line with the planning intention of “Open Storage” zone, the proposal could satisfy any demand for retail of construction materials in the area. Concerned departments had no objection to the proposed temporary use for three years, and the temporary approval would not jeopardise the long-term planning intention of the area. The proposed development was generally not incompatible with the surrounding major uses. Concerned government departments had no objection to or no adverse comments on the application. Relevant approval conditions had been recommended to minimise any potential environmental nuisances or address the technical requirements of other concerned government departments.

141. Members had no question on the application.

#### Deliberation Session

142. After deliberation, the Committee decided to approve the application on a temporary basis for a period of 3 years until 3.1.2023, on the terms of the application as submitted to the Town Planning Board (TPB) and subject to the following conditions :

- “(a) no repairing, assembling, dismantling and other workshop activities, as

proposed by the applicant, are allowed on the Site at any time during the planning approval period;

- (b) 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;
- (c) no vehicle is allowed to queue back to or reverse onto/from public road at any time during the planning approval period;
- (d) all existing trees within the Site shall be maintained at all times, as proposed by the applicant, during the planning approval period;
- (e) the implementation of the accepted drainage proposal within 6 months from the date of planning approval to the satisfaction of the Director of Drainage Services or of the TPB by 3.7.2020;
- (f) in relation to (e) above, the implemented drainage facilities on the Site shall be maintained at all times during the planning approval period;
- (g) the submission of a fire service installations proposal within 6 months from the date of planning approval to the satisfaction of the Director of Fire Services or of the TPB by 3.7.2020;
- (h) in relation to (g) above, the implementation of the fire service installations proposal within 9 months from the date of planning approval to the satisfaction of the Director of Fire Services or of the TPB by 3.10.2020;
- (i) 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

- (j) if any of the above planning conditions (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.”

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

[The Chairman thanked Mr Simon P.H. Chan, Ms Jessica Y.C. Ho, 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 41**

##### Any Other Business

[Open Meeting]

144. A Member asked how the transitional housing projects would be handled in the planning regime. In response, the Chairman said that transitional housing projects would need to comply with all relevant legislations and regulations, including the provisions under the relevant Outline Zoning Plan (OZP). In general, transitional housing projects were considered as temporary uses and whether planning application was required depended on the Notes of the OZP. The Transport and Housing Bureau (THB) would take the lead in coordinating transitional housing projects, and early liaison with the relevant Bureaux/Departments was encouraged to help iron out issues in the early stage of the projects.

145. There being no other business, the meeting closed at 4:25 p.m..