

## **TOWN PLANNING BOARD**

### **Minutes of 647<sup>th</sup> Meeting of the Rural and New Town Planning Committee held at 9:00 a.m. on 26.5.2020**

#### **Present**

Director of Planning  
Mr Raymond K.W. Lee

Chairman

Mr Stephen L.H. Liu

Vice-chairman

Mr Peter K.T. Yuen

Mr Philip S.L. Kan

Mr K.K. Cheung

Dr C.H. Hau

Miss Winnie W.M. Ng

Mr L.T. Kwok

Mr K.W. Leung

Dr Jeanne C.Y. Ng

Mr Ricky W.Y. Yu

Dr Venus Y.H. Lun

Mr Y.S. Wong

Chief Traffic Engineer/New Territories East,  
Transport Department  
Mr Ken K.K. Yip

Chief Engineer (Works), Home Affairs Department  
Mr Gavin C.T. Tse

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**

Dr Lawrence K.C. Li

Mr Conrad T.C. Wong

**In Attendance**

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

Chief Town Planner/Town Planning Board  
Ms Caroline T.Y. Tang

Town Planner/Town Planning Board  
Ms Anita M.Y. Wong

## **Opening Remarks**

1. The Chairman said that the meeting would be conducted with video conferencing arrangement.

## **Agenda Item 1**

### Matters Arising

[Open Meeting]

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

## **Sai Kung and Islands District**

## **Agenda Item 2**

### Section 12A Application

[Open Meeting (Presentation and Question Sessions only)]

Y/SK-HC/4                      Application for Amendment to the Approved Ho Chung Outline Zoning Plan No. S/SK-HC/11, To rezone the application site from “Conservation Area” to “Village Type Development”, Lot 764 in D.D.249 and Adjoining Government Land, Wang Che, Sai Kung  
(RNTPC Paper No. Y/SK-HC/4C)

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3. The Committee noted that the applicant’s representative requested on 20.3.2020 deferment of consideration of the application for a period of two months in order to allow time to address departmental comments. The RNTPC meeting originally scheduled for 3.4.2020 had been rescheduled in the light of the situation of COVID-19 and the special work arrangement for government departments. On 20.5.2020, the applicant’s representative confirmed that they would proceed with the request for deferment. It was the fourth time that the applicant requested deferment of the application. Since the last deferment, the applicant had submitted further information including responses to departmental comments

and sewerage impact assessment.

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

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

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

#### **Agenda Item 3**

##### **Section 12A Application**

[Open Meeting (Presentation and Question Sessions only)]

Y/TP/27                      Application for Amendment to the Approved Tai Po Outline Zoning Plan No. S/TP/28, To rezone the application site from "Village Type Development" to "Government, Institution or Community (3)", Lots 738 S.C and 738 S.C ss.1 in D.D. 6, 74-75 Kam Shan Road, Tai Po  
(RNTPC Paper No. Y/TP/27C)

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5. The Secretary reported that the application was for a columbarium development in Tai Po. Mr K.K. Cheung and Dr Venus Y.H. Lun had declared an interest on the item for Mr Cheung's firm being the legal advisor of the Private Columbaria Licensing Board (PCLB) and Dr Lun's spouse owning a flat in Hong Lok Yuen, Tai Po. As the interest of Mr K.K. Cheung was indirect and the property owned by Dr Venue Y.H. Lun's spouse had no direct view of the application site (the Site), the Committee agreed that they could stay in the

meeting.

Presentation and Question Sessions

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

Ms Jessica H.F. Chu - District Planning Officer/Shan Tin, Tai Po and North (DPO/STN), PlanD

Ms Kathy C.L. Chan - Senior Town Planner/Shan Tin, Tai Po and North (STP/STN), PlanD

*Fancy Lotus Limited*

Mr Johnny Wong

Mr Yau Kam Ming

Mr Yuen Seen Pun

Mr Poon Tak Ming

Mr Kong Sai Wing

Mr Lok Ting Yan

Ms Wong Fung Chun

Mr Cheung Koon Yuk

Ms Sze Mei Yuk

Ms Fung Tsz Kiu

*Vision Planning Consultants Limited*

Mr Kim On Chan

*MVA Hong Kong Limited*

Mr Lee Ho Wai

Applicant's representatives

7. The Chairman extended a welcome and explained the procedures of the meeting. He then invited PlanD's representative to brief Members on the background of the

application. With the aid of a PowerPoint presentation, Ms Jessica H.F. Chu, DPO/STN, presented the application and covered the following aspects as detailed in the paper:

- (a) background to the application;
- (b) the proposed rezoning of the Site from “Village Type Development” (“V”) to “Government, Institution or Community (3)” (“G/IC(3)”) on the approved Tai Po Outline Zoning Plan (OZP) No. S/TP/28, and including ‘Columbarium’ use under Column 2 of the “G/IC(3)” zone in order to make provision for application for such use;
- (c) departmental comments – departmental comments were set out in paragraph 9 of the Paper. Local views conveyed by the District Officer/Tai Po, Home Affairs Department (DO(TP), HAD) were set out in paragraph 9.1.10 of the Paper;
- (d) during the first three weeks of the statutory publication periods, 1,738 public comments were received, with 894 supporting comments from individuals, and 844 opposing comments from a former Tai Po District Council (TPDC) Member, a current TPDC Member, the Chairman/Vice-chairman of Kam Shan Village Committee and village representatives of Kam Shan Village, Alliance for the Concern over Columbarium Policy, local villagers/residents and individuals. Major views are set out in paragraph 10 of the Paper; and
- (e) PlanD’s views – PlanD did not support the application based on the assessments set out in paragraph 11 of the Paper. The Site was located within the village proper of Kam Shan and fell within an area zoned “V” which was primarily intended for development of Small Houses by indigenous villagers. The subject columbarium, with 1,700 niches, resulted in close juxtaposition of columbarium use and residential use as well as intermixing of grave sweepers and villagers, which was considered not compatible with the existing village setting of the area. Approval of the application would set an undesirable precedent for similar applications

in the same “V” zone, the cumulative effect of which would result in sporadic columbarium development leading to a deterioration of the village setting and a general degradation of the environment of the area. The Site was the subject of a previous application (No. Y/TP/18) for the same proposed rezoning, which was rejected by the Committee on 8.11.2013 mainly on the grounds of being not compatible with the existing village setting; failing to demonstrate no adverse traffic impacts; failing to demonstrate the proposed closure of the columbarium on Ching Ming and Chung Yeung Festivals implementable and enforceable; and setting of undesirable precedent. As the current application had proposed ‘visit-by-appointment’ and closure of the columbarium during festival days and their shadow weekends, the Commissioner for Transport (C for T) considered the revised traffic impact assessment report acceptable on the premise that the monitoring of implementation of the proposed crowd and traffic management measures would be enforced under the licence to be approved by the PCLB. Regarding the public comments, the comments of government departments and planning assessments above were relevant.

[Mr Y.S. Wong joined the meeting during the presentation.]

8. The Chairman then invited the applicant’s representatives to elaborate on the application. With the aid of a PowerPoint Presentation, Mr Johnny Wong, the applicant’s representative, made the following main points:

- (a) with the ageing population in Hong Kong, there was an increasing demand for columbarium niches and the provision of columbarium niches by the Government was insufficient to meet such demand. As such, there was also an increasing demand and pressure for private columbaria and the Private Columbaria Ordinance (Cap. 630) (PCO) had come into effect on 30.6.2017 to regulate the operation of such facilities;
- (b) compared with the previous application (No. Y/TP/18) rejected by the Committee on 8.11.2013, the major development parameters and total number of niches proposed (i.e. 1,700) under the current application

remained the same except that 312 family niches would be provided so as to alleviate the traffic impact. Moreover, the columbarium would be closed during the Ching Ming and Chung Yeung Festival days and their shadow weekends to alleviate the critical traffic conditions and illegal parking in the surrounding areas. For crowd management purpose, a 'visit-by-appointment' system would be adopted to control the visitor number to a maximum of 50 persons per hour;

- (c) should the subject application be agreed to, a s.16 application would still need to be submitted to the Committee for consideration. Moreover, an application to the PCLB for a licence to operate the subject columbarium was also required. The crowd and traffic management measures proposed would therefore be implementable and enforceable;
- (d) the proposed columbarium was considered acceptable as concerned government bureau/departments had no objection to or no adverse comment on the application;
- (e) the lease of the Site was subject to the General Conditions of Sale published in GN 365 of 1906 which had no user restrictions. The lots were subdivided in 1951 in which the site plan had indicated that the Site was used as a temple, which was of similar nature to the columbarium at the Site;
- (f) with regard to PlanD's view of not supporting the application relating to the planning intention, although land within "V" zone was primarily intended for development of Small House by indigenous villagers, the "V" zone in Kam Shan was drawn up since the first Tai Po OZP was prohibited in 1980, and over the years the area had transformed to include a variety of uses including an international school, shop and services, religious institution and columbarium uses;
- (g) as for the Site being not compatible with the surroundings, other than the residential dwellings to the immediate west of the Site, the immediate east



and south were occupied by an ancestral hall and a religious institution known as Buddhist Cheung Ha Temple respectively. A resident of the residential dwelling to the immediate west of the Site had expressed no objection to the subject columbarium;

- (h) as regards the concerns on piecemeal rezoning of the Site and setting of an undesirable precedent, it should be noted that a similar application (No. Y/ST/13) for rezoning a site from “V” to “G/IC” at To Fung Shan, Sha Tin for columbarium use was agreed by the Committee on 20.1.2012. Moreover, there were other piecemeal “G/IC” zonings in other planning areas. The approval of the current application would not result in setting of an undesirable precedent;
- (i) regarding the local objections, a Village Representative (VR) of Kam Shan had indicated support to the application. Other VRs of other villages in Tai Po and local residents also indicated support to the application. The subject columbarium had been well-managed, without causing nuisance to the local residents and hygiene problems in the area; and
- (j) should the Committee consider it appropriate, the applicant was willing to accept including ‘Columbarium (existing operation between 1.1.1990 and 18.6.2014)’ use in Column 2 of the “V” zone on the Tai Po OZP. The applicant was also willing to comply with the conditions imposed by the Committee should the subject rezoning application be agreed to and the subsequent s.16 application be approved.

9. Mr Yau Kam Ming, the applicant’s representative and VR of Kam Shan Village, made the following main points:

- (a) the Site was used as an ancestral hall and a study hall in the early years. During the Chinese New Year, Ching Ming and Chung Yeung Festivals, there would be activities for worshipping the ancestors;
- (b) the Government had designated a burial ground at the hills of Ma Wo

Village for indigenous villagers. But it was located quite far away from Kam Shan and not convenient for the elderly and the disabled; and

- (c) the subject columbarium at the Site provided an alternative to the local indigenous villagers other than burial, and the improvement measures proposed under the current application were considered acceptable.

10. Ms Wong Fung Chun, the applicant's representative, made the following main points:

- (a) she resided in Pun Chun Yuen Road and would pass by Kam Shan Village when commuting to work. The columbarium at the Site was not visible when viewed from Kam Shan Road; and
- (b) in 2011, she bought four niches at the subject columbarium as they were reasonably priced and its location was near to her residence. A few years later her father passed away and she and her elderly mother had frequently visited the columbarium where her father's cremains were stored to pay their respects.

11. Mr Yuen Seen Pun, the applicant's representative, made the following points;

- (a) he had operated the subject columbarium since 2007 and had made numerous enquiries to relevant government departments. He was advised that no licence was needed and the columbarium use did not contravene the lease conditions. There were no complaints regarding the subject columbarium operation until 2011 when the previous rezoning application (No. Y/TP/18) was submitted; and
- (b) since they had made the utmost effort in addressing the departmental comments, relevant government departments had no objection to or no adverse comment on the subject application.

12. Mr Kim On Chan, the applicant's representative, made the following concluding

remarks:

- (a) the subject rezoning application had no conflict with the planning intention of the “V” zone as columbarium was also a locally needed facility;
- (b) the subject application was an improvement to the previous application (No. Y/TP/18) rejected by the Committee in 2013. Concerned government departments had no objection to or no adverse comment on the subject application;
- (c) the spirit of the PCO and the PCLB was to allow regularisation of non-conforming columbaria and regulated operation of such facilities; and
- (d) although “V” zone was primarily intended for development of Small Houses by indigenous villagers, they should not be the only type of development that could be allowed in the area. There should be other uses that could complement and serve the local community.

13. As the presentations of PlanD’s representative and the applicant’s representatives were completed, the Chairman invited questions from Members.

*Zoning history and the use of the Site*

14. The Vice-chairman and some Members raised the following questions:

- (a) noting the applicant claimed that the Site was used as a temple in 1951, whether the Site was already used as a temple when the Tai Po OZP was first drawn up;
- (b) whether there had been any communication between PlanD and the applicant regarding the columbarium use at the Site; and
- (c) whether the Site was used as a temple when the applicant purchased the property.

15. In response, Ms Jessica H.F. Chu, DPO/STN, made the following main points:

- (a) the plan shown in the applicant's presentation was a site plan registered in the Land Registry in 1951 to record the sale of lots. The 'temple' shown on the site plan was not related to the Site. With regard to the lease requirements, the Site, together with the adjoining lots including the tsz tong, was sold in 1909 through auction with no user restrictions except a building height restriction of two storeys; and
- (b) the Tai Po OZP was first gazetted in 12.12.1980 on which the Site was zoned "V", and the zoning had remained unchanged since then. The subject columbarium came into operation in 2007, and according to the Notes of the OZP for "V" zone, 'columbarium' was not a permitted use. Since its operation, PlanD had informed the applicant that the columbarium use at the Site was not permitted in the "V" zone. As the Tai Po OZP, where the Site was located, was not previously covered by a Development Permission Area Plan, no enforcement action could be taken by the Planning Authority.

16. Regarding the history of the Site, Mr Johnny Wong, the applicant's representative, claimed that according to their records, the lot plan registered in the Land Registry in 1951 had indicated that the Site was used as a temple. The Site was with vacant structure when it was purchased in 2007.

*Planning considerations, similar and previous applications*

17. Some Members raised the following questions:

- (a) what the major considerations in assessing the subject columbarium application were;
- (b) whether there was any precedent for rezoning "V" to other land use zones for columbarium use; and

- (c) the number of public comments received in the previous application (No. Y/TP/18).

18. In response, Ms Jessica H.F. Chu, DPO/STN, made the following main points:

- (a) the Site fell within an area zoned “V” and was used as a columbarium since 2007 without a valid planning permission. In assessing the subject columbarium application, consideration should be given to whether the juxtaposition of columbarium use and residential dwellings in its immediate vicinity was compatible and whether the columbarium use would cause adverse traffic, environmental and other impacts and nuisance to the residents. Relevant departments including the Transport Department and Environmental Protection Department had no adverse comment on the application on the technical aspects. DO(TP), HAD had advised that there were strong objections from residents of Kam Shan Village and members of Yau Ancestral Hall on the columbarium activities and such objections were reported on the media. However, the planning assessment would not rely solely on local sentiments as they might change over time;
- (b) there was a similar application (No. Y/ST/13) for rezoning a site (known as Chi Ha Yuen) in Sha Tin from “V” to “G/IC(1)” which was partially agreed by the Committee on 10.2.2012 as the site was located at a distance from the village proper of Pai Tau Village. The site was subsequently rezoned to “G/IC” with ‘Columbarium’ as a Column 2 use. A s.16 application for the columbarium use was, however, rejected upon review by the Town Planning Board (the Board) in 2014 due to adverse traffic impact; and
- (c) the previous application (No. Y/TP/18) had received a total of 49 public comments, with 22 supportive and 27 objecting comments.

*Operation of the subject columbarium*

19. The Chairman and some Members raised the following questions:

- (a) the total number of niches at the Site, the number of niches sold and the number of niches occupied;
- (b) whether the columbarium niches at the Site were available for sale to the public; and
- (c) whether the Buddhist Cheung Ha Temple to the immediate south of the Site was operated by the applicant of the subject application.

20. In response, Messrs Johnny Wong and Yuen Seen Pun, the applicant's representatives, made the following main points:

- (a) the subject columbarium had a total of 1,700 columbarium niches, of which 162 were sold and 66 were occupied;
- (b) the niches at the Site were available for sale to the public; and
- (c) the Buddhist Cheung Ha Temple was not operated by the applicant and there was no affiliation between the two columbaria.

21. In response to a Member's question on the arrangements for relocating the interred ashes should the Committee decide not to agree to the subject application, Ms Jessica H.F. Chu, DPO/STN, said that in that case, the columbarium should cease operation. The operator should be responsible for carrying out the 'prescribed ash disposal procedures' set out under the PCO. The eligible claimants could then arrange to have the ashes interred at columbaria maintained by the Government or specified under the Public Health and Municipal Ordinance (Cap. 132), or other private columbaria. The eligible claimants could also consider green burial options or storing the ashes at domestic premises. If the operator failed to carry out such procedures, he/she would commit an offence and would be liable to a fine or imprisonment.

*Traffic aspect*

22. The Chairman enquired the traffic arrangements proposed by the applicant and C for T's comments on such arrangements. In response, Ms Jessica H.F. Chu, DPO/STN, said that the crowd and traffic management measures proposed by the applicant included closure of the columbarium during the Ching Ming and Chung Yeung Festival Days and their shadow weekends (i.e. the Saturdays, Sundays and public holiday(s) within the two weeks immediately before and after the festival days). In addition, a 'visit-by-appointment' system would be adopted by the applicant to control the number of visitors to a maximum of 50 persons per hour (with each half hour session not exceeding 25 persons). As the implementation of the proposed crowd and traffic management measures would be monitored and enforced under the licence to be approved by the PCLB, C for T had no objection to the application.

*Others*

23. The Chairman and some Members raised the following questions:

- (a) the provision of columbarium niches in the vicinity;
- (b) the population of Kam Shan village; and
- (c) whether the columbarium use at the Buddhist Cheung Ha Temple under application No. Y/TP/29 had been considered by the Committee.

24. In response, Ms Jessica H.F. Chu, DPO/STN, made the following main points:

- (a) there were six private columbaria (including the subject columbarium) in the Kam Shan/Shek Kwu Lung cluster providing an estimated total number of about 29,000 niches. Five of them, including the subject columbarium, had submitted planning applications to the Board. While two applications (No. A/TP/652 and A/TP/657) were approved by the Committee in 2019, providing a total of 6,059 niches; one application (No. Y/TP/23) was

rejected by the Committee in 2015; and another one (No. Y/TP/29) was currently under processing;

- (b) Kam Shan village had a population of about 5,700 people; and
- (c) application No. Y/TP/29 was yet to be considered by the Committee.

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

#### Deliberation Session

26. The Chairman recapitulated the major considerations of the subject application to facilitate Members' discussion. The Chairman also reminded Members that as it was a rezoning application, should the Committee decide to agree to the application, PlanD would recommend zoning amendments to the OZP for the consideration of the Committee before gazettal of the draft OZP for public inspection, and a subsequent s.16 application would still be required to regularise the columbarium use at the Site.

27. A Member did not support the subject rezoning application on the ground that the columbarium use at the Site was considered not compatible with the surroundings. The Vice-chairman echoed and said that the approval of the application would set an undesirable precedent for the application (No. Y/TP/29) to the immediate south of the Site and other similar applications. The Member who did not support the application further expressed that with the similar rezoning application (No. Y/TP/29) covering a much larger area in the vicinity, the wording of 'piecemeal' rezoning of the Site under rejection reason (a) might not be appropriate and should be suitably amended.

28. Another Member concurred that the approval of the subject rezoning application would set an undesirable precedent for other similar applications and also considered that



there was no planning gain to justify the current proposal.

29. Whilst agreeing that there was an increasing demand for columbarium use, a Member considered that the subject columbarium was located too close to residential dwellings and hence the rezoning application could not be supported.

30. A Member held a different view and said that the Site was adjacent to an ancestral hall, and thus a columbarium use was not entirely incompatible. Besides, as the subject columbarium was relatively small in scale especially when comparing with the one under application No. Y/TP/29 in the vicinity, its traffic impact should not be significant. In view that some local residents had no objection to the subject columbarium, the Member indicated that the application might warrant sympathetic consideration.

31. A Member noted that the subject application involved an existing instead of a new columbarium development, and asked whether it would still set a precedent for other cases. In response, the Chairman said that each application should be considered on its own circumstances. In any event, it might be quoted by other applicants in the future.

32. The Chairman concluded and Members agreed that a majority of the Members did not support the application. The meeting also agreed that the word “piecemeal” should be removed from rejection reason (a).

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

- “(a) the site falls within an area zoned “Village Type Development” (“V”) with the planning intention primarily for development of Small Houses by indigenous villagers. The proposed columbarium use is considered not compatible with the existing village setting of the area, particularly the residential dwellings located to its immediate west and south. There is no strong planning justification for rezoning of the site from “V” to “Government, Institution or Community (3)” zone to make provision for application for columbarium use. The current “V” zone for the site is considered appropriate; and

- (b) the approval of the application would set an undesirable precedent for other similar rezoning applications within the “V” zone. The cumulative effect of approving such similar applications would result in sporadic columbarium development leading to a deterioration of the village setting and a general degradation of the environment of the area.”

**Agenda Item 4**

**Section 12A Application**

[Open Meeting]

Y/NE-STK/1                      Application for Amendment to the Approved Sha Tau Kok Outline Zoning Plan No. S/NE-STK/2, To rezone the application site from “Agriculture” and “Green Belt” to “Other Specified Uses” annotated “Columbarium”, Various lots in D.D. 41 and Adjoining Government Land, Tong To, Sha Tau Kok  
(RNTPC Paper No. Y/NE-STK/1B)

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34.            The Secretary reported that the application was for a columbarium development and Mr K.K. Cheung had declared an interest on the item for his firm being the legal advisor of the Private Columbaria Licensing Board.

35.            The Committee noted that the applicant had requested deferment of consideration of the application. As the interest of Mr K.K. Cheung was indirect, the Committee agreed that he could stay in the meeting.

36.            The Committee noted that the applicant’s representative requested on 18.5.2020 deferment of consideration of the application for a period of two months in order to allow time to prepare further information to address further comments from relevant government departments. It was the third time that the applicant requested deferment of the application. Since the last deferment, the applicant had submitted further information including revised technical assessments and revised master layout plan to respond to departmental comments on the application.

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

### **Agenda Item 5**

#### **Section 12A Application**

[Open Meeting]

Y/ST/42                      Application for Amendment to the Approved Sha Tin Outline Zoning Plan No. S/ST/34, To rezone the application site from "Village Type Development" to "Government, Institution or Community", Lots 60 S.A, 60 S.B and 561 in D.D. 184 and adjoining Government Land, South of Che Kung Miu Road, Tai Wai  
(RNTPC Paper No. Y/ST/42)

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38. The Secretary reported that the application was for a columbarium development and Mr K.K. Cheung had declared an interest on the item for his firm being the legal advisor of the Private Columbaria Licensing Board.

39. The Committee noted that the applicant had requested deferment of consideration of the application. As the interest of Mr K.K. Cheung was indirect, the Committee agreed that he could stay in the meeting.

40. The Committee noted that the applicant's representative requested on 18.5.2020

deferment of consideration of the application for a period of two months so as to allow time for the applicant to address the comments raised by relevant government departments. It was the second time that the applicant requested deferment of the application. Since the last deferment, the applicant had submitted further information including a traffic impact assessment to address departmental comments.

41. 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 6**

### **Section 12A Application**

[Open Meeting]

Y/ST/44                      Application for Amendment to the Approved Sha Tin Outline Zoning Plan No. S/ST/34, To rezone the application site from "Village Type Development" to "Other Specified Uses" annotated "Columbarium(1)", Lots 35, 36 S.A, 36 RP, 38 S.A ss. 1, 38 S.A RP, 624, 676, 699 and 832 (Part) in D.D. 176, Wo Liu Hang Village, Fo Tan, Shatin  
(RNTPC Paper No. Y/ST/44)

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42. The Secretary reported that the application was for a columbarium development and Mr K.K. Cheung had declared an interest on the item for his firm being the legal advisor of the Private Columbaria Licensing Board.

43. The Committee noted that the applicant had requested deferment of consideration of the application. As the interest of Mr K.K. Cheung was indirect, the Committee agreed that he could stay in the meeting.

44. The Committee noted that the applicant requested on 18.5.2020 deferment of consideration of the application for a period of two months so as to allow time for revising the traffic impact assessment to address the comments raised by the Transport Department. It was the first time that the applicant requested deferment of the application.

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

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

**Agenda Item 7**

**Section 12A Application**

[Open Meeting]

Y/YL-NSW/6            Application for Amendment to the Approved Nam Sang Wai Outline Zoning Plan No. S/YL-NSW/8, To rezone the application site from “Other Specified Uses” annotated “Comprehensive Development to include Wetland Restoration Area” to “Other Specified Uses” annotated “Comprehensive Development to include Wetland Restoration Area 1”, Various Lots in D.D. 115 and Adjoining Government Land, Nam Sang Wai, Yuen Long  
(RNTPC Paper No. Y/YL-NSW/6)

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46.            The Secretary reported that Ove Arup & Partners Hong Kong Limited (Arup) was one of the consultants of the applicant. Mr K.K. Cheung had declared an interest on the item for his firm having current business dealings with Arup.

47.            The Committee noted that the applicant had requested deferment of consideration of the application. As Mr K.K. Cheung had no involvement in the application, the Committee agreed that he could stay in the meeting.

48.            The Committee noted that the applicant’s representative requested on 7.5.2020 deferment of consideration of the application for a period of two months in order to allow time for the applicant to prepare further information to address departmental comments. It was the first time that the applicant requested deferment of the application.

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

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

### **Tuen Mun and Yuen Long West District**

#### **Agenda Item 8**

##### **Section 12A Application**

[Open Meeting]

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

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50.            The Secretary reported that the application was for a columbarium development and Mr K.K. Cheung had declared an interest on the item for his firm being the legal advisor of the Private Columbaria Licensing Board.

51.            The Committee noted that the applicant had requested deferment of consideration of the application. As the interest of Mr K.K. Cheung was indirect, the Committee agreed that he could stay in the meeting.

52.            The Committee noted that the applicant's representative requested on 15.1.2020 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 and public comments. The RNTPC meeting originally scheduled for 21.2.2020 and then 30.3.2020 had been rescheduled in light of the situation of COVID-19 and the special work arrangement for government departments. On 14.5.2020, the applicant's representative confirmed that they would proceed with the request for deferment. 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 comments.

53. 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.

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

### **Sai Kung and Islands District**

#### **Agenda Item 9**

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

[Open Meeting (Presentation and Question Sessions Only)]

A/I-TCV/14                      Temporary Wholesale Trade (Wholesale Vegetable Market) with Ancillary Warehouse and Office for a Period of 3 Years in "Village Type Development" and "Residential (Group C) 2" Zones, Lots 1304 S.A and 1304 RP (Part) in D.D.1 TC, Tung Chung Valley, Lantau Island  
  
(RNTPC Paper No. A/I-TCV/14)

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**Presentation and Question Sessions**



54. Ms Amy M.Y. Wu, STP/SKIs, presented the application and covered the following aspects as detailed in the Paper:

- (a) background to the application;
- (b) the temporary wholesale trade (wholesale vegetable market) with ancillary warehouse and office for a period of three years;
- (c) departmental comments – departmental comments were set out in paragraph 9 of the Paper;
- (d) during the first three weeks of the statutory publication period, two public comments were received from a local villager and an individual objecting to the application. Major objection grounds were set out in paragraph 10 of the Paper; and
- (e) the Planning Department (PlanD)’s views – PlanD did not support the application based on the assessments set out in paragraph 11 of the Paper. The applied use was not in line with the general planning intention of the Tung Chung Valley area and the planning intentions of the “Village Type Development” and “Residential (Group C)2” zones. There was already a fresh food market within Mun Tung Estate which was about 10-minute walking distance from Shek Lau Po village and no information was provided by the applicant as to why a wholesale vegetable market was required to serve the local residents. There was no strong planning justification to support a departure from the said planning intentions, even on a temporary basis. The applied use was not compatible with the surrounding areas. The Director of Environmental Protection did not support the application as there were residential dwellings in the surrounding of the site and the applied use involved use of heavy vehicles. The applicants failed to demonstrate that the applied use would not cause any adverse environmental impact and had not provided information on the wastewater management. Approval of the application, even on a temporary basis, would set an undesirable precedent for similar applications.

The cumulative effect of approving such applications would result in a general degradation of the rural environment and landscape character of the area. Regarding the public comments, the comments of government departments and planning assessments above were relevant.

55. In response to the Chairman's question and with reference to Plan A-3 of the Paper, Ms Amy M.Y. Wu, STP/SKIs, said that the site was located about 450m from the nearest public road (i.e. Tung Chung Road).

### Deliberation Session

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

- “(a) the applied use is not in line with the planning intentions of “Village Type Development” (“V”) zone and “Residential (Group C)2” (“R(C)2”) zone. There is no strong planning justification in the submission for a departure from the planning intentions, even on a temporary basis;
- (b) the applicants fail to demonstrate that the applied use will not have adverse environmental and sewerage impacts on the surrounding areas; and
- (c) the approval of the application would set an undesirable precedent for similar applications within the “V” and “R(C)2” zones. The cumulative effect of approving such similar applications would result in a general degradation of the rural environment and landscape character of the area.”

**Agenda Item 10**

**Section 16 Application**

[Open Meeting (Presentation and Question Sessions Only)]

A/SK-PK/258            Renewal of Planning Approval for Temporary Eating Place (Outside Seating Accommodation of Restaurant) for a Period of 3 Years in Area shown as 'Road', Government Land in D.D. 215, Sai Kung  
(RNTPC Paper No. A/SK-PK/258)

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**Presentation and Question Sessions**

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

- (a) background to the application;
- (b) the renewal of planning approval for temporary eating place (outside seating accommodation (OSA) of restaurant only) for a period of three years;
- (c) departmental comments – departmental comments were set out in paragraph 9 of the Paper;
- (d) during the first three weeks of the statutory publication period, two public comments were received from individuals objecting to the application. Major objection grounds were set out in paragraph 10 of the Paper; and
- (e) the Planning Department (PlanD)'s views – PlanD considered that the temporary use could be tolerated for a further period of three years based on the assessments set out in paragraph 11 of the Paper. Although the proposed use was not in line with the planning intention of the area shown as 'Road' and the site fell within the boundary of the Hiram's Highway Improvement Project (HHIP) Stage 2 project, the Chief Highways Engineer/New Territories East, Highways Department had no comment on

the application on the understanding that the current renewal application would expire before the anticipated commencement date of the HHIP Stage 2 project. The application was generally in line with Town Planning Board Guidelines No. 34C in that there had been no major change in planning circumstances since the last approval and concerned government departments had no adverse comment on or no objection to the application. Regarding the public comments, the comments of government departments and planning assessments above were relevant.

58. Members had no question on the application.

#### Deliberation Session

59. After deliberation, the Committee decided to approve the application on a temporary basis for a period of 3 years and be renewed from 26.5.2020 until 25.5.2023, on the terms of the application as submitted to the Town Planning Board (TPB) and subject to the following conditions:

- “(a) the provision of fire service installations within 6 months from the date of commencement of the renewed planning approval to the satisfaction of the Director of Fire Services or of the TPB by 26.11.2020; and
- (b) if the above planning condition (a) is not complied with by the specified date, the approval hereby given should cease to have effect and should on the same date be revoked without further notice.”

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

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

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

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

#### **Agenda Item 11**

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

[Open Meeting (Presentation and Question Sessions Only)]

A/NE-LT/680            Proposed House (New Territories Exempted House - Small House) in  
“Agriculture” and “Village Type Development” Zones, Lots 1212 S.A  
ss. 2 and 1214 S.B in D.D. 19, Lam Tsuen San Tsuen, Tai Po  
(RNTPC Paper No. A/NE-LT/680)

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

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

- (a) background to the application;
- (b) the proposed house (New Territories Exempted House (NTEH) – Small House);
- (c) departmental comments – departmental comments were set out in paragraph 9 and Appendix II of the Paper;
- (d) during the first three weeks of the statutory publication period, three public comments were received from the Village Representative of San Tong Tsuen, the Hong Kong Bird Watching Society and an individual objecting to the application. Major objection grounds were set out in paragraph 10 of the Paper; and

- (e) the Planning Department (PlanD)'s views – PlanD did not support the application based on the assessments set out in paragraph 11 of the Paper. The proposed development was not in line with the planning intention of the “Agriculture” (“AGR”) zone and the Director of Agriculture, Fisheries and Conservation did not support the application as the site possessed potential for agricultural rehabilitation. The proposed development did not comply with the Interim Criteria for Consideration for Application for NTEH/Small House in New Territories as there was sufficient land to fully meet the future demand of Small Houses. It was considered more appropriate to concentrate the proposed Small House development within the “Village Type Development” (“V”) zone for more orderly development pattern, efficient use of land and provision of infrastructures and services. The site was the subject of a previous application (No. A/NE-LT/591) which was rejected on review by the Town Planning Board (the Board) on 10.2.2017 mainly for the reasons of being not in line with the planning intention of the “AGR” zone and land being still available within the “V” zone. As there was no major change in planning circumstances since the rejection of the last application, rejecting the current application was in line with the Board's previous decision. Regarding the public comments, the comments of government departments and planning assessments above were relevant.

62. Members had no question on the application.

#### Deliberation Session

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

- “(a) the proposed development is not in line with the planning intention of the “Agriculture” zone which is primarily to retain and safeguard good quality agricultural land/farm/fish ponds for agricultural purposes. It is also intended to retain fallow arable land with good potential for rehabilitation for

cultivation and other agricultural purposes. There is no strong planning justification in the submission for a departure from the planning intention;

- (b) the proposed development does not comply with the Interim Criteria for Consideration of Application for New Territories Exempted House/Small House in New Territories in that there is no general shortage of land in meeting the demand for Small House development in the “Village Type Development” (“V”) zone of Lam Tsuen San Tsuen; and
- (c) land is still available within the “V” zone of Lam Tsuen San Tsuen which is primarily intended for Small House development. It is considered more appropriate to concentrate the proposed Small House development within the “V” zone for more orderly development pattern, efficient use of land and provision of infrastructures and services.”

## **Agenda Item 12**

### **Section 16 Application**

[Open Meeting]

A/NE-KLH/582      Proposed 2 Houses (New Territories Exempted Houses) in “Green Belt” Zone, Lot 784 (Part) in D.D. 9, Kau Lung Hang, Tai Po  
(RNTPC Paper No. A/NE-KLH/582)

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64.            The Committee noted that the applicant requested on 22.5.2020 deferment of consideration of the application for a period of two months so as to address comments of the Lands Department. It was the first time that the applicant requested deferment of the application.

65.            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 13**

#### **Section 16 Application**

[Open Meeting (Presentation and Question Sessions Only)]

A/NE-TK/675            Temporary Shop and Services (Real Estate Agency and Convenience Store) for a Period of 3 Years in "Recreation" Zone, Lot 1615 RP in D.D. 17, Ting Kok Road, Tai Po  
  
(RNTPC Paper No. A/NE-TK/675A)

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

66.            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 shop and services (real estate agency and convenience store) for a period of three years;
- (c) departmental comments – departmental comments were set out in paragraph 8 of the Paper;
- (d) during the first three weeks of the statutory publication period, two public comments were received from individuals, with one objecting to and another one providing comments on 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 applied use was not in line with the planning intention of the “Recreation” (“REC”) zone, approval of the application on a temporary basis would not jeopardise the long-term planning intention of the “REC” zone. The applied use was small in scale and was not incompatible with the surrounding rural developments. The planning permission of the previous application (No. A/NE-TK/639) submitted by the same applicant for the same use was revoked due to non-compliance with the approval conditions on submission and implementation of tree preservation and landscape proposal and fire service installations (FSIs) proposal. The applicant had submitted tree preservation and landscape, FSIs and drainage proposals in support of the current application and relevant government departments had no adverse comment on the application. Sympathetic consideration might be given to the current application. Nevertheless, shorter compliance periods were recommended in order to closely monitor the progress on compliance with approval conditions. Regarding the public comments, the comments of government departments and planning assessments above were relevant.

67. Members had no question on the application.

#### Deliberation Session

68. After deliberation, the Committee decided to approve the application on a temporary basis for a period of 3 years until 26.5.2023, on the terms of the application as submitted to the Town Planning Board (TPB) and subject to the following conditions:

- (a) no night-time operation between 11:00 p.m. and 10:00 a.m., as proposed by the applicant, is allowed on the site during the planning approval period;
- (b) the existing drainage facilities on the site should be properly maintained at all times during the planning approval period;

- (c) the implementation of tree preservation and landscape proposal, as proposed by the applicant, within 6 months from the date of commencement of the planning approval to the satisfaction of the Director of Planning or of the TPB by 26.11.2020;
- (d) the implementation of fire service installations proposal, as proposed by the applicant, within 6 months from the date of commencement of the planning approval to the satisfaction of the Director of Fire Services or of the TPB by 26.11.2020;
- (e) 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; and
- (f) if any of the above planning conditions (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.”

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

**Agenda Item 14**

**Section 16 Application**

[Open Meeting]

A/NE-TK/678

Proposed Temporary Place of Recreation, Sports or Culture (Hobby Farm) with Ancillary Facilities and Eating Place for a Period of 5 Years and Filling of Land in “Agriculture” Zone and area shown as ‘Road’, Lots 605 (Part), 606 (Part), 607, 608 (Part), 610 (Part), 611, 612, 613 (Part), 614 (Part), 622 (Part), 623, 624 S.A (Part), 625 S.A (Part), 626, 627 S.A & S.B, 628 S.A, 628 RP, 629, 630, 631 S.A, 631 RP, 632 S.A, 632 S.B RP, 633, 634, 635, 636, 637, 638, 639, 640, 641, 642, 643, 644 S.A, 644 S.B (Part), 645 (Part), 646 (Part), 656 (Part), 657, 658 (Part), 662, 663, 664, 665, 666, 667 RP, 668 RP, 669, 690 RP, 1274 RP, 1275, 1276, 1277 RP, 1278, 1343 S.B ss. 1 (Part), 1346 S.A RP, 1346 S.B ss. 1 (Part) and 1347 S.A (Part) in D.D. 17, and Adjoining Government Land, Ting Kok Road, Tai Po  
(RNTPC Paper No. A/NE-TK/678)

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70. The Committee noted that the applicant’s representative requested on 19.5.2020 deferment of consideration of the application for a period of two months in order to allow time to prepare further information to address departmental comments. It was the first time that the applicant requested deferment of the application.

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

**Agenda Item 15**

Section 16 Application

[Open Meeting]

A/NE-TK/680            Proposed Public Utility Installation (Solar Energy System) in  
“Agriculture” Zone, Lot 637 S.A in D.D. 23, Po Sam Pai Village,  
Shuen Wan, Tai Po  
(RNTPC Paper No. A/NE-TK/680)

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72.            The Committee noted that the applicant requested on 16.5.2020 deferment of consideration of the application for a period of two months in order to allow time to prepare further information to address departmental comments. It was the first time that the applicant requested deferment of the application.

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

**Agenda Item 16**

Section 16 Application

[Open Meeting]

A/ST/979            Proposed Eating Place in “Village Type Development” Zone, 248 Pai  
Tau Village, Sha Tin  
(RNTPC Paper No. A/ST/979)

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74. The Committee noted that the applicant requested on 19.5.2020 deferment of consideration of the application for a period of one month so as to allow time for preparation of further information to address departmental comments. It was the first time that the applicant requested deferment of the application.

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

### **Agenda Item 17**

#### **Section 16 Application**

[Open Meeting]

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

(RNTPC Paper No. A/MOS/125)

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76. The Secretary reported that the application was submitted by Prolong Limited, which was a subsidiary of Sun Hung Kai Properties Limited (SHK). Llewelyn-Davies Hong Kong Limited (LD), AECOM Asia Company Limited (AECOM) and Archiplus International (HK) Limited (Archiplus) were three of the consultants of the applicant. The following Members had declared interests on the item:

Miss Winnie W.M. Ng

- being a Director of the Kowloon Motor Bus

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

- Mr K.K. Cheung - his firm having current business dealings with SHK and Archiplus;
- Mr Conrad T.C. Wong - his firm having current business dealings with SHK;
- Dr C.H. Hau - having current business dealings with AECOM; and
- Mr Ricky W.Y. Yu - his firm having past business dealings with LD.

77. The Committee noted that the applicant had requested deferment of consideration of the application and Mr Conrad T.C. Wong had tendered an apology for being unable to attend the meeting. As the interest of Miss Winnie W.M. Ng was direct, the Committee agreed that she could stay in the meeting but should refrain from participating in the discussion. The Committee also agreed that as Dr C.H. Hau and Messrs K.K. Cheung and Ricky W.Y. Yu had no involvement in the application, they could stay in the meeting.

78. The Committee noted that the applicant's representative requested on 21.5.2020 deferment of consideration of the application for a period of two months to allow sufficient time for the applicant to prepare further information to address departmental comments. It was the second time that the applicant requested deferment of the application. Since the last deferment, the applicant had submitted further information including various technical assessments.

79. 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 18**

#### **Section 16 Application**

[Open Meeting (Presentation and Question Sessions Only)]

A/MOS/127            Minor relaxation of building height restriction for school (school extension) in "Government, Institution or Community" Zone, 10 Lok Wo Sha Lane, Wu Kai Sha, Sha Tin  
(RNTPC Paper No. A/MOS/127)

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

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

- (a) background to the application;
- (b) the proposed minor relaxation of building height (BH) restriction from 42mPD to 52.4mPD for permitted school (school extension) use;
- (c) departmental comments – departmental comments were set out in paragraph 8 of the Paper;
- (d) during the first three weeks of the statutory publication period, seven public comments were received from the Owners' Committees of Double Cove and Lake Silver, the Management Services Office of Villa Rhapsody of Symphony Bay and St. Barths, the developer of the "Residential (Group

B)5” site and individuals objecting to the application. Major grounds of objection were set out in paragraph 9 of the Paper; and

- (e) the Planning Department (PlanD)’s views – PlanD did not support the application based on the assessments set out in paragraph 10 of the Paper. The proposed minor relaxation of BH restriction from 42mPD to 52.4mPD (+10.4m or about 25%) was for a permitted school extension building with ancillary accommodation at the south-western portion of the site, where as the absolute BH for the proposed extension building would be increased from 11.4m to 21.8m (+10.4m or about 91%). Although the applicant had claimed that the design was confined by the existing structures, driveway and carpark and restricted by the lack of suitable vacant space, the site coverage (SC) for the existing school buildings (about 19.7%) and the proposed extension (about 0.7%) would only be 20.4% in total, leaving ample space for expansion without the need for relaxation of the BH restriction. There was no strong justification for the proposed minor relaxation of BH restriction as the applicant failed to demonstrate any planning and design merits under the proposal. The Chief Architect/Central Management Division 2, Architectural Services Department considered the proposed BH undesirable from visual impact point of view as it might not be compatible with adjacent developments. The Chief Town Planner/Urban Design and Landscape, PlanD also considered that the application could not adequately demonstrate whether other sites within the existing school campus had been considered and whether there were other design measures to lower the proposed BH. Moreover, the Head of Geotechnical Engineering Office, Civil Engineering and Development Department did not support the application and considered that a geotechnical planning review report should be submitted by the applicant to support the application. Regarding the public comments, the comments of government departments and planning assessments above were relevant.

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



- (a) whether there was any statutory definition for the term ‘minor relaxation’ in the context of outline zoning plans; and
- (b) noting that the existing SC of the site was only about 20%, whether there were any drawings showing the areas within the school site that could be considered for the school extension.

82. In response, Mr Kenny C.H. Lau, STP/STN, made the following main points:

- (a) there was no statutory definition for the term ‘minor relaxation’ in the context of outline zoning plans. Whether the proposed relaxation of BH restriction could be considered as ‘minor’ was a matter of fact and degree. In general, consideration of such applications would depend on the circumstances and it was for the Committee to decide whether the proposal was acceptable; and
- (b) with reference to Plans A-2 and A-3 of the Paper, the existing academic blocks and the proposed school extension were located at the southwestern part of the application site and the residential quarters were located at the northwestern and northeastern parts of the application site. There were also areas currently used as swimming pool or ball courts to the west and southeast of the site. The rest of the site was mostly covered by vegetation. Above all, there was still ample space for school extension purpose. According to the applicant, apart from the proposed school extension under the current application, there were other expansion plans under preparation. As these proposals did not involve relaxation of BH restriction, they were not included in the current application. Moreover, noting that the height of the existing buildings within the site was lower than the permissible BH under the OZP, there were public comments suggesting siting the proposed ancillary accommodation near the existing residential quarters to achieve higher operational efficiency. However, the applicant did not provide any further information to address such concerns.

Deliberation Session

83. Members noted that the subject application involved a minor relaxation of BH restriction from 42mPD to 52.4mPD (i.e. +10.4m or about 25%). The Vice-chairman recalled that an increase of about 20% of the permissible BH under the OZP was used as a general reference in considering whether the relaxation sought was 'minor' or not. For the subject application, there was insufficient justification for the BH relaxation nor detailed information on the land available for the school expansion project. Hence, he did not support the application.

84. A Member also did not support the application and considered that although the BH of the existing school building and the proposed extension was lower than that of the residential developments in the vicinity, there was insufficient information to demonstrate that the current proposal and/or the whole expansion plan would not adversely affect the natural landscape and the existing trees within the school site. Another Member echoed and pointed out that although the existing trees at the site were foreign species with low ecological value, the landscape master plan proposed should improve the urban forestry in the area.

85. A Member enquired whether the BH restriction of the entire school site would be relaxed should the application be approved. The Chairman replied in the negative and said that if the application was approved, the minor relaxation of BH restriction sought would only apply to the school extension proposed under the current application.

86. Some Members also considered that the application could not be supported. A Member opined that the proposed relaxation of BH restriction sought could not be considered as 'minor'. Members generally considered that the applicant should provide more information including the expansion plan covering the whole school site to demonstrate that the land within the school site was well-utilised.

87. The Chairman concluded and Members agreed that the proposed minor relaxation of BH restriction from 42mPD to 52.4mPD could be considered, the subject application as submitted could not be supported at the current stage as the applicant failed to provide strong justifications and sufficient information to support the proposal.

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

- “(a) the applicant fails to demonstrate planning and design merits for the proposed minor relaxation of building height restriction for the proposed school extension development; and
- (b) the applicant fails to demonstrate that the proposed school extension development would not result in adverse geotechnical impact on the site and its surrounding areas.”

### **Agenda Item 19**

#### **Section 16 Application**

[Open Meeting]

A/NE-MKT/9                      Proposed Temporary Shop and Services (Agricultural Products and Fruits Promotion Centre) with Ancillary Site Office and Car Park for a Period of 3 Years in “Recreation” Zone, Lots 788 and 792 in D.D. 82, Ping Che Road, Kan Tau Wai  
  
(RNTPC Paper No. A/NE-MKT/9)

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89. The Committee noted that the applicant’s representative requested on 18.5.2020 deferment of consideration of the application for a period of two months in order to allow time to prepare further information to address departmental comments. It was the first time that the applicant requested deferment of the application.

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

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

## **Agenda Item 20**

### **Section 16 Application**

[Open Meeting (Presentation and Question Sessions Only)]

A/NE-MKT/10      Proposed Utility Installation for Private Project (Electricity Package Transformer) in "Village Type Development" Zone, Lot 261 S.AK in D.D. 82, Chow Tin Tsuen, Ta Kwu Ling  
(RNTPC Paper No. A/NE-MKT/10)

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### **Presentation and Question Sessions**

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

- (a) background to the application;
- (b) the proposed utility installation for private project (electricity package transformer);
- (c) departmental comments – departmental comments were set out in paragraph 9 of the Paper. Local views conveyed by the District Officer (North), Home Affairs Department were set out in paragraph 9.1.10 of the Paper;
- (d) during the first three weeks of the statutory publication period, two public comments from the Chairman of Sheung Shui District Rural Committee and an individual were received, with one indicating no comment on the application and the other providing views on the application. Major views were set out in paragraph 10 of the Paper; and

- (e) the Planning Department (PlanD)'s views – PlanD had no objection to the application based on the assessments set out in paragraph 11 of the Paper. The proposed development was generally in line with the planning intention of the “Village Type Development” zone, small in scale and considered not incompatible with the surrounding areas. Concerned government departments had no objection to or no adverse comment on the application. As Ping Yuen River was in close proximity to the site, an approval condition on the submission and implementation of a drainage proposal was recommended to address the technical concerns. Regarding the public comments, the comments of government departments and planning assessments above were relevant.

92. Members had no question on the application.

#### Deliberation Session

93. After deliberation, the Committee decided to approve the application, on the terms of the application as submitted to the Town Planning Board (TPB). The permission should be valid until 26.5.2024, 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 fire service installations and water supplies for fire-fighting proposal to the satisfaction of the Director of Fire Services or of the TPB; and
- (b) the submission and implementation of a drainage proposal to the satisfaction of the Director of Drainage Services or of the TPB.”

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

**Agenda Item 21**

**Section 16 Application**

[Open Meeting]

A/NE-STK/16 Proposed Temporary Public Vehicle Park (Coaches and Private Cars) for a Period of 3 Years in “Recreation” Zone, Lots 437 RP (Part), 440 (Part), 441 S.B RP (Part), 477 RP (Part) and 478 RP in D.D. 41, Lots 42 RP (Part), 43, 44 S.B (Part), 44 S.C RP and 45 RP (Part) in D.D. 73 and Adjoining Government Land, Sha Tau Kok  
(RNTPC Paper No. A/NE-STK/16B)

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95. The Committee noted that the applicant’s representative requested on 18.5.2020 deferment of consideration of the application for a period of two months in order to allow time to prepare further information to address comments from the Transport Department. It was the third time that the applicant requested deferment of the application. Since the last deferment, the applicant had submitted further information to address departmental comments.

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

**Agenda Item 22**

Section 16 Application

[Open Meeting]

A/NE-STK/18 Proposed Temporary Eating Place for a Period of 3 Years in “Recreation” Zone, Lots 356 RP (Part), 359 (Part), 360 RP, 392 S.A, 394 S.A (Part), 394 S.B ss.1 (Part), 394 S.B RP (Part) in D.D. 41 and Adjoining Government Land, Sha Tau Kok  
(RNTPC Paper No. A/NE-STK/18)

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97. The Committee noted that the applicant’s representative requested on 1.4.2020 deferment of consideration of the application for a period of two months in order to allow time to address comments from the Transport Department. The RNTPC meeting originally scheduled for 3.4.2020 had been rescheduled in light of the situation of COVID-19 and the special work arrangement for government departments. It was the first time that the applicant requested deferment of the application.

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

**Agenda Item 23**

**Section 16 Application**

[Open Meeting]

A/NE-TKL/621 Temporary Open Storage of Construction Materials for a Period of 3 Years in “Agriculture” Zone, Lots 1504 S.B, 1505, 1506, 1509 RP and 1510 RP in D.D. 76 and Adjoining Government Land, Sha Tau Kok Road- Ma Mei Ha, Ta Kwu Ling  
(RNTPC Paper No. A/NE-TKL/621B)

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99. The Secretary reported that the application site was in Ta Kwu Ling. Mr Conrad T.C. Wong had declared an interest on the item for being the director of Yau Lee Construction Company which owned a piece of land in Ta Kwu Ling.

100. The Committee noted that the applicants had requested deferment of consideration of the application and Mr Conrad T.C. Wong had tendered an apology for being unable to attend the meeting.

101. The Committee also noted that the applicants’ representative requested on 7.4.2020 deferment of consideration of the application for a period of two months in order to allow time for preparation of further information to address departmental comments. It was the third time that the applicants requested deferment of the application. Since the last deferment, the applicants had made submissions to address comments from the Transport Department.

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

## **Agenda Item 24**

### **Section 16 Application**

[Open Meeting (Presentation and Question Sessions Only)]

A/NE-TKL/633      Proposed Temporary Rural Workshop (Furniture Processing) with Ancillary Warehouse for a Period of 3 Years in “Agriculture” Zone, Lots 2264 and 2265 (Part) in D.D. 76, Ta Kwu Ling  
(RNTPC Paper No. A/NE-TKL/633)

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103.      The Secretary reported that the application site was in Ta Kwu Ling. Mr Conrad T.C. Wong had declared an interest on the item for being the director of Yau Lee Construction Company which owned a piece of land in Ta Kwu Ling. The Committee noted that Mr Conrad T.C. Wong had tendered an apology for being unable to attend the meeting.

### **Presentation and Question Sessions**

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

- (a) background to the application;
- (b) the proposed temporary rural workshop (furniture processing) with ancillary warehouse for a period of three years;
- (c) departmental comments – departmental comments were set out in paragraph 9 of the Paper. Local views conveyed by the District Officer (North), Home Affairs Department were set out in paragraph 9.1.10 of the Paper;
- (d) during the first three weeks of the statutory publication period, five public

comments from a North District Council member, the 1st and 2nd Vice-chairman of Fanling District Rural Committee, Designing Hong Kong Limited and an individual were received, with four objecting to the application and one indicating no comment. Major views were set out in paragraph 10 of the Paper; and

- (e) the Planning Department (PlanD)'s views – PlanD considered that the temporary use could be tolerated for a period of three years based on the assessments set out in paragraph 11 of the Paper. Although the proposed temporary use was not in line with the planning intention of the “Agriculture” (“AGR”) zone and the Director of Agriculture, Fisheries and Conservation did not support the application as the site had potential for agricultural rehabilitation, the site had been hard paved and formed and had been used for a temporary private vehicle park under application No. A/NE-TKL/590 with a valid planning permission up to August 2021. It was considered that approval of the application on a temporary basis would not frustrate the long-term planning intention of the “AGR” zone. The application was to facilitate relocation of a furniture processing workshop at Kwu Tung affected by the Kwu Tung North New Development Area development. The site in the current application was the only one considered suitable and practicable after an extensive site search by the applicant and the Secretary for Development fully supported the application. In that regard, sympathetic consideration might be given to the application. The proposed temporary use was considered not entirely incompatible with the surrounding land uses and other concerned government departments had no objection to or no adverse comment on the application. Regarding the public comments, the comments of government departments and planning assessments above were relevant.

105. In response to a question raised by a Member, Mr Tim T.Y. Fung, STP/STN, said that the workshop to the southeast of the application site was an existing use, which was currently operated by the applicant of the subject application.

Deliberation Session

106. After deliberation, the Committee decided to approve the application on a temporary basis for a period of 3 years until 26.5.2023, on the terms of the application as submitted to the Town Planning Board (TPB) and subject to the following conditions:

- “(a) no operation between 5:30 p.m. and 8:30 a.m. on Mondays to Saturdays, 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 provision of boundary fencing on the site within 6 months from the date of planning approval to the satisfaction of the Director of Planning or of the TPB by 26.11.2020;
- (d) the submission of a drainage proposal within 6 months from the date of planning approval to the satisfaction of the Director of Drainage Services or of the TPB by 26.11.2020;
- (e) in relation to (d) above, the provision of drainage facilities within 9 months from the date of planning approval to the satisfaction of the Director of Drainage Services or of the TPB by 26.2.2021;
- (f) the submission of traffic management measures within 6 months from the date of planning approval to the satisfaction of the Commissioner for Transport or of the TPB by 26.11.2020;
- (g) in relation to (f) above, the implementation of traffic management measures within 9 months from the date of planning approval to the satisfaction of the Commissioner for Transport or of the TPB by 26.2.2021;
- (h) the submission of proposals for fire service installations and water supplies

for firefighting within 6 months from the date of planning approval to the satisfaction of the Director of Fire Services or of the TPB by 26.11.2020;

- (i) in relation to (h) above, the implementation of proposals for fire service installations and water supplies for firefighting within 9 months from the date of planning approval to the satisfaction of the Director of Fire Services or of the TPB by 26.2.2021;
- (j) the submission of proposals for environmental mitigation measures within 6 months from the date of planning approval to the satisfaction of the Director of Environmental Protection or of the TPB by 26.11.2020;
- (k) in relation to (j) above, the implementation of proposals for environmental mitigation measures identified therein within 9 months from the date of planning approval to the satisfaction of the Director of Environmental Protection or of the TPB by 26.2.2021;
- (l) 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;
- (m) if any of the above planning conditions (c), (d), (e), (f), (g), (h), (i), (j) or (k) is not complied with by the specified date, the approval hereby given shall cease to have effect and shall on the same date be revoked without further notice; and
- (n) upon expiry of the planning permission, the reinstatement of the site to an amenity area to the satisfaction of Director of Planning or of the TPB.”

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

**Agenda Item 25**

**Section 16 Application**

[Open Meeting]

A/NE-TKL/634      Proposed Temporary Wholesale Trade with Ancillary Storage for a Period of 5 Years in “Open Storage” Zone, Lot 1224 (Part) in D.D. 79, Ng Chow Road, Ping Che  
(RNTPC Paper No. /NE-TKL/634)

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108.      The Secretary reported that the application site was in Ta Kwu Ling. Mr Conrad T.C. Wong had declared an interest on the item for being the director of Yau Lee Construction Company which owned a piece of land in Ta Kwu Ling.

109.      The Committee noted that the applicant had requested deferment of consideration of the application and Mr Conrad T.C. Wong had tendered an apology for being unable to attend the meeting.

110.      The Committee also noted that the applicant’s representative requested on 19.5.2020 deferment of consideration of the application for a period of two months in order to allow time to prepare further information to address departmental comments. It was the first time that the applicant requested deferment of the application.

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

**Agenda Item 26**

**Section 16 Application**

[Open Meeting]

A/NE-TKLN/28      Proposed Temporary Private Club and Shop and Services with Ancillary Car Park for a Period of 3 Years in “Recreation” Zone, Lots 1479 S.B ss.1 RP, 1479 S.B ss.3 and 1480 S.B RP in D.D. 78, Kaw Liu Village, Ta Kwu Ling North  
(RNTPC Paper No. A/NE-TKLN/28A)

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112.            The Committee noted that the applicant’s representative requested on 15.5.2020 deferment of consideration of the applicant for a period of two months in order to allow time to prepare further information to address comments from the Transport Department and Environmental Protection Department. It was the second time that the applicant requested deferment of the application. Since the last deferment, the applicant had submitted further information to address comments from various government departments.

113.            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 27**

**Section 16 Application**

[Open Meeting (Presentation and Question Sessions Only)]

A/NE-TKLN/32 Proposed Temporary Animal Boarding Establishment with Ancillary Office for a Period of 3 Years in “Recreation” Zone, Lot 268 S.A in D.D. 80 and Adjoining Government Land, Lin Ma Hang Road, Ta Kwu Ling North  
(RNTPC Paper No. A/NE-TKLN/32)

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**Presentation and Question Sessions**

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

- (a) background to the application;
- (b) the proposed temporary animal boarding establishment with ancillary office for a period of three years;
- (c) departmental comments – departmental comments were set out in paragraph 9 of the Paper. Local views conveyed by the District Officer (North), Home Affairs Department were set out in paragraph 9.1.12 of the Paper;
- (d) during the first three weeks of the statutory publication period, three public comments from the Chairman of Sheung Shui District Rural Committee, World Wide Fund for Nature Hong Kong and an individual were received, with one indicating no comment and two 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 use was not in line with the planning intention of the “Recreation” (“REC”) zone and the applicant had not provided strong

planning justifications for a departure from the planning intention of the “REC” zone, even on a temporary basis. The Chief Town Planner, Urban Design and Landscape, PlanD had reservation on the application from landscape planning perspective. Approval of the application would set an undesirable precedent for similar applications. The cumulative impact of approving such applications would further degrade the landscape quality of the environment. The Commissioner for Transport did not support the application, and the Chief Highways Engineer/New Territories East, Highways Department and the Director of Environmental Protection had reservation on the application. The applicant failed to demonstrate that the proposed development would not generate adverse traffic and environmental impact on the surrounding area. Regarding the public comments, the comments of government departments and planning assessments above were relevant.

115. Members had no question on the application.

#### Deliberation Session

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

- “(a) the proposed development is not in line with the planning intention of the “Recreation” (“REC”) zone, which is intended primarily for low-density recreational developments for the use of the general public and the development of active and/or passive recreation and tourism/eco-tourism. There is no strong planning justification in the submission for a departure from such planning intention, even on a temporary basis;
- (b) the applicant fails to demonstrate in the submission that the proposed development would not cause adverse traffic impact on the surrounding areas; and
- (c) the approval of the application would set an undesirable precedent for similar



applications within the “REC” zone. The cumulative effect of approving such applications would result in a general degradation of the environment of the area.”

[Miss Winnie W.M. Ng and Mr L. T. Kwok left the meeting temporarily at this point.]

### **Agenda Items 28 and 29**

#### **Section 16 Applications**

[Open Meeting (Presentation and Question Sessions Only)]

A/NE-LYT/721      Proposed House (New Territories Exempted House - Small House) in  
“Village Type Development” and “Agriculture” Zones, Lot 639 S.F in  
D.D.83, Kwan Tei, Fanling  
  
(RNTPC Paper No. A/NE-LYT/721)

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A/NE-LYT/722      Proposed House (New Territories Exempted House - Small House) in  
“Agriculture” Zone, Lot 639 S.G in D.D.83, Kwan Tei, Fanling  
  
(RNTPC Paper No. A/NE-LYT/722)

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117.      The Committee noted that the two s.16 applications for New Territories Exempted House (NTEH) – Small House were similar in nature and the sites were adjoining each another and part of the site of application No. A/NE-LYT/721 was located in the same “Agriculture” (“AGR”) zone as application No. A/NE-LYT/722, and agreed that they could be considered together.

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

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

- (a) background to the application;
- (b) proposed house (NTEH – Small House) at each of the sites;

- (c) departmental comments – departmental comments were set out in paragraph 9 and Appendix II of the Papers;
- (d) during the first three weeks of the statutory publication period, three public comments from the Chairman of Sheung Shui District Rural Committee (SSDRC), Designing Hong Kong Limited (DHK) and an individual were received for application No. A/NE-LYT/721, with one indicating no comment and two objecting to the application; while four public comments from the Chairman of SSDRC, the Hong Kong Bird Watching Society, DHK and an individual were received for application No. A/NE-LYT/722, with one indicating no comment and three objecting to the application. Major grounds of objection were set out in paragraph 10 of the Papers; and
- (e) the Planning Department (PlanD)’s views – PlanD had no objection to the applications based on the assessments set out in paragraph 11 of the Papers. Although the proposed Small Houses were not in line with the planning intention of the “AGR” zone and the Director of Agriculture, Fisheries and Conservation did not support the applications as the sites possessed potential for agricultural rehabilitation, the proposed Small Houses were considered compatible with the surrounding rural setting. Regarding the Interim Criteria for Consideration of Application for NTEH/Small House in New Territories, while land available in the “Village Type Development” zone was insufficient to fully meet the future Small House demand, sympathetic consideration might be given as the sites were located in close proximity to the existing village proper of Kwan Tei Village and there were approved Small House applications to the north and southwest, which had formed a new village cluster in the locality. Moreover, application No. A/NE-LYT/721 was the subject of a previous planning application (No. A/NE-LYT/553) for the same use approved by the Committee in 2014 and submitted by the same applicant. There were 13 similar applications for Small House development in the vicinity with 11 applications approved. Other government departments had no objection to or no adverse comment on the applications. Regarding the public comments, the comments of relevant government departments and planning assessments above were

relevant.

119. Members had no question on the application.

#### Deliberation Session

120. After deliberation, the Committee decided to approve the applications, on the terms of the applications as submitted to the Town Planning Board (TPB). The permissions should be valid until 26.5.2024, 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 a drainage proposal to the satisfaction of the Director of Drainage Services or of the TPB.”

121. The Committee also agreed to advise the applicant to note the advisory clauses as set out at Appendix VII of the Paper No. A/NE-LYT/721 for application No. A/NE-LYT/721 and Appendix VI of Paper No. A/NE-LYT/722 for application No. A/NE-LYT/722.

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

[Mr Y.S. Wong left the meeting temporarily at this point.]

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

**Agenda Item 30**

Section 16 Application

[Open Meeting]

A/NE-KTS/485      Proposed House (Redevelopment) in “Village Type Development”  
Zone, Lot 2598 RP in D.D. 92, Kam Tsin, Kwu Tung South, New  
Territories  
  
(RNTPC Paper No. A/NE-KTS/485)

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122.            The Secretary reported that the application site was in Kwu Tung South. Dr Lawrence K.C. Li had declared an interest on the item for being a member of the Hong Kong Golf Club which was located to the north of the site.

123.            The Committee noted that Dr Lawrence K.C. Li had tendered apologies for being unable to attend the meeting.

124.            The Committee noted that the applicants requested on 19.5.2020 deferment of consideration of the application for two months in order to allow time for preparing clarifications on issues raised by the District Lands Officer/North, Lands Department. It was the first time that the applicants requested deferment of the application.

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

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

**Agenda Item 31**

**Section 16 Application**

[Open Meeting (Presentation and Question Sessions Only)]

A/YL-SK/275            Proposed Temporary Logistics Centre for a Period of 3 Years in  
                                 “Industrial (Group D)” Zone, Lots 574 S.A, 574 S.B (Part) and 574 RP  
                                 (Part) in D.D. 114 and Adjoining Government Land, Shek Kong, Yuen  
                                 Long  
                                 (RNTPC Paper No. A/YL-SK/275)

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**Presentation and Question Sessions**

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

- (a) background to the application;
- (b) proposed temporary logistics centre for a period of three years;
- (c) departmental comments – departmental comments were set out in paragraph 10 of the Paper;
- (d) during the first three weeks of the statutory publication period, nine objecting public comments were received from three indigenous inhabitant representatives, one resident representative, one village committee chairperson and four local residents of Sheung Tsuen. Major objection grounds were set out in paragraph 11 of the Paper; and
- (e) the Planning Department (PlanD)’s views – PlanD had no objection to the

application based on the assessments set out in paragraph 12 of the Paper. The proposed logistics centre was not in conflict with the planning intention of the “Industrial (Group D)” (“I(D)”) zone and was considered not incompatible with the surrounding areas. The proposed use was also generally in line with the Town Planning Board Guidelines No. 13F, where the site fell within Category 1 areas. Relevant government departments had no objection to or no adverse comment on the application. Appropriate approval conditions were recommended to mitigate potential environmental impacts on the surrounding areas or to address technical requirements of concerned departments. The previous application for the same use submitted by the same applicant and two similar applications were approved by the Committee. Approval of the application was in line with the previous decisions of the Committee. Regarding the adverse public comments, the comments of government departments and planning assessments above were relevant.

127. Members had no question on the application.

#### Deliberation Session

128. After deliberation, the Committee decided to approve the application on a temporary basis for a period of 3 years until 26.5.2023, on the terms of the application as submitted to the Town Planning Board (TPB) and subject to the following conditions :

- “(a) no operation between 8:00 p.m. and 8:00 a.m., as proposed by the applicant, is allowed on the site during the planning approval period;
- (b) no operation on Sundays and public holidays, as proposed by the applicant, is allowed on the site during the planning approval period;
- (c) no medium or heavy goods vehicles exceeding 5.5 tonnes, including container tractors/trailers, as defined in the Road Traffic Ordinance, as proposed by the applicant, are allowed to be parked/stored on or enter/exit the site at any time during the planning approval period;

- (d) no dismantling, maintenance, repairing, cleansing, paint spraying or other workshop activities shall be carried out on the site, as proposed by the applicant, at any time during the planning approval period;
- (e) no vehicle is allowed to queue back to or reverse onto/from public road at any time during the planning approval period;
- (f) the submission of a revised drainage proposal within 6 months from the date of planning approval to the satisfaction of the Director of Drainage Services or of the TPB by 26.11.2020;
- (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 26.2.2021;
- (h) in relation to (g) above, the implemented drainage facilities on the site shall be maintained at all times during the planning approval period;
- (i) the submission of a fire service installations proposal within 6 months from the date of planning approval to the satisfaction of the Director of Fire Services or of the TPB by 26.11.2020;
- (j) in relation to (i) above, the implementation of the fire service installations proposal within 9 months from the date of planning approval to the satisfaction of the Director of Fire Services or of the TPB by 26.2.2021;
- (k) if any of the above planning conditions (a), (b), (c), (d), (e) or (h) is not complied with during the planning approval period, the approval hereby given shall cease to have effect and shall be revoked immediately without further notice; and
- (l) if any of the above planning conditions (f), (g), (i) or (j) is not complied with by the specified date, the approval hereby given shall cease to have effect and

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

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

### **Agenda Item 32**

#### **Section 16 Application**

[Open Meeting]

A/YL-SK/276 Proposed Temporary Public Vehicle Park (Private Cars Only) for a Period of 3 Years in “Village Type Development” Zone, Lots 548 (Part) and 549 (Part) in D.D. 112, Shui Lau Tin Tsuen, Shek Kong, Yuen Long  
(RNTPC Paper No. A/YL-SK/276)

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130. The Committee noted that the applicant requested on 19.5.2020 deferment of consideration of the application for two months in order 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.

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



**Agenda Item 33**

**Section 16 Application**

[Open Meeting (Presentation and Question Sessions Only)]

A/YL-KTN/663 Proposed Flat with Minor Relaxation of Building Height Restriction and Public Vehicle Park (Excluding Container Vehicle) (Proposed Amendments to Approved Master Layout Plan) in “Comprehensive Development Area” and “Comprehensive Development Area (1)” Zones, Lots 1783 (Part), 1784 RP, 1788 RP, 1789 RP, 1790 RP (Part), 1791 RP, 1795 (Part), 1796 (Part), 1797 (Part), 1836 (Part), 1927 S.A and 1927 RP (Part) in D.D. 107 and Adjoining Government Land, Kam Tin, Yuen Long  
(RNTPC Paper No. A/YL-KTN/663B)

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132. The Committee noted that the application was submitted by Bright Strong Limited, which was a subsidiary of Sun Hung Kai Properties Limited (SHKP). Llewelyn-Davies Hong Kong Limited (LD), AECOM Asia Co. Limited (AECOM) and Ronald Lu & Partners (HK) Limited (RLP) were three of the consultants of the applicant. The following Members had declared interests on the item:

- Miss Winnie W.M. Ng - being a Director of the Kowloon Motor Bus Co. (1933) Ltd. (KMB) and SHKP was one of the shareholders of KMB;
- Mr K.K. Cheung - his firm having current business dealings with SHKP and RLP;
- Mr Conrad T.C. Wong - his firm having current business dealings with SHKP;
- Dr C.H. Hau - having current business dealings with AECOM; and
- Mr Ricky W.Y. Yu - having past business dealings with LD.

133. The Committee noted that Mr Conrad T.C. Wong had tendered an apology for being unable to attend the meeting, and Miss Winnie W.M. Ng had left the meeting temporarily. As Dr C.H. Hau and Messrs K.K. Cheung and Ricky W.Y. Yu had no involvement in the application, the Committee agreed that they could stay in the meeting.

134. The Committee noted that a replacement page (Appendix VI) rectifying typographical errors had been tabled for Members' reference.

#### Presentation and Question Sessions

135. With the aid of a PowerPoint presentation, Ms Ivy C.W. Wong, STP/FSYLE, presented the application and covered the following aspects as detailed in the Paper:

- (a) background to the application;
- (b) proposed flat with minor relaxation of building height (BH) restriction and public vehicle park (excluding container vehicle) (proposed amendments to approved Master Layout Plan);
- (c) departmental comments – departmental comments were set out in paragraph 10 of the Paper;
- (d) during the first three weeks of the statutory publication periods, 81 public comments were received, with 51 submitted by individuals and residents in the New Territories/Yuen Long supporting the application, 29 submitted by a member of the Yuen Long District Council, village representatives of Shui Tau Tsuen and individuals objecting to the application and an individual providing views on the application. Major objection grounds were set out in paragraph 11 of the Paper; and
- (e) the Planning Department (PlanD)'s views – PlanD had no objection to the application based on the assessments set out in paragraph 12 of the Paper.

The application was for proposed flat with minor relaxation of BH restriction and public vehicle park (excluding container vehicle). It was to amend an approved development proposal under application No. A/YL-KTN/118-2. The proposed Phase 2 development for flats and Ecological Enhancement Area (EEA) uses was in line with the planning intention of the “Comprehensive Development Area” (“CDA”) zone. The proposed increase in domestic GFA for Phase 2 development as compared with the approved scheme did not exceed the restrictions of the “CDA” zone. While the BH of the Phase 2 development exceeded the restriction of the “CDA” zone, the BH profile was considered not incompatible with the existing and planned developments in the vicinity and the proposed relaxation of BH restriction had planning and design merits. The proposed Phase 2 development was considered not incompatible with the surrounding area in terms of land use and development intensity, and was comparable with the existing and planned residential developments in the vicinity in terms of scale and height. Technical assessments had been conducted to support the application and concerned government departments had no adverse comment on or no objection to the application. Appropriate approval conditions were recommended to address technical requirements of concerned departments. The site was the subject of two previously approved applications. Besides, a similar application for proposed flat, shop and services, eating place, school, social welfare facility and public transport terminus or station uses and minor relaxation of plot ratio (PR) and BH restrictions at the adjoining “CDA(1)” zone was approved with conditions by the Committee. Approval of the current application was in line with the Committee’s previous decisions. Regarding the adverse public comments, the comments of government departments and planning assessments above were relevant.

136. In response to some Members’ enquiries regarding the proposed scheme and the surrounding context, Ms Ivy C.W. Wong, STP/FSYLE, with reference to the Urban Design Concept Plan (i.e. Figure 1 of the Urban Design Proposal submitted by the applicant), made the following main points:

- (a) as the site fell within “CDA” zone, the application was submitted to cover both Phases 1 and 2 developments despite no change was made to the development parameters of Phase 1 which was substantially completed. The minor relaxation of BH restriction sought was from 14 storeys as stipulated for the “CDA” zone to 17 storeys;
- (b) the reduction in site area was mainly due to the exclusion of land covering the existing Chi Ho Road to the southwest of the site;
- (c) the differences of the scheme under the current application as compared with the approved scheme for Phase 2 development under application No. A/YL-KTN/118-2 mainly involved reduction of 4 towers (from 11 to 7); increase in BH from 9 storeys (including two storeys of podium/basement carpark) to 17 storeys (including 1 storey of basement carpark); increase of 625 flats (from 529 to 1,154) and increase in GFA from 34,675 m<sup>2</sup> to 49,131 m<sup>2</sup>. The average flat size for Phase 2 development was also reduced from 65.55m<sup>2</sup> to 42.57m<sup>2</sup>;
- (d) the residential blocks in the current scheme were mainly located to the east and south of the site, and as a result of the reduced number of towers, a larger central open space could be provided;
- (e) to the east of the site was mainly agricultural land, open storage yards and hobby farms in “Agriculture” (“AGR”) zone;
- (f) the area annotated “Approved Phase B Development” between Phase 1 and Phase 2 was related to another s.16 application (No. A/YL-KTN/604) submitted by the same applicant which was approved by the Committee in 2019; and
- (g) three existing/planned residential developments were located to the further south across Kam Tin River and the West Rail viaduct, including a completed development named “Riva”, a yet-to-be implemented residential development approved under application No. A/YL-KTN/647 as well as a

residential development at a site zoned “Residential (Group B)1” which was currently under construction.

137. A Member raised enquiries on the ecological impact of the proposed Phase 2 development and details of the Ecological Impact Assessment (EcoIA). In response, Ms Ivy C.W. Wong, STP/FSYLE, made the following main points:

- (a) the compensatory wetland of the West Rail project was located to the south of the site. The EEA and the two “Conservation Area” (“CA”) zones to the south were separated from the area proposed for residential development in Phase 2. According to the EcoIA, it was expected that significant adverse ecological impact would not be resulted from the residential development;
- (b) bird flight line surveys had been conducted and concluded that not many birds flew across the residential portion of Phase 2 and there were no obvious flight lines;
- (c) the EcoIA conducted in support of the subject application had taken into account the cumulative impacts from the nearby residential development under application No. A/YL-KTN/604. According to the EcoIA, the habitat within the proposed EEA in Phase 2 would be enhanced and the EEA would be completed prior to the construction of the residential towers under the approved application No. A/YL-KTN/604 so as to minimise the ecological impact;
- (d) the Director of Agriculture, Fisheries and Conservation (DAFC) had no strong view on the proposed development, the proposed minor relaxation of BH restriction and the proposed provision of an EEA as a key mitigation measure; and
- (e) according to the applicant, the use of façade lighting in the Phase 2 development directly facing the south including the EEA would be avoided. Significant night-time lighting impact on surrounding area was not

envisaged.

[Mr L.T. Kwok returned to the meeting during the question-and-answer session.]

### Deliberation Session

138. The Chairman recapitulated the major development parameters of the current and the previously approved schemes to facilitate Members' discussion.

139. The Vice-chairman and a Member offered support to the application as it could increase the housing provision to meet the acute demand. The Vice-chairman added that while a certain degree of ecological impact would inevitably be resulted from such development, the application was considered acceptable should there be sufficient planning gains.

140. The Committee noted that as compared with the approved scheme, the layout of the current application was less compact. The proposed residential blocks were located further away from the approved development under application No. A/YL-KTN/604 so as to allow more space between the two developments. Also, the two building gaps (i.e. north-south and east-west directions) would be better aligned with the air corridors in the approved development under application No. A/YL-KTN/604, thus enabling better air ventilation. The Committee also noted that the public's concerns on the ecological impact were not directly related to the proposed layout of the residential towers.

141. A Member said that while the overall BH of the current scheme was taller, the layout had been improved as compared with the approved scheme. The Member considered the application acceptable. The Vice-chairman added that the refinement in layout enabled a less compact environment and was beneficial to the overall planning of the area.

142. A Member questioned the need for providing a 50-space public vehicle park as the demand for public car parking spaces in the area was unlikely. In response, Mr Ken K.K. Yip, Chief Traffic Engineer/New Territories East, Transport Department (TD), explained that such requirement was proposed by TD with a view to accommodating the current shortfall of car parking spaces in the nearby area and Park Yoho.

143. A Member considered that while the proposed minor relaxation of BH restriction was from 14 storeys to 17 storeys, the actual increase in BH as compared with the approved scheme was from 9 storeys to 17 storeys, which was drastic. The Member had reservation on approving the application as there were concerns over the compatibility of the development with the surrounding area. While having no particular view on the application, another Member expressed concerns on whether the public could benefit from the proposed development.

144. A Member was concerned that the buffer planting at the southern part of the site might not be adequate in providing a visual buffer between the site and the ecologically sensitive area zoned “CA” and “CA(1)”. Whilst noting that approval conditions were recommended requiring the applicant to submit a revised EcoIA and Habitat Creation and Management Plan to the satisfaction of DAFC, the Member considered that a wider and taller landscape buffer in the form of a planting strip at the southern part of the site was necessary to provide screening effect and minimise the possible visual impact induced by the proposed development. Such measures should be provided before construction of the residential development so as to minimise the noise and light disturbance to the wetland area both before and during the construction stage.

145. Members in general agreed with the above suggestion. The applicant should be advised to take note of such recommendations and incorporate it into the Landscape Master Plan under approval condition (b) where appropriate.

[Mr Philip S.L. Kan left the meeting during the deliberation session.]

146. 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 26.5.2024, 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 revised Master Layout Plan, taking into account approval conditions (b), (c), (e), (f), (g), (h), (i), (j), (k) and (l)

below, to the satisfaction of the Director of Planning or of the TPB;

- (b) the submission and implementation of a Landscape Master Plan to the satisfaction of the Director of Planning or of the TPB;
- (c) the submission of a consolidated traffic impact assessment to the satisfaction of the Commissioner for Transport or of the TPB;
- (d) the design and implementation of road improvement works, as proposed by the applicant, to the satisfaction of the Director of Highways and the Commissioner for Transport or of the TPB;
- (e) the design and provision of vehicular access, and car parking and loading/unloading facilities for the proposed development to the satisfaction of the Commissioner for Transport or of the TPB;
- (f) the design and provision of public vehicle park to the satisfaction of the Commissioner for Transport or of the TPB;
- (g) the submission of an updated sewerage impact assessment for connections to public sewers and implementation of the sewerage improvement measures identified therein to the satisfaction of the Director of Environmental Protection and the Director of Drainage Services or of the TPB;
- (h) the submission of an updated noise impact assessment and implementation of the mitigation measures identified therein to the satisfaction of the Director of Environmental Protection or of the TPB;
- (i) the submission of a revised drainage impact assessment and implementation of the drainage proposal identified therein to the satisfaction of the Director of Drainage Services or of the TPB;
- (j) the submission of a revised ecological impact assessment, including an updated Habitat Creation and Management Plan for the Ecological



Enhancement Area before commencement of construction of the Ecological Enhancement Area, and the implementation of ecological mitigation measures identified therein to the satisfaction of the Director of Agriculture, Fisheries and Conservation or of the TPB;

- (k) the submission of a land contamination assessment and the implementation of mitigation measures identified therein to the satisfaction of the Director of Environmental Protection or of the TPB; and
- (l) 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.”

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

[The Vice-chairman left the meeting at this point.]

### **Agenda Item 34**

#### **Section 16 Application**

[Open Meeting]

A/YL-KTN/688 Proposed Temporary Shop and Services (Retail of Construction Materials) for a Period of 3 Years in “Agriculture” Zone, Lot 1648 in D.D. 107, Fung Kat Heung, Yuen Long  
(RNTPC Paper No. A/YL-KTN/688A)

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148. The Committee noted that the applicant’s representative requested on 12.5.2020 deferment of consideration of the application for two months so as to allow time to resolve comments from relevant government departments. It was the second time that the applicant requested deferment of the application. Since the last deferment, the applicant had submitted further information to address departmental comments.

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

as requested by the applicant pending the submission of further information from the applicant. The Committee agreed that the application should be submitted for its consideration within two months from the date of receipt of further information from the applicant. If the further information submitted by the applicant was not substantial and could be processed within a shorter time, the application could be submitted to an earlier meeting for the Committee's consideration. The Committee also agreed to advise the applicant that two months were allowed for preparation of the submission of the further information. 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 35**

#### **Section 16 Application**

[Open Meeting]

A/YL-KTN/689      Proposed Temporary Shop and Services (Sale of Truck Mounted Crane and Miniature Excavator) for a Period of 3 Years in "Agriculture" Zone, Lots 1640 (Part), 1644 (Part), 1645 S.A (Part), 1645 RP (Part) and 1647 (Part) in D.D.107, Fung Kat Heung, Yuen Long  
(RNTPC Paper No. A/YL-KTN/689A)

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150.      The Committee noted that the applicant's representative requested on 12.5.2020 deferment of consideration of the application for two months so as to allow time for preparation of further information to address departmental comments. It was the second time that the applicant requested deferment of the application. Since the last deferment, the applicant had submitted further information to address departmental comments.

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

meeting for the Committee's consideration. The Committee also agreed to advise the applicant that two months were allowed for preparation of the submission of the further information. 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]

A/YL-KTS/840      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 133 RP (Part) in D.D. 113 and Adjoining Government Land, Kam Tin, Yuen Long  
(RNTPC Paper No. A/YL-KTS/840)

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152.      The Committee noted that the applicant's representative requested on 18.5.2020 deferment of consideration of the application for two months in order 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.

153.      After deliberation, the Committee decided to defer a decision on the application as requested by the applicant pending the submission of further information from the applicant. The Committee agreed that the 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 37**

**Section 16 Application**

[Open Meeting (Presentation and Question Sessions Only)]

A/YL-KTS/843      Renewal of Planning Approval for Temporary “Open Storage of Forklifts” for a Period of 3 Years in “Other Specified Uses” annotated “Rural Use” Zone, Lots 606 RP (Part), 609 RP (Part) and 610 (Part) in D.D. 106 and Adjoining Government Land, Kam Sheung Road, Yuen Long  
  
(RNTPC Paper No. A/YL-KTS/843)

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**Presentation and Question Sessions**

154.      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) renewal of planning approval for temporary open storage of forklifts for a period of three years;
- (c) departmental comments – departmental comments were set out in paragraph 10 of the Paper;
- (d) during the first three weeks of the statutory publication period, one public comment was received from an individual objecting to the application. Major objection grounds were set out in paragraph 11 of the Paper; and
- (e) the Planning Department (PlanD)’s views – PlanD considered that the applied use could be tolerated for a period of three years based on the assessments set out in paragraph 12 of the Paper. The application was generally in line with the Town Planning Board Guidelines No. 13F (TPB PG-No. 13F) in which the site fell within Category 3 areas and concerned government departments had no adverse comment on or no objection to the

application, except the Director of Environmental Protection (DEP). The application was also generally in line with TPB PG-No. 34C in that there had been no major change in planning circumstances since the last approval. Appropriate approval conditions were recommended to address DEP's concern and technical requirements of concerned departments. Regarding the adverse public comment, the comments of government departments and planning assessments above were relevant.

155. Members had no question on the application.

#### Deliberation Session

156. After deliberation, the Committee decided to approve the application on a temporary basis for a period of 3 years, and be renewed from 26.5.2020 to 25.5.2023, on the terms of the application as submitted to the Town Planning Board (TPB) and subject to the following conditions:

- “(a) no operation between 6:00 p.m. and 9:00 a.m., as proposed by the applicant, is allowed on the site during the planning approval period;
- (b) no operation on Sundays and statutory holidays, as proposed by the applicant, is allowed on the site during the planning approval period;
- (c) no vehicle is allowed to queue back to or reverse onto/from public road at any time during the planning approval period;
- (d) the existing drainage facilities on the site shall be maintained at all times during the planning approval period;
- (e) the submission of a record of the existing drainage facilities on the site within 3 months from the date of commencement of the renewed planning approval to the satisfaction of the Director of Drainage Services or of the TPB by 26.8.2020;

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

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

### **Agenda Item 38**

#### **Section 16 Application**

[Open Meeting (Presentation and Question Sessions Only)]

A/YL-KTS/844      Renewal of Planning Approval for Temporary Open Storage of Construction Materials with Ancillary Site Office and Staff Restrooms for a Period of 3 Years in “Residential (Group D)” Zone, Lot 1280 RP (Part) in D.D. 106 and Adjoining Government Land, Kong Ha Wai, Kam Sheung Road, Pat Heung, Yuen Long  
(RNTPC Paper No. A/YL-KTS/844)

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

158. 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) renewal of planning approval for temporary open storage of construction materials with ancillary site office and staff restrooms for a period of three years;
- (c) departmental comments – departmental comments were set out in paragraph 10 of the Paper;
- (d) during the first three weeks of the statutory publication period, one public comment was received from an individual raising questions on the application. Major views were set out in paragraph 11 of the Paper; and
- (e) the Planning Department (PlanD)'s views – PlanD considered that the applied use could be tolerated for a period of three years based on the assessments set out in paragraph 12 of the Paper. The application was generally in line with the Town Planning Board Guidelines No. 13F (TPB PG-No. 13F) in which the site fell within Category 3 areas and TPB PG-No. 34C in that concerned government departments had no adverse comment on or no objection to the application and there had been no major change in planning circumstances since the last approval. Appropriate approval conditions were recommended to minimise possible environmental nuisance and address the technical requirements of concerned departments. Regarding the public comment received, the comments of government departments and planning assessments above were relevant.

159. Members had no question on the application.

#### Deliberation Session

160. After deliberation, the Committee decided to approve the application on a temporary basis for a period of 3 years, and be renewed from 26.5.2020 to 25.5.2023, on the terms of the application as submitted to the Town Planning Board (TPB) and subject to the following conditions:

- “(a) no operation between 6:00 p.m. and 9:00 a.m., as proposed by the applicant, is allowed on the site during the planning approval period;
- (b) no operation on Sundays and public holidays, as proposed by the applicant, is allowed on the site during the planning approval period;
- (c) no dismantling, maintenance, repairing, cleansing, paint spraying or other workshop activities are allowed on the site at any time during the planning approval period;
- (d) no medium or heavy goods vehicles exceeding 5.5 tonnes, including container tractors/trailers, as defined in the Road Traffic Ordinance, are allowed to be parked/stored on or enter/exit the site at any time during the planning approval period;
- (e) the existing boundary fence on the site shall be maintained at all times during the planning approval period;
- (f) no disturbance to the mitigation planting areas along the eastern boundary of the site at any time during the planning approval period;
- (g) no vehicle is allowed to queue back to or reverse onto/from public road at any time during the planning approval period;
- (h) the existing drainage facilities on the site shall be maintained at all times during the planning approval period;
- (i) the existing fire service installations implemented on the site shall be maintained in efficient working order at all times during the planning approval period;
- (j) the submission of a record of the existing drainage facilities on the site within 3 months from the date of commencement of the renewal planning approval to the satisfaction of the Director of Drainage Services or of the TPB by



26.8.2020;

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

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

### **Agenda Item 39**

#### **Section 16 Application**

[Open Meeting (Presentation and Question Sessions Only)]

A/YL-PH/831            Renewal of Planning Approval for Temporary Open Storage of Construction Materials, Machinery (Electricity Generator), Vehicle Parts, Temporary Transit Shipment Particles and Containers for Storage of Plastic Barriers for a Period of 3 Years in “Residential (Group D)” and “Agriculture” Zones, Lots 2887(Part), 2888(Part) and 2901 in D.D.111, Pat Heung, Yuen Long  
  
(RNTPC Paper No. A/YL-PH/831)

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

162. 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) renewal of planning approval for temporary open storage of construction materials, machinery (electricity generator), vehicle parts, temporary transit shipment particles and containers for storage of plastic barriers for a period of three years;
- (c) departmental comments – departmental comments were set out in paragraph 10 of the Paper;
- (d) during the first three weeks of the statutory publication period, two public comments were received from individuals objecting to the application. Major objection grounds were set out in paragraph 11 of the Paper; and
- (e) the Planning Department (PlanD)’s views – PlanD considered that the applied use could be tolerated for a period of three years based on the assessments set out in paragraph 12 of the Paper. The application was generally in line with the Town Planning Board Guidelines No. 13F (TPB PG-No. 13F) in which the site mostly fell within Category 2 areas with minor portion in Category 3 areas and TPB PG-No. 34C in that concerned government departments had no adverse comment on or no objection to the application and there had been no major change in planning circumstances since the last approval. Appropriate approval conditions were recommended to minimise possible environmental nuisance and address the technical requirements of concerned departments. Regarding the adverse public comment received, the comments of government departments and planning assessments above were relevant.

163. Members had no question on the application.

#### Deliberation Session

164. After deliberation, the Committee decided to approve the application on a temporary basis for a period of 3 years, and be renewed from 26.5.2020 to 25.5.2023, on the terms of the application as submitted to the Town Planning Board (TPB) and subject to the following conditions:

- “(a) no operation between 6:00 p.m. and 9:00 a.m., as proposed by the applicant, is allowed on the site during the planning approval period;
- (b) no operation on Sundays and public holidays, as proposed by the applicant, is allowed on the site during the planning approval period;
- (c) no dismantling, maintenance, repairing, cleansing, paint spraying or other workshop activities are allowed on the site at any time during the planning approval period;
- (d) no medium or heavy goods vehicles exceeding 5.5 tonnes, including container tractors/trailers, as defined in the Road Traffic Ordinance, are allowed to be parked/stored on or enter/exit the site at any time during the planning approval period;
- (e) no vehicle is allowed to queue back to or reverse onto/from public road at any time during the planning approval period;
- (f) the existing drainage facilities on the site shall be maintained at all times during the planning approval period;
- (g) the existing fire service installations implemented on the site shall be maintained in efficient working order at all times during the planning approval period;
- (h) the submission of a record of existing drainage facilities on the site within 3 months from the date of commencement of the renewed planning approval to the satisfaction of the Director of Drainage Services or of the TPB by 26.8.2020;
- (i) if any of the above planning conditions (a), (b), (c), (d), (e), (f) or (g) is not complied with during the planning approval period, the approval hereby given shall cease to have effect and shall be revoked immediately without further

notice;

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

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

#### **Agenda Item 40**

##### **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/281C)

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166. The Secretary reported that the application site was in Mai Po. Meinhardt (M&E) Ltd. and Meinhardt (C&S) Ltd. were two of the consultants of the applicant. The following Members had declared interests on the item:

- Mr K.K. Cheung - his firm having current business dealings with Meinhardt (Singapore) Pte Ltd.; and
- Mr K.W. Leung - owning a property in Fairview Park.

167. 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.

168. The Committee noted that the applicant's representative requested on 19.5.2020 deferment of consideration of the application for two months in order to allow time to continue with the traffic survey to address comments from the Transport Department. It was the fourth 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 and the progress had been disrupted by the outbreak of COVID-19.

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

**Agenda Item 41**

**Section 16 Application**

[Open Meeting (Presentation and Question Sessions Only)]

A/YL-MP/287 Proposed House Development with Minor Relaxation of Building Height Restriction, Filling of Pond/Land, and Excavation of Land in “Residential (Group D)” Zone, Lots 3207 RP, 3209 RP, 3220 RP, 3221 RP, 3224 RP, 3225 S.A RP, 3225 S.C RP, 3225 RP, 3226 S.A RP, 3226 RP, 3228, 3229, 3230 RP, 3250 S.B ss.21 RP, 3250 S.B ss.33 S.B, 3250 S.B ss.40 S.A RP, 3250 S.B ss.40 RP and 4658 RP in D.D. 104 and Adjoining Government Land, Mai Po, Yuen Long  
(RNTPC Paper No. A/YL-MP/287A)

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170. The Secretary reported that the application site was in Mai Po. The application was submitted by Glory Queen Ltd., which was a subsidiary of Henderson Land Development Co. Ltd. (HLD). Meinhardt Infrastructure & Environmental Ltd. (Meinhardt) was one of the consultants of the applicant. The following Members had declared interests on this item:

- Mr K.K. Cheung - his firm having current business dealings with HLD and Meinhardt (Singapore) Pte Ltd.;
- 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;
- 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; and

Mr K.W. Leung - owning a property in Fairview Park.

171. The Committee noted that Dr Lawrence K.C. Li had tendered an apology for being unable to attend the meeting. As Mr K.K. Cheung had no involvement in the application, the interests of Dr C.H. Hau and Mr Peter K.T. Yuen were indirect, 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.

172. The Committee noted that a replacement page (p.3 of the Main Paper) rectifying typographical errors had been tabled for Members' reference.

#### Presentation and Question Sessions

173. With the aid of a PowerPoint presentation, Mr Billy W.M. Au-Yeung, STP/FSYLE, presented the application and covered the following aspects as detailed in the Paper:

- (a) background to the application;
- (b) proposed house development with minor relaxation of building height (BH) restriction, filling of pond/land, and excavation of land;
- (c) departmental comments – departmental comments were set out in paragraph 9 of the Paper;
- (d) during the first three weeks of the statutory publication periods, six public comments were received. Five objecting comments were received from the San Tin Rural Committee and two individuals, and a member of the Yuen Long District Council provided comments. Major views were set out in paragraph 10 of the Paper; and
- (e) the Planning Department (PlanD)'s views – PlanD had no objection to the

application based on the assessments set out in paragraph 11 of the Paper. The proposed house development of plot ratio (PR) of 0.2 conformed to the restriction on the Outline Zoning Plan and was in line with the planning intention of the “Residential (Group D)” (“R(D)”) zone. The proposed development was considered not incompatible with the surrounding land uses. The BH relaxation sought (from 6m to 6.6m) was the same as that under the previously approved applications (i.e. No. A/YL-MP/202 and 242). The proposed filling of pond had been approved in the previous applications. Compared with the previously approved Application No. A/YL-MP/242, the current scheme mainly involved increase in the number of houses and corresponding decrease in average house size, increase in parking provision and change in internal layout of the development while other development parameters including PR and site coverage as well as vehicular access, noise mitigation measures and landscape/tree planting treatments remained unchanged. Concerned government departments had no objection to or no adverse comment on the application. Appropriate approval conditions were recommended to address the concerns and technical requirements of the concerned government departments. The site was the subject of seven previously approved applications for residential development, and four similar applications for residential developments within the same “R(D)” zone were approved by the Committee. Approval of the application were in line with the Committee’s previous decisions. Regarding the adverse public comments, the comments of government departments and planning assessments above were relevant.

174. A Member enquired the reduction in open space provision in the current scheme as compared with the previously approved scheme of application No. A/YL-MP/242. In response, Mr Billy W.M. Au-Yeung, STP/FSYLE, said that the open space provision was for residents only. While the provision had been reduced from 3,000m<sup>2</sup> to 200m<sup>2</sup>, it could still meet the requirement set out in the Hong Kong Planning Standards and Guidelines and the Chief Town Planner/Urban Design and Landscape, PlanD had no objection in that regard.



175. A Member did not support the application as the increase in population density as compared with that in the previously approved scheme was drastic and the surrounding area was mainly for low-density residential development.

176. Two Members considered that favourable consideration could be given to the application as the increase in housing provision was in line with the overall policy direction to meet housing demand. The average house size (about 116m<sup>2</sup>) in the proposed scheme was considered reasonable and the low-density character in the neighbourhood could still be maintained under the proposal.

177. 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 26.5.2024, 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 of a revised Drainage Impact Assessment including flood mitigation measures and the implementation of the drainage proposal and other necessary flood mitigation measures identified therein to the satisfaction of the Director of Drainage Services or of the TPB;
- (b) no pond/land filling on site shall be allowed until the flood mitigation measures have been implemented to the satisfaction of the Director of Drainage Services or of the TPB;
- (c) the submission of a revised Sewerage Impact Assessment and the implementation of sewage treatment and disposal measures identified therein to the satisfaction of the Director of Environmental Protection and the Director of Drainage Services or of the TPB;
- (d) the submission of a revised Noise Impact Assessment and the implementation of noise mitigation measures identified therein to the satisfaction of the Director of Environmental Protection or of the TPB;

- (e) the submission and implementation of Landscape Proposal to the satisfaction of the Director of Planning or of the TPB;
- (f) the provision of water supplies for firefighting and fire service installations to the satisfaction of the Director of Fire Services or of the TPB; and
- (g) the design and provision of vehicular access and car parking and loading/unloading facilities for the proposed development to the satisfaction of the Commissioner for Transport or of the TPB.”

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

#### **Agenda Item 42**

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

[Open Meeting]

A/YL-NSW/270 Proposed House cum Wetland Restoration Area (for Aquaculture Research and Teaching), Field Study/Education/Visitor Centre and Excavation of Land with Minor Relaxation of Plot Ratio and Building Height Restrictions (for “Residential (Group D)” Zone only) in “Other Specified Uses” annotated “Comprehensive Development to include Wetland Restoration Area” and “Residential (Group D)” Zones, Lots 3719 S.C RP and 3681 in D.D. 104 and Adjoining Government Land, Kam Pok Road, Nam Sang Wai, Yuen Long  
(RNTPC Paper No. A/YL-NSW/270B)

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179. The Committee noted that the applicant’s representative requested on 15.5.2020 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 third time that the applicant requested deferment of the application. Since the last deferment, the applicant had submitted further information in response to departmental comments.

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

### **Agenda Item 43**

#### **Section 16 Application**

[Open Meeting (Presentation and Question Sessions Only)]

A/YL-NSW/277      Renewal of Planning Approval for Temporary Private Swimming Pool and Garden Use for a Period of 3 Years in "Village Type Development" Zone, Lots 3730 S.E (Part), 3733 (Part), 3734 S.A (Part), 3734 S.B ss.1, 3734 S.B RP (Part), 3734 RP (Part) and 3535 RP (Part) in D.D. 104, Pok Wai, Nam Sang Wai, Yuen Long  
(RNTPC Paper No. A/YL-NSW/277)

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

181. Mr Billy W.M. Au-Yeung, STP/FSYLE, presented the application and covered the following aspects as detailed in the Paper:

- (a) background to the application;
- (b) renewal of planning approval for temporary private swimming pool and garden use for a period of three years;

- (c) departmental comments – departmental comments were set out in paragraph 10 of the Paper;
- (d) during the first three weeks of the statutory publication period, no public comment was received; and
- (e) the Planning Department (PlanD)’s views – PlanD considered that the applied use could be tolerated for a period of three years based on the assessments set out in paragraph 12 of the Paper. The site fell within the Wetland Buffer Area under the Town Planning Board Guidelines No. 12C (TPB PG-No. 12C) and the Director of Agriculture, Fisheries and Conservation had no comment on the application. The application was in line with TPB PG-No. 34C in that there had been no major change in planning circumstances since the last approval and all approval conditions were satisfactorily complied with. Concerned government departments had no adverse comment on or no objection to the application. Approval conditions were recommended to address the technical concerns of concerned departments.

182. Members had no question on the application.

#### Deliberation Session

183. After deliberation, the Committee decided to approve the application on a temporary basis for a period of 3 years, and be renewed from 26.5.2020 until 25.5.2023, on the terms of the application as submitted to the Town Planning Board (TPB) and subject to the following conditions:

- “(a) the swimming pool should not be open to members of the public;
- (b) the landscape planting within the site should be maintained at all times during the planning approval period;

- (c) the drainage facilities implemented for the development on the site shall be maintained properly at all times during the planning approval period;
- (d) the submission of condition records of the existing drainage facilities on site within 6 months from the date of commencement of the renewed planning approval to the satisfaction of Director of Drainage Services or of the TPB by 26.11.2020;
- (e) the submission of a fire service installations proposal within 6 months from the date of commencement of the renewed planning approval to the satisfaction of the Director of Fire Services or of the TPB by 26.11.2020;
- (f) in relation to (e) above, the implementation of the fire service installations proposal within 9 months from the date of commencement of the renewed planning approval to the satisfaction of the Director of Fire Services of the TPB by 26.2.2021;
- (g) if any of the above planning conditions (a), (b) or (c) 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;
- (h) if any of the above planning conditions (d), (e) or (f) is not complied with by the specified date, the approval hereby given shall cease to have effect and shall on the same date be revoked without further notice; and
- (i) 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.”

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

**Agenda Item 44**

Section 16 Application

[Open Meeting]

A/YL-NTM/399      Proposed Public Utility Installation (Solar Photovoltaic System) in  
“Green Belt” Zone, Lots 978 (Part), 979 (Part), 1043 and 1047 in D.D.  
102, Siu Hum Tsuen, San Tin, Yuen Long  
(RNTPC Paper No. A/YL-NTM/399)

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185.      The Committee noted that the applicant’s representative requested on 18.5.2020 deferment of consideration of the application for two months in order 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.

186.      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 45**

**Section 16 Application**

[Open Meeting (Presentation and Question Sessions Only)]

A/YL-ST/568            Renewal of Planning Approval for Temporary Public Vehicle Park (including Private Cars, Container Vehicles and Heavy Goods Vehicles) and Ancillary Facilities (including Vehicle Repair Area, Site Offices and Canteen), Storage of Metal Ware and Construction Material, and Cargo Handling and Forwarding Facilities for a Period of 3 Years in “Undetermined” Zone, Lots 253, 254, 255, 256, 257, 258, 259, 260, 261 (Part), 262 (Part), 264 (Part), 265, 266, 267, 268, 270, 279 S.B RP (Part), 280 and 372 S.D RP (Part) in D.D. 99 and Adjoining Government Land, San Tin, Yuen Long  
(RNTPC Paper No. A/YL-ST/568)

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**Presentation and Question Sessions**

187.            Mr Billy W.M. Au-Yeung, STP/FSYLE, presented the application and covered the following aspects as detailed in the Paper:

- (a) background to the application;
- (b) renewal of planning approval for temporary public vehicle park (including private cars, container vehicles and heavy goods vehicles) with ancillary facilities (including vehicle repair area, site offices and canteen), storage of metal ware and construction material, and cargo handling and forwarding facilities for a period of 3 years;
- (c) departmental comments – departmental comments were set out in paragraph 10 of the Paper;
- (d) during the first three weeks of the statutory publication period, one public comment was received from an individual raising concern on the application. Major views were set out in paragraph 11 of the Paper; and

- (e) the Planning Department (PlanD)'s views – PlanD considered that the applied use could be tolerated for a period of three years based on the assessments set out in paragraph 12 of the Paper. The application was in line with the Town Planning Board Guidelines No. 34C (TPB PG-No. 34C) in that there had been no major change in planning circumstances since the last approval and all approval conditions were complied with. Concerned government departments had no adverse comment on or no objection to the application. Although the site fell within the Wetland Buffer Area of the TPB PG-No. 12C, the Director of Agriculture, Fisheries and Conservation had no comment on the application. The application was also in line with the TPB PG-No. 13F in which the site fell within Category 1 areas. Appropriate approval conditions were recommended to mitigate any potential environmental nuisance and address the technical requirements of concerned departments. Regarding the public comment received, the comments of government departments and planning assessments above were relevant.

188. Members had no question on the application.

#### Deliberation Session

189. After deliberation, the Committee decided to approve the application on a temporary basis for a period of 3 years, and be renewed from 26.5.2020 until 25.5.2023, 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. and 7:00 a.m. for parking of container vehicles and heavy goods vehicles exceeding 24 tonnes as defined in the Road Traffic Ordinance, vehicle repairing activities, and cargo handling and forwarding services, as proposed by the applicant, is allowed on the site during the planning approval period;
- (b) no vehicle without valid licence issued under the Road Traffic Ordinance is



allowed to be parked/stored on the site at any time during the planning approval period;

- (c) no vehicle is allowed to queue back to or reverse onto/from the site to the public road at any time during the planning approval period;
- (d) the paving and boundary fencing on the site should be maintained at all times during the planning approval period;
- (e) the maintenance of existing drainage facilities on the site shall be maintained at all times during the planning approval period;
- (f) the submission of an as-built drainage plan and photographic records 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 26.8.2020;
- (g) the submission of a fire service installations proposal within 6 months from the date of commencement of the renewed planning approval to the satisfaction of the Director of Fire Services or of the TPB by 26.11.2020;
- (h) in relation to (g) above, the implementation of the fire service installations proposal within 9 months from the date of commencement of the renewed planning approval to the satisfaction of the Director of Fire Services or of the TPB by 26.2.2021;
- (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;
- (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; and

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

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

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

[Mr Alexander W.Y. Mak, Mr Simon P.H. Chan, 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.]

### **Tuen Mun and Yuen Long West District**

#### **Agenda Item 46**

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

[Open Meeting (Presentation and Question Sessions Only)]

A/TM/535                      Religious Institution (Temple) in “Village Type Development” Zone,  
Lots 1102 S.C, 1102 S.D, 1102 RP and 1103 RP in D.D. 132 and  
Adjoining Government Land, Siu Hang Tsuen, Tuen Mun  
(RNTPC Paper No. A/TM/535C)

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191. The Committee noted that the application was withdrawn by the applicant after the issue of the relevant Paper.

**Agenda Item 47**

**Section 16 Application**

[Open Meeting]

A/TM/541                      Proposed Columbarium in “Government, Institution or Community”  
Zone, G/F, Lot 1197 (Part) in D.D.131, Tsing Shan Tsuen, Tuen Mun  
(RNTPC Paper No. A/TM/541)

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192.            The Committee noted that the consideration of the application had been rescheduled.

**Agenda Item 48**

**Section 16 Application**

[Open Meeting]

A/TM/550                      Proposed Hotel with Shop and Services/ Eating Place and Other Uses  
(including Art Studio, Office, Information Technology and  
Telecommunications Industries and/or Place of Recreation, Sports or  
Culture) (Wholesale Conversion of an Existing Industrial Building) in  
“Other Specified Uses” annotated “Business” Zone, Tuen Mun Town  
Lot No. 140  
(RNTPC Paper No. A/TM/550)

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193.            The Committee noted that the applicant’s representative requested on 20.3.2020 deferment of consideration of the application for two months in order to allow time for preparation of further information to address the departmental comments. The RNTPC meeting originally scheduled for 3.4.2020 had been rescheduled in light of the situation of COVID-19 and the special work arrangement for government departments. On 15.5.2020, the applicant’s representative confirmed that they would proceed with the request for deferment. It was the first time that the applicant requested deferment of the application.

194.            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 Items 49 and 50**

#### **Section 16 Applications**

[Open Meeting]

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

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

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195. The Committee agreed that the two s.16 applications would be considered together as the application sites were similar in nature and the application sites were located adjacent to each other, within the same "Residential (Group E)" zone on the same Outline Zoning Plan.

196. The Committee noted that the applicants' representative requested on 18.3.2020 deferment of consideration of the applications for two months so as to allow time for preparation of further information to address comments from the Director of Environmental Protection (DEP). The RNTPC meeting originally scheduled for 3.4.2020 had been rescheduled in light of the situation of COVID-19 and the special work arrangement for government departments. On 13.5.2020, the applicants' representative confirmed that they would proceed with the request for deferment. It was the third time that the applicants

requested deferment of the applications. Since the last deferment, the applicants had submitted further information including responses to comments from DEP.

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

### **Agenda Item 51**

#### **Section 16 Application**

[Open Meeting (Presentation and Question Sessions Only)]

A/HSK/210                      Proposed Temporary Open Storage of Vehicles and Construction Materials for a Period of 3 Years in “Residential (Group A) 3” and “Open Space” Zones, Lots 1824 S.B RP (Part) and 1824 S.C (Part) in D.D. 125, Ha Tsuen, Yuen Long  
(RNTPC Paper No. A/HSK/210)

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

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

- (a) background to the application;
- (b) proposed temporary open storage of vehicles and construction materials for

a period of three years;

- (c) departmental comments – departmental comments were set out in paragraph 10 of the Paper;
- (d) during the first three weeks of the statutory publication period, one public comment was received from an individual providing views. Major views were set out in paragraph 11 of the Paper; and
- (e) the Planning Department (PlanD)'s views – PlanD considered that the proposed use could be tolerated for a period of three years based on the assessments set out in paragraph 12 of the Paper. Whilst the proposed use was not in line with the planning intentions of the “Residential (Group A)3” (“R(A)3”) and “Open Space” (“O”) zones, the detailed implementation programme for the concerned part of the New Development Area (NDA) was still being formulated, and Project Manager (West), Civil Engineering and Development Department had no objection to the temporary use for a period of three years at the site. In that regard, approval of the application on a temporary basis of three years would not jeopardise the long-term development of the site. The proposed use was not incompatible with the surrounding land uses. The application was generally in line with the Town Planning Board Guidelines No. 13F in that the site fell within the Hung Shui Kiu and Ha Tsuen NDA and previous planning approvals were given under the previous Outline Zoning Plans. Appropriate approval conditions were recommended to address the concerns of the Director of Environmental Protection on the possible environmental nuisance or the technical requirements of the concerned Government departments. The Committee had approved 14 previous applications for various temporary open storage, public vehicle park, recycling centre and workshop uses on the site as well as six similar applications within the same “R(A)3” and “O” zones since 2008. Although the previous application No. A/HSK/113 was revoked due to non-compliance with several time-specific approval conditions, the current application was submitted by a different applicant for different open storage use at a smaller site with different layout and

development parameters. Approval of the subject application was in line with the Committee's previous decisions. Regarding the public comments, the comments of government departments and planning assessments above were relevant.

[Mr Y.S. Wong returned to join the meeting during the presentation.]

199. Members had no question on the application.

### Deliberation Session

200. After deliberation, the Committee decided to approve the application on a temporary basis for a period of 3 years until 26.5.2023, 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 or public holidays, as proposed by the applicant, is allowed on the site during the planning approval period;
- (c) all existing trees and landscape plants on the site shall be maintained at all times during the planning approval period;
- (d) 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 26.2.2021;
- (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 provision of fire extinguisher(s) and the submission of a valid fire certificate (FS251) within 6 weeks from the date of planning approval to the satisfaction of the Director of Fire Services or of the TPB by 7.7.2020;

- (g) the submission of a fire service installations proposal within 6 months from the date of planning approval to the satisfaction of the Director of Fire Services or of the TPB by 26.11.2020;
- (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 26.2.2021;
- (i) if any of the above planning conditions (a), (b), (c) 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 (d), (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.”

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



**Agenda Item 52**

**Section 16 Application**

[Open Meeting (Presentation and Question Sessions Only)]

A/HSK/211                      Temporary Open Storage of Containers, Container Repair Workshop and Logistics Yard for a Period of 3 Years in “Open Space” Zone, Lots 133 RP(Part), 134(Part), 135 S.A, 135 S.B, 136 RP(Part), 219 RP(Part), 220 RP(Part), 221 RP(Part), 222, 223, 224, 225, 226(Part), 227(Part), 228(Part), 229(Part), 230(Part), 231(Part), 259(Part), 260(Part), 262(Part), 263, 264(Part), 265(Part) and 266(Part) in D.D.124, Lots 1607(Part) and 1611(Part) in D.D.125 and Adjoining Government Land, Ha Tsuen, Yuen Long  
  
(RNTPC Paper No. A/HSK/211)

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**Presentation and Question Sessions**

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

- (a) background to the application;
- (b) temporary open storage of containers, container repair workshop and logistics yard for a period of three years;
- (c) departmental comments – departmental comments were set out in paragraph 10 of the Paper;
- (d) during the first three weeks of the statutory publication period, one public comment was received raising enquiries on the application. Major views were set out in paragraph 11 of the Paper; and
- (e) the Planning Department (PlanD)’s views – PlanD considered that the applied use could be tolerated for a period of three years based on the assessments set out in paragraph 12 of the Paper. The application was in

line with the Town Planning Board Guidelines No. 13F in that the site fell within the Hung Shui Kiu and Ha Tsuen New Development Area and previous planning approvals for the same use had been given under the previous Outline Zoning Plans. While the Director of Environmental Protection (DEP) did not support the application, concerned government departments had no adverse comment on or no objection to the application. Relevant approval conditions were recommended to address DEP's concerns on the possible environmental nuisance or the technical requirements of the other concerned departments. Regarding the public comment received, the comments of government departments and planning assessments above were relevant.

203. Members had no question on the application.

#### Deliberation Session

204. After deliberation, the Committee decided to approve the application on a temporary basis for a period of 3 years until 26.5.2023, on the terms of the application as submitted to the Town Planning Board (TPB) and subject to the following conditions:

- “(a) no operation between 8:00 p.m. and 8:00 a.m., as proposed by the applicant, is allowed on the site during the planning approval period;
- (b) no operation on Sundays or public holidays, as proposed by the applicant, is allowed on the site during the planning approval period;
- (c) no stacking of containers within 5m from the periphery of the site, as proposed by the applicant, during the planning approval period;
- (d) the stacking height of containers stored on the site shall not exceed 8 units, as proposed by the applicant, during the planning approval period;
- (e) the existing drainage facilities on the site shall be maintained at all times during the planning approval period;

- (f) the submission of a condition record of the existing drainage facilities within 3 months from the date of the planning approval to the satisfaction of the Director of Drainage Services or of the TPB by 26.8.2020;
- (g) the provision of fire extinguisher(s) and the submission of a valid fire certificate (FS251) within 6 weeks from the date of planning approval to the satisfaction of the Director of Fire Services or of the TPB by 7.7.2020;
- (h) 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 26.11.2020;
- (i) in relation to (h) 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 26.2.2021;
- (j) if any of the above planning conditions (a), (b), (c), (d) or (e) is not complied with during the planning approval period, the approval hereby given shall cease to have effect and shall be revoked immediately without further notice; and
- (k) if any of the above planning conditions (f), (g), (h) or (i) is not complied with by the specified date, the approval hereby given shall cease to have effect and shall on the same date be revoked without further notice.

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

**Agenda Item 53**

Section 16 Application

[Open Meeting (Presentation and Question Sessions Only)]

A/YL-HTF/1102      Temporary Training Centre (Tree Care Training Centre) for a Period of  
3 Years in “Coastal Protection Area” Zone, Lots 230 and 581 in D.D.  
128, Lau Fau Shan, Yuen Long  
(RNTPC Paper No. A/YL-HTF/1102)

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Presentation and Question Sessions

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

- (a) background to the application;
- (b) temporary training centre (tree care training centre) for a period of three years;
- (c) departmental comments – departmental comments were set out in paragraph 9 of the Paper;
- (d) during the first three weeks of the statutory publication period, four objecting public comments were received from World Wide Fund-Hong Kong (WWF-HK), Kadoorie Farm and Botanic Garden (Kadoorie), Designing Hong Kong Limited and an individual. Major objection grounds were set out in paragraph 10 of the Paper; and
- (e) the Planning Department (PlanD)’s views – PlanD considered that the applied use could be tolerated for a period of three years based on the assessments set out in paragraph 11 of the Paper. The applied use was considered not incompatible with the surrounding areas. The development would unlikely generate significant adverse environmental, traffic and drainage impacts on the surrounding areas. While the Chief Town

Planner/Urban Design and Landscape, PlanD had reservation on the application, the applicant had committed to remove all the hard paving at the site before operation and to retain all the existing trees at the site. Other concerned government departments had no adverse comment on the application. Relevant approval conditions were recommended to minimize any possible environmental impacts and nuisance on the surrounding developments, and to address the technical requirements of the concerned government departments. Although a previous application for a temporary organic farm with ancillary education and activity centre and small-scale barbecue spot was rejected upon review by the Board, the nature of which was different from that of the current application. Regarding the adverse public comments, the comments of government departments and planning assessments above were relevant.

207. At the request of the Chairman, Ms Bonnie K.C. Lee, STP/TMYLW, with illustration of the site photos at Plan A-4b of the Paper, indicated the location of the hard-paved area of the site which was proposed by the applicant to be removed for Members' information.

#### Deliberation Session

208. During the discussion, the Committee noted the following:

- (a) according to the aerial photos, the site had been paved since 2014 with structures at the site identified;
- (b) the site was currently rented and occupied by Tree Climbing Hong Kong (TCHK) which was a qualified training institution recognized by the Education Bureau under the Qualifications Framework and registered on the Qualifications Register for providing three courses related to the application of electric saw for tree pruning, comprehensive tree climbing skills and the application of ropes/throwlines for tree climbing;
- (c) the site formed part of a larger area which was subject to an on-going

enforcement action against unauthorised development involving recreational use (including climbing facilities and hobby farm). Enforcement Notice had been served to the concerned lot owners; and

- (d) concerned government departments had no adverse comment on the application, and relevant approval condition had been recommended requiring the existing trees to be maintained in good condition at all times during the approval period.

209. A Member cast doubts on the identity of TCHK, the tenant of the site, as it was different from “the International Society of Arboriculture (Hong Kong Chapter)” which granted certification to Arborists. The Member noted the objection from WWF-HK and Kadoorie and expressed reservation on the application as the applied use might bring adverse impact on the “Coastal Protection Area” (“CPA”) where the site was located in. Another Member concurred.

210. Some other Members considered that favourable consideration could be given to the application as the applied use was temporary in nature with a small scale of operation. It was not incompatible with the “CPA” zone and concerned government departments had no adverse comment on or no objection to the application. The courses provided by TCHK were recognised by the Education Bureau under the Qualifications Framework and registered on the Qualifications Register. Members noted that the concerned unauthorised development would be followed up by the Planning Authority and enforcement action would be taken where necessary.

211. The Chairman concluded that more Members were in support of the application.

212. After deliberation, the Committee decided to approve the application on a temporary basis for a period of 3 years until 26.5.2023, on the terms of the application as submitted to the Town Planning Board (TPB) and subject to the following conditions:

- “(a) no operation from 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) the removal of the existing hard-paving on the site, as proposed by the applicant, before the operation of the applied use;
- (c) no land filling, as proposed by the applicant, is allowed on the site during the planning approval period;
- (d) no vehicle is allowed to queue back to or reverse onto/from the public road at any time during the planning approval period;
- (e) the submission of a revised drainage proposal within 6 months from the date of planning approval to the satisfaction of the Director of Drainage Services or of the TPB by 26.11.2020;
- (f) in relation to (e) above, the implementation of the revised drainage proposal within 9 months from the date of planning approval to the satisfaction of the Director of Drainage Services or of the TPB by 26.2.2021;
- (g) in relation to (f) above, the implemented drainage facilities shall be maintained at all times during the planning approval period;
- (h) the existing trees within the site shall be maintained in good condition at all times during the planning approval period;
- (i) the 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 26.11.2020;
- (j) in relation to (i) above, the implementation of the fire service installations proposal within 9 months from the date of planning approval to the satisfaction of Director of Fire Services or of the TPB by 26.2.2021;
- (k) if any of the above planning conditions (a), (b), (c), (d), (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;

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

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

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

#### **Agenda Item 54**

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

[Open Meeting]

A/YL-LFS/351 Proposed Temporary Vehicle Park and Open Storage (Dump Truck and Skip Truck) for a period of 3 years in “Recreation” Zone, Lots 1796, 1798, 1802, 1803, 1804, 1805 and 1806 in D.D. 129, Lau Fau Shan, Yuen Long  
(RNTPC Paper No. A/YL-LFS/351A)

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214. The Committee noted that the applicants’ representative requested on 22.1.2020 deferment of consideration of the application for two months so as to allow time to prepare further information in response to comments from the Geotechnical Engineering Office of Civil Engineering and Development Department. The RNTPC meeting originally scheduled for 21.2.2020 and then 30.3.2020 had been rescheduled in light of the situation of COVID-19 and the special work arrangement for government departments. On 15.5.2020, the applicants’ representative confirmed that they would proceed with the request for deferment. It was the second time that the applicants requested deferment of the application. Since the last deferment, the applicants had submitted further information including



responses to departmental comments.

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

#### **Agenda Item 55**

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

[Open Meeting]

A/YL-LFS/355      Proposed Temporary Public Utility Installation (Solar Panel) for a Period of 3 Years and Land Filling in "Green Belt" Zone, Lot 586 in D.D. 129, Lau Fau Shan, Yuen Long  
(RNTPC Paper No. A/YL-LFS/355)

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216. The Secretary reported that the Committee on 29.11.2019 decided to defer decisions on three similar applications (No. A/NE-KLH/578, A/YL-KTS/832 and A/TM-SKW/105) for proposed public utility installation (solar energy system/panels) pending the formulation of assessment criteria on applications for installations of solar energy system. As the assessment criteria were still being formulated, the Planning Department recommended deferment of the current application until such assessment criteria were endorsed for use.

217. After deliberation, the Committee decided to defer consideration of the application. The application would be submitted to the Committee for consideration after

the assessment criteria on applications for installation of solar energy system had been formulated.

### **Agenda Item 56**

#### **Section 16 Application**

[Open Meeting (Presentation and Question Sessions Only)]

A/YL-LFS/360      Proposed Temporary Holiday Camp (Mongolian Yurt Holiday Camp) with Ancillary Office and Café for a Period of 3 Years in “Green Belt” Zone, Lots 1288, 1289, 1290, 1291, 1293, 1294 in D.D. 129 and adjoining Government Land, Lau Fau Shan, Yuen Long  
(RNTPC Paper No. A/YL-LFS/360)

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

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

- (a) background to the application;
- (b) proposed temporary holiday camp (Mongolian yurt holiday camp) with ancillary office and café for a period of three years;
- (c) departmental comments – departmental comments were set out in paragraph 10 of the Paper. Local views conveyed by the District Officer/Yuen Long, Home Affairs Department were set out in paragraph 10.1.12 of the Paper;
- (d) during the first three weeks of the statutory publication period, five objecting public comments were received from the Hong Kong Bird Watching Society, the Kadoorie Farm and Botanic Garden, the World Wide Fund for Nature Hong Kong, Designing Hong Kong Limited and an individual. Major objection grounds were set out in paragraph 11 of the Paper; and

- (e) the Planning Department (PlanD)'s views – PlanD did not support the application based on the assessments set out in paragraph 12 of the Paper. The proposed use for the camping activity and ancillary café and office was not in line with the planning intention of the “Green Belt” (“GB”) zone and there was no strong planning justification given in the submission for a departure from such planning intention, even on a temporary basis. The proposed use which involved vegetation clearance and land filling was incompatible with the surrounding environment. The proposed use was not in line with the Town Planning Board Guidelines No. 10 (TPB PG-No.10) in that there was no strong planning justification in the submission to support the proposed use in the “GB” zone. The Chief Town Planner/Urban Design & Landscape and the Commissioner for Transport did not support the application and the applicant failed to demonstrate the proposed development would not result in adverse impact on visual, traffic and geotechnical aspect. The proposed use was also not in line with TPB PG-No.12C in that the applicant had not addressed the concerns of the Director of Agriculture, Fisheries and Conservation on treatment of sewage, types of night-time outdoor lighting, and any noisy work or activities during both construction and operation phases of the proposed use. There was insufficient information in the submission to demonstrate that the development would not have adverse ecological impacts on the surrounding areas. No previous approval for similar holiday camp use had been granted by the Committee within the same “GB” zone. The site was currently partly hard-paved and partly vegetated. Site formation and vegetation clearance had been observed on site. Approval of the application would set an undesirable precedent for similar applications within the same “GB” zone thereby frustrating its planning intention. The cumulative effect of approving such applications would result in a general degradation of the environment of the area. Regarding the adverse public comments, the comments of government departments and planning assessments above were relevant.

219. Members had no question on the application.

Deliberation Session

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

- “(a) the proposed use is not in line with the planning intention of the “Green Belt” (“GB”) zone, which is primarily for defining the limits of urban and sub-urban development areas by natural features and to contain urban sprawl, as well as to provide passive recreational outlets. There is a general presumption against development within this zone. There is no strong planning justification in the submission for a departure from the planning intention, even on a temporary basis;
- (b) the proposed use is not in line with the Town Planning Board Guidelines No. 10 for Application for Developments within the “Green Belt” Zone in that the proposed use which involves clearance of natural vegetation will affect the natural landscape and is incompatible with the surrounding areas, and the applicant fails to demonstrate that the proposed development would not cause adverse traffic and geotechnical impacts;
- (c) the proposed use is not in line with the Town Planning Board Guidelines No. 12C for Application for Developments within Deep Bay Area in that the applicant fails to demonstrate that the proposed use would not have adverse ecological impacts on the surrounding areas; and
- (d) approval of the application, even on a temporary basis, would set an undesirable precedent for similar applications in the “GB” zone and the Wetland Buffer Area, the cumulative effect of which would result in a general degradation of the environment of the area.”

**Agenda Item 57**

Section 16 Application

[Open Meeting]

A/YL-TT/491            Temporary Public Vehicle Park for Private Cars and Light Goods Vehicles for a Period of 3 Years in “Village Type Development” Zone, Lot 1213 (Part) in D.D. 117, Tai Tong Tsuen, Yuen Long  
(RNTPC Paper No. A/YL-TT/491)

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221.            The Committee noted that the applicant’s representative requested on 13.5.2020 deferment of consideration of the application for two months in order to allow time to carry out survey works for the preparation of reports on drainage and transport in response to departmental comments. It was the first time that the applicant requested deferment of the application.

222.            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 58**

Section 16 Application

[Open Meeting]

A/YL-TT/492            Temporary Public Vehicle Park (Private Cars) and Electric Vehicle Charging Station with Ancillary Shroff for a Period of 3 Years in “Residential (Group D)” and “Village Type Development” Zones, Lots 5155 (Part), 5157 (Part), 5161 (Part) and 5162 (Part) in D.D. 116, Shui Tsiu San Tsuen, Yuen Long  
(RNTPC Paper No. A/YL-TT/492)

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223.            The Committee noted that the applicant’s representative requested on 19.3.2020 deferment of consideration of the application for two months in order to allow time for preparation of further information to address departmental comments. The RNTPC meeting originally scheduled for 3.4.2020 had been rescheduled in the light of the situation of COVID-19 and the special work arrangement for government departments. On 15.5.2020, the applicant’s representative confirmed that they would proceed with the request for deferment. It was the first time that the applicant requested deferment of the application.

224.            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 59**

**Section 16 Application**

[Open Meeting (Presentation and Question Sessions Only)]

A/YL-TYST/998      Temporary Shop and Services for a Period of 3 Years in “Village Type Development” and “Residential (Group D)” Zones, Lot 1553 (Part) and 1554 RP (Part) in D.D. 121 and Adjoining Government Land, Shan Ha Road, Yuen Long  
(RNTPC Paper No. A/YL-TYST/998A)

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**Presentation and Question Sessions**

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

- (a) background to the application;
- (b) temporary shop and services for a period of three years;
- (c) departmental comments – departmental comments were set out in paragraph 9 of the Paper;
- (d) during the first three weeks of the statutory publication periods, one public comment was received from an individual raising 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 proposal was not entirely in line with the planning intentions of the “Residential (Group D)” (“R(D)”) and “Village Type Development” (“V”) zones, the proposal could satisfy any such demand for car beauty services in the area. Whilst the site mainly fell within an area zoned “Residential - Zone 5” and partly fell within an area shown as ‘Road’ on the Recommended Outline Development Plan of Yuen Long South, the Chief

Engineer/Cross-Boundary Infrastructure and Development, PlanD and the Project Manager (West), Civil Engineering and Development Department had no objection to the proposal. There was currently no Small House application approved/under processing at the site and approval of the application on a temporary basis of 3 years would not jeopardise the long-term development of the area. The proposal was generally not incompatible with the surrounding uses. Appropriate approval conditions were recommended to minimise any potential environmental nuisances, and address the public concerns and technical requirements of other concerned departments. Four similar applications had been approved in the same “R(D)” and “V” zones and approval of the current application was generally in line with the Committee’s previous decisions. The considerations of a rejected similar application were not applicable to the current application. Regarding the public comment received, the comments of government departments and planning assessments above were relevant.

226. Members had no question on the application.

#### Deliberation Session

227. After deliberation, the Committee decided to approve the application on a temporary basis for a period of 3 years until 26.5.2023, on the terms of the application as submitted to the Town Planning Board (TPB) and subject to the following conditions:

- “(a) no operation between 5:00 p.m. and 10:00 a.m., as proposed by the applicant, is allowed on the site during the planning approval period;
- (b) no spraying and other workshop activities except general car beauty services, as proposed by the applicant, are allowed on the site at any time during the planning approval period;
- (c) no medium or heavy goods vehicles exceeding 5.5 tonnes, including container 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;

- (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 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 26.11.2020;
- (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 26.11.2020;
- (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 26.2.2021;
- (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.”

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

**Agenda Item 60**

Section 16 Application

[Open Meeting (Presentation and Question Sessions Only)]

A/YL-TYST/1001 Temporary Open Storage of Construction Machinery and Materials with Ancillary Workshop and Office for a Period of 3 Years in “Undetermined” and “Village Type Development” Zones, Lots 326 (Part), 327 S.A, 327 S.A ss.1 (Part), 327 S.B (Part), 327 S.B ss.1, 327 S.C, 327 S.D, 328 (Part) and 338 RP in D.D. 119, Shan Ha Tsuen, Yuen Long  
(RNTPC Paper No. A/YL-TYST/1001)

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Presentation and Question Sessions

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

- (a) background to the application;
- (b) temporary open storage of construction machinery and materials with ancillary workshop and office for a period of three years;
- (c) departmental comments – departmental comments were set out in paragraph 10 of the Paper;
- (d) during the first three weeks of the statutory publication periods, no public comment was received; and
- (e) the Planning Department (PlanD)’s views – PlanD considered that the applied use could be tolerated for a period of three years based on the assessments set out in paragraph 12 of the Paper. The applied use was not in conflict with the planning intention of the “Undetermined” (“U”) zone. While the site mainly fell within areas zoned as “Special Residential - Public Rental Housing (with Commercial)”, “District Open Space” and

“Local Open Space” as well as areas shown as ‘Road’ on the Recommended Outline Development Plan of Yuen Long South, the Chief Engineer/Cross-Boundary Infrastructure and Development, PlanD and the Project Manager (West), Civil Engineering and Development Department had no objection to the proposed temporary use. Approval of the application on a temporary basis of three years would not jeopardise the long-term development of the area. The proposal was generally not incompatible with the surrounding uses. The applied was generally in line with the Town Planning Board Guideline No. 13F, where the site fell within Category 1 areas. While the Director of Environmental Protection did not support the application, appropriate approval conditions were recommended to minimise any potential environmental nuisances or to address the technical requirements of other concerned departments. As eight previous approvals for open storage uses at the site and 141 similar applications in the concerned part of the “U” zone had been approved since 2008, approval of the current application was generally in line with the Committee’s previous decisions. The considerations of the two rejected similar applications were not applicable to the current application.

230. Members had no question on the application.

#### Deliberation Session

231. After deliberation, the Committee decided to approve the application on a temporary basis for a period of 3 years until 26.5.2023, 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. and 8:00 a.m., as proposed by the applicant, is allowed on the site during the planning approval period;
- (b) no operation on Sundays and public holidays, as proposed by the applicant, is allowed on the site during the planning approval period;
- (c) no workshop activities, except at structure No. 6, as proposed by the applicant,

are allowed on the site at any time during the planning approval period;

- (d) no heavy goods vehicles exceeding 24 tonnes, including container tractors/trailers, as defined in the Road Traffic Ordinance, are allowed to be parked/stored on or enter/exit the site, as proposed by the applicant, at any time during the planning approval period;
- (e) no vehicle is allowed to queue back to or reverse onto/from public road at any time during the planning approval period;
- (f) all existing trees within the site shall be maintained at all times, as proposed by the applicant, during the planning approval period;
- (g) the provision of boundary fencing on the site within 6 months from the date of planning approval to the satisfaction of the Director of Planning or of the TPB by 26.11.2020;
- (h) the submission of a revised drainage proposal within 6 months from the date of planning approval to the satisfaction of the Director of Drainage Services or of the TPB by 26.11.2020;
- (i) in relation to (h) above, the implementation of the revised drainage proposal within 9 months from the date of planning approval to the satisfaction of the Director of Drainage Services or of the TPB by 26.2.2021;
- (j) in relation to (i) above, the implemented drainage facilities on the site shall be maintained at all times during the planning approval period;
- (k) the provision of fire extinguisher(s) with valid fire certificate (FS 251) within 6 weeks from the date of planning approval to the satisfaction of the Director of Fire Services or of the TPB by 7.7.2020;
- (l) 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 26.11.2020;

- (m) in relation to (l) 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 26.2.2021;
- (n) if any of the above planning conditions (a), (b), (c), (d), (e), (f) or (j) is not complied with during the planning approval period, the approval hereby given shall cease to have effect and shall be revoked immediately without further notice; and
- (o) if any of the above planning conditions (g), (h), (i), (k), (l) or (m) 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.”

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

**Agenda Item 61**

**Section 16 Application**

[Open Meeting]

A/YL-TYST/1002 Proposed Temporary Open Storage of Metal, Scrap Metal and Paper with Ancillary Workshop for a Period of 3 Years in “Undetermined” Zone, Lots 1449 (Part), 1450 (Part), 1453, 1454 (Part), 1458 (Part) and 1459 (Part) in D.D. 119, Tong Yan San Tsuen, Yuen Long  
(RNTPC Paper No. A/YL-TYST/1002)

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

**Agenda Item 62**

**Section 16 Application**

[Open Meeting (Presentation and Question Sessions Only)]

A/YL-TYST/1003 Temporary Open Storage of Construction Machinery and Materials, Recycling Materials and Used Electrical Appliances with Ancillary Workshop for a Period of 3 Years in “Undetermined” Zone, Various Lots in D.D. 119 and Adjoining Government Land, Tong Yan San Tsuen, Yuen Long  
(RNTPC Paper No. A/YL-TYST/1003)

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234. The Committee noted that a replacement page (p.8 of the Paper) providing updated comments from the Director of Environmental Protection (DEP) had been tabled for Members’ reference.

**Presentation and Question Sessions**

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

- (a) background to the application;
- (b) temporary open storage of construction machinery and materials, recycling materials and used electrical appliances with ancillary workshop for a period of three years;
- (c) departmental comments – departmental comments were set out in paragraph 10 of the Paper;
- (d) during the first three weeks of the statutory publication period, one public comment was received from an individual raising concerns on the application. Major views were set out in paragraph 11 of the Paper; and
- (e) the Planning Department (PlanD)’s views – PlanD considered that the

applied use could be tolerated for a period of three years based on the assessments set out in paragraph 12 of the Paper. The applied use was not in conflict with the planning intention of the “Undetermined” (“U”) zone. While the site fell within areas zoned as “Special Residential - Public Rental Housing (with Commercial)”, “Residential - Zone 2 (with Commercial)”, “District Open Space”, “Local Open Space”, “Government”, “Other Specified Uses” annotated “Mixed Use” as well as areas shown as ‘Road’ on the Recommended Outline Development Plan of Yuen Long South, the Chief Engineer/Cross-Boundary Infrastructure and Development, PlanD and the Project Manager (West), Civil Engineering and Development Department had no objection to the proposal. As such, approval of the application on a temporary basis of 3 years would not jeopardise the long-term development of the area. The proposal was generally not incompatible with the surrounding uses in the subject “U” zone. The applied use was generally in line with the Town Planning Board Guideline No. 13F, where the site fell within Category 1 areas. While the DEP did not support the application, appropriate approval conditions were recommended to minimise any potential environmental nuisances or to address the technical requirements of other concerned departments. As seven previous approvals had been granted to the site and 143 similar applications had been approved in the concerned part of the “U” zone since 2008, approval of the current application was generally in line with the Committee’s previous decisions. Considerations of the rejected previous applications and similar applications were not applicable to the current application. Regarding the public comment, the comments of government departments and planning assessments above were relevant.

236. In response to a Member’s enquiry, Mr Steven Y.H. Siu, STP/TMYLW, said that the land parcel at the western part of the site was not covered by the subject application. The applied use would not obstruct the operation on that land parcel and the applicant had pledged to provide access through the site for the affected land parcel.

#### Deliberation Session

237. After deliberation, the Committee decided to approve the application on a temporary basis for a period of 3 years until 26.5.2023, 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. 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 storage and washing of plastic bottles and handling of electronic or computer waste, as proposed by the applicant are allowed on the site at any time during the planning approval period;
- (d) no storage and handling of used electrical appliances and cutting, sorting and packaging of recycling materials, as proposed by the applicant, are allowed at the open areas of the site at any time during the planning approval period;
- (e) no vehicle is allowed to queue back to or reverse onto/from public road at any time during the planning approval period;
- (f) all existing trees within the site shall be maintained at all times during the planning approval period;
- (g) the provision of boundary fence on the site within 6 months from the date of planning approval to the satisfaction of the Director of Planning or of the TPB by 26.11.2020;
- (h) the submission of a Drainage Impact Assessment within 6 months from the date of planning approval to the satisfaction of the Director of Drainage Services or of the TPB by 26.11.2020;
- (i) in relation to (h) above, the implementation of the drainage facilities proposed in the Drainage Impact Assessment within 9 months from the date of planning



approval to the satisfaction of the Director of Drainage Services or of the TPB by 26.2.2021;

- (j) in relation to (i) above, the implemented drainage facilities on the site shall be maintained at all times during the planning approval period;
- (k) the provision of fire extinguisher(s) with valid fire certificate (FS 251) within 6 weeks from the date of planning approval to the satisfaction of the Director of Fire Services or of the TPB by 7.7.2020;
- (l) 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 26.11.2020;
- (m) in relation to (l) 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 26.2.2021;
- (n) if any of the above planning conditions (a), (b), (c), (d), (e), (f) or (j) is not complied with during the planning approval period, the approval hereby given shall cease to have effect and shall be revoked immediately without further notice; and
- (o) if any of the above planning conditions (g), (h), (i), (k), (l) or (m) 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.”

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

**Agenda Item 63**

Section 16 Application

[Open Meeting (Presentation and Question Sessions Only)]

A/YL-TYST/1004 Proposed Temporary Warehouse for Storage of Construction Materials for a Period of 3 Years in “Undetermined” Zone, Lots 1258 (Part) and 1267 (Part) in D.D. 119, Pak Sha Tsuen, Yuen Long  
(RNTPC Paper No. A/YL-TYST/1004)

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Presentation and Question Sessions

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

- (a) background to the application;
- (b) proposed temporary warehouse for storage of construction materials for a period of three years;
- (c) departmental comments – departmental comments were set out in paragraph 9 of the Paper;
- (d) during the first three weeks of the statutory publication period, no public comment was received; and
- (e) the Planning Department (PlanD)’s views – PlanD considered that the applied use could be tolerated for a period of three years based on the assessments set out in paragraph 11 of the Paper. The proposal was not in conflict with the planning intention of the “Undetermined” (“U”) zone. Whilst the site fell within an area zoned “Residential – Zone 2 (Subsidised Sale Flats with Commercial)” and “Amenity”, and areas shown as ‘Road’ on the Recommended Outline Development Plan of Yuen Long South, the Chief Engineer/Cross-Boundary Infrastructure and Development, PlanD and the Project Manager (West), Civil Engineering and Development

Department had no objection to the proposal. Approval of the application on a temporary basis of three years would not jeopardise the long-term development of the area. The development was generally not incompatible with the surrounding uses in the subject “U” zone. Relevant approval conditions were recommended to minimise any potential environmental nuisances or to address the technical requirements of other concerned government departments. As four previous approvals for warehouse uses were granted to the site and 111 similar applications had been approved in the concerned part of “U” zone since 2008, approval of the current application was in line with the Committee’s previous decisions. Considerations of the rejected previous application and three similar applications were different from the current application. Despite the previous applications were revoked due to non-compliance with approval conditions, the current application was submitted by a different applicant and the site is currently vacant with the previous operation ceased. The applicant of the current application had submitted drainage and Fire Services Installations (FSIs) proposals and undertaken to implement the proposals. The relevant departments had no in-principle objection to the drainage and FSIs proposals submitted.

240. Members had no question on the application.

#### Deliberation Session

241. After deliberation, the Committee decided to approve the application on a temporary basis for a period of 3 years until 26.5.2023, on the terms of the application as submitted to the Town Planning Board (TPB) and subject to the following conditions:

- “(a) no operation between 5:00 p.m. and 9:00 a.m., as proposed by the applicant, is allowed on the site during the planning approval period;
- (b) no operation on Sundays and public holidays, as proposed by the applicant, is allowed on the site during the planning approval period;

- (c) no repairing, dismantling, spraying, cleaning, other workshop activities and handling of hazardous electronic appliances/components, as proposed by the applicant, shall be carried out on the site at any time during the planning approval period;
- (d) no medium or heavy goods vehicles exceeding 5.5 tonnes, including container tractors/trailers, as defined in the Road Traffic Ordinance are allowed to be parked/stored on or enter/exit the site, as proposed by the applicant, at any time during the planning approval period;
- (e) no vehicle is allowed to queue back to or reverse onto/from public road at any time during the planning approval period;
- (f) all existing trees within the site shall be maintained at all times, as proposed by the applicant, during the planning approval period;
- (g) the existing drainage facilities on the site shall be maintained at all times during the planning approval period;
- (h) the submission of a condition record of the existing drainage facilities on site within 3 months from the date of planning approval to the satisfaction of the Director of Drainage Services or of the TPB by 26.8.2020;
- (i) the implementation of the accepted fire service installations proposal within 6 months from the date of planning approval to the satisfaction of the Director of Fire Services or of the TPB by 26.11.2020;
- (j) if any of the above planning conditions (a), (b), (c), (d), (e), (f) or (g) is not complied with during the planning approval period, the approval hereby given shall cease to have effect and shall be revoked immediately without further notice; and
- (k) if any of the above planning conditions (h) or (i) is not complied with by the specified date, the approval hereby given shall cease to have effect and shall

on the same date be revoked without further notice.”

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

#### **Agenda Item 64**

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

[Open Meeting]

A/YL-TYST/1005 Temporary Open Storage of Construction Machinery, Construction Materials and Ancillary Office and Repair Workshop for a Period of 3 Years in “Undetermined” Zone, Lots 2387 RP (Part), 2388 (Part), 2389 (Part), 2391 (Part), 2408 (Part), 2411 S.AB & C (Part), 2412 (Part), 2414 (Part) and 2415 (Part) in D.D. 120, Tong Yan San Tsuen, Yuen Long  
(RNTPC Paper No. A/YL-TYST/1005)

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243. The Committee noted that the applicant’s representative requested on 18.5.2020 deferment of consideration of the application for two months in order to allow time to prepare the submission of fire service installations proposal. It was the first time that the applicant requested deferment of the application.

244. 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 Alexander W.Y. Mak, Mr Simon P.H. Chan, 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 65**

**Any Other Business**

245.           There being no other business, the meeting closed at 1:50 p.m..