

TOWN PLANNING BOARD

**Minutes of 649th Meeting of the
Rural and New Town Planning Committee held at 2:30 p.m. on 12.6.2020**

Present

Director of Planning
Mr Raymond K.W. Lee

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

Dr Venus Y.H. Lun

Mr Conrad T.C. Wong

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 (Metro Assessment),
Environmental Protection Department
Dr Sunny C.W. Cheung

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

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

Secretary

Absent with Apologies

Mr Stephen L.H. Liu

Vice-chairman

Dr Lawrence K.C. Li

Mr Ricky W.Y. Yu

In Attendance

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

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

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

Opening Remarks

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

Agenda Item 1

Confirmation of the Draft Minutes of the 647th RNTPC Meeting held on 26.5.2020 and the 648th RNTPC Meeting held on 29.5.2020

[Open Meeting]

2. The draft minutes of the 647th and 648th RNTPC meetings were confirmed without amendments.

Agenda Item 2

Matters Arising

[Open Meeting]

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

Sai Kung and Islands District

Agenda Item 3

Section 16 Application

[Open Meeting]

A/SK-HC/316 Proposed Houses with Minor Relaxation of Building Height Restriction in “Residential (Group E)” Zone, Various Lots in D.D. 210 and Adjoining Government Land, Ho Chung, Sai Kung
(RNTPC Paper No. A/SK-HC/316)

4. The Secretary reported that CYS Associates (HK) Ltd. (CYS) 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 CYS.

5. 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.

6. The Committee noted that the applicant's representative requested on 26.5.2020 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.

7. 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 4

Section 16 Application

[Open Meeting]

A/SLC/157 Proposed Public Utility Installation (Solar Energy System) in "Green Belt" and "Village Type Development" Zones, Lots 59, 60, 61, 62, 63, 64, 65 and 66 in D.D. 316, Pui O, Lantau Island
(RNTPC Paper No. A/SLC/157)

8. 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.

9. 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.

Sha Tin, Tai Po and North District

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

Agenda Item 5

Section 16 Application

[Open Meeting (Presentation and Question Sessions Only)]

A/ST/985 Renewal of Planning Approval for Temporary Office for a Period of 3
Years in “Industrial” Zone, Room 08, 10/F, Shing Chuen Industrial
Building, No. 25-27 Shing Wan Road, Sha Tin
(RNTPC Paper No. A/ST/985)

Presentation and Question Sessions

10. 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) renewal of planning approval for temporary 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, no public comment was received; 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 renewal was for partial conversion of an existing industrial building for office use which was considered not incompatible with the industrial and industrial-related uses in the subject industrial building and its vicinity. The application was in line with the Town Planning Board Guidelines No. 34C in that there was no change in planning circumstances since the previous approval, there was no adverse planning implication arising from the renewal of the planning approval and the applicant had complied with all approval conditions of the previous approval.

11. A Member enquired whether the previous application was for the same office use for handling ore minerals and whether there was safety issue on handling such minerals. In response, Mr Kenny C.H. Lau, STP/STN, said the previous application was for the same use and the Director of Environmental Protection had no adverse comment on the application.

Deliberation Session

12. After deliberation, the Committee decided to approve the application on a temporary basis for a period of 3 years and be renewed from 24.6.2020 to 23.6.2023, on the terms of the application as submitted to the Town Planning Board (TPB) and subject to the following condition :

“the existing fire service installations implemented at the application premises should be maintained in efficient working order at all times.”

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

Agenda Item 6

Section 16 Application

[Open Meeting (Presentation and Question Sessions Only)]

A/NE-TK/682 Temporary Open Storage of Building Materials for a Period of 3 Years
in “Agriculture” Zone, Lots 373 (Part), 374, 375, 376 (Part), 403 (Part),
404 (Part), 406 (Part) in D.D. 17 and Adjoining Government Land,
Ting Kok, Tai Po
(RNTPC Paper No. A/NE-TK/682)

Presentation and Question Sessions

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

- (a) background to the application;
- (b) temporary open storage of building 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 periods, six public comments were received from Designing Hong Kong Limited and five individuals objecting to and 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 did not support the application based on the assessments set out in paragraph 12 of the Paper. The proposed 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 there were active agricultural activities in the vicinity and the site possessed potential for agricultural rehabilitation. The application did not comply with the Town Planning Board Guidelines No. 13F (TPB PG-No. 13F) in that the site fell within Category 3 area where applications would normally not be favourably considered unless with previous planning approvals. The site was not a subject of previous planning approval of open storage use. The Chief Town Planner/Urban Design and Landscape, PlanD had some reservation on the application from the landscape planning perspective. The Commissioner for Transport had reservation on the application as the applicant had not provided traffic-related information to demonstrate that the applied use would not cause adverse traffic impact on the surrounding areas. The Director of Environmental Protection did not support the application as there was a temporary domestic structure in the vicinity of the site. Regarding the adverse public comments received, the comments of government departments and planning assessments above were relevant.

15. Members had no question on the application.

Deliberation Session

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

- “(a) the development is not in line with the planning intention of the “Agriculture” (“AGR”) zone which is primarily to retain and safeguard good quality agricultural land/farm/fish ponds for agricultural purposes. It is also intended to retain fallow arable land with good potential for rehabilitation for cultivation and other agricultural purposes. No strong planning justification has been given in the submission to justify a

departure from the planning intention, even on a temporary basis;

- (b) the development does not comply with the Town Planning Board Guidelines No. 13F for ‘Application for Open Storage and Port Back-up Uses under Section 16 of the Town Planning Ordinance’ in that there is no previous planning approval of open storage use granted for the Site; and there are adverse departmental comments and local objections against the application;
- (c) the applicant fails to demonstrate that the development will not have adverse traffic and environmental impacts on the surrounding areas; and
- (d) the approval of the application would set an undesirable precedent for other similar applications in the “AGR” zone. The cumulative effect of approving such similar applications would result in a general degradation of the landscape character of the area.”

Agenda Item 7

Section 16 Application

[Open Meeting (Presentation and Question Sessions Only)]

A/TP/670 Proposed Service Reservoir in “Green Belt” Zone, Government land adjacent to the existing Sheung Wo Yi Au Fresh Water Service Reservoir, Shan Tong Road, Tai Po
(RNTPC Paper No. A/TP/670A)

17. The Secretary reported that the application was submitted by the Water Supplies Department (WSD) and Urbis Ltd. (Urbis) 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 WSD and past business dealings with Urbis. As Mr K.K. Cheung had no involvement in the application, the Committee agreed that he could stay in the meeting.

Presentation and Question Sessions

18. 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 service reservoir;
- (c) departmental comments – departmental comments were set out in paragraph 9 of the Paper;
- (d) during the statutory publication periods, four objecting public comments were received from the Hong Kong Bird Watching Society and an individual. Major objection grounds were set out in paragraph 10 of the Paper; and
- (e) the Planning Department (PlanD)’s views – PlanD had no objection to the application based on the assessments set out in paragraph 11 of the Paper. Whilst the proposed use was for a proposed fresh water service reservoir (FWSR) in “Green Belt” zone with a general presumption against development, the applicant had demonstrated that the site was the most suitable site with no alternative sites available and the proposed FWSR was essential to meet the increase in water demand from new housing developments in the area and to enhance the reliability of the water supply system. The proposed FWSR involved excavation and site formation and 170 trees would be felled. The Head of Geotechnical Engineering Office, Civil Engineering and Development Department, the Chief Town Planner/Urban Design and Landscape, PlanD and the Chief Architect/Central Management Division 2, Architectural Services Department had no objection to or no adverse comment on the application. According to the preliminary environmental review report submitted by the applicant, the proposed FWSR would not cause adverse environmental impact during construction and operation phases with the implementation

of environmental mitigation measures and the Director of Environmental Protection and Director of Agriculture, Fisheries and Conservation had no objection to or no adverse comment on the application. The proposed development was generally in line with the relevant criteria of the Town Planning Board Guidelines No. 10 and was not incompatible with the surrounding landscape character. Regarding the public comments received, the comments of government departments and planning assessments above were relevant.

19. In response to a Member's question, Ms Kathy C.L. Chan, STP/STN, said out of a total of 188 trees within the site, 18 trees were proposed to be retained and/or pruned and 170 trees to be felled. The applicant had proposed to plant 128 new trees as a compensatory measure to mitigate the landscape impacts arising from the proposed development.

Deliberation Session

20. 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 12.6.2024, and after the said date, the permission should cease to have effect unless before the said date, the development permitted was commenced or the permission was renewed. The permission was subject to the following conditions :

- “(a) the submission and implementation of a drainage proposal and flood mitigation measures to the satisfaction of the Director of Drainage Services or of the TPB; and
- (b) the submission and implementation of fire service installations and water supplies for firefighting proposal to the satisfaction of the Director of Fire Services or of the TPB.”

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

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

Agenda Item 8

Section 16 Application

[Open Meeting]

A/NE-LYT/725 Temporary Public Vehicle Park (Private Car and Light Goods Vehicle Only) for a Period of 3 Years in “Village Type Development” Zone, Lot 1573 S.A (Part) in D.D. 76, Kan Tau Tsuen, Lung Yeuk Tau
(RNTPC Paper No. A/NE-LYT/725)

22. The Committee noted that a replacement page (page 1 of the Paper) rectifying typographical errors had been tabled for Members’ reference.

23. The Committee noted that the applicant’s representative requested on 5.6.2020 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.

24. 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 9

Section 16 Application

[Open Meeting (Presentation and Question Sessions Only)]

A/NE-LYT/726 Proposed House (New Territories Exempted House - Small House) in
“Agriculture” and “Village Type Development” Zones, Lot 1810 S.C
in D.D. 76, Kan Tau Tsuen, Lung Yeuk Tau
(RNTPC Paper No. A/NE-LYT/726)

Presentation and Question Sessions

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

- (a) background to the application;
- (b) the proposed house (New Territories Exempted House (NTEH) - Small House);
- (c) departmental comments – departmental comments were set out in paragraph 9 and Appendix V of the Paper;
- (d) during the first three weeks of the statutory publication period, eight public comments were received with the Chairman of Sheung Shui District Rural Committee indicating no comment on the application and the Chairman, the Vice-Chairman and the First Vice-Chairman of Fanling District Rural Committee, Kadoorie Farm and Botanic Garden Corporation, the Hong Kong Bird Watching Society, Designing Hong Kong Limited and one 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” zone. The Director of Agriculture, Fisheries and Conservation did not support the application as the site possessed potential for agricultural rehabilitation. Regarding the Interim Criteria for Consideration of Application for NTEH/Small House in New Territories, more than 50% of the footprint of the proposed Small House fell outside the ‘village environ’ and “Village Type Development” (“V”) zone of Kan Tau Tsuen. Land available within the “V” zone was sufficient to meet the 56 outstanding Small House applications. Given the adoption of a more cautious approach in considering applications for Small House development in the recent years, it was considered more appropriate to concentrate the proposed Small House developments within the “V” zone for more orderly development pattern, efficient use of land and provision of infrastructure and services. Regarding the public comments, the comments of relevant government departments and planning assessments above were relevant.

26. Members had no question on the application.

Deliberation Session

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

- “(a) the proposed development is not in line with the planning intention of the “Agriculture” zone which is primarily to retain and safeguard good quality agricultural land/farm/fish ponds for agricultural purposes and to retain fallow arable land with good potential for rehabilitation for cultivation and other agricultural purposes. There is no strong planning justification in the submission for a departure from the planning intention;
- (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 more than 50% of the footprint of the proposed Small House falls outside the village ‘environs’ and “Village

Type Development” (“V”) zone of Kan Tau Tsuen; and

- (c) land is still available within the “V” zone of Kan Tau 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 10

Section 16 Application

[Open Meeting]

A/NE-MUP/148 Proposed Temporary Wholesale Trade (Fruit and Vegetable Market) for a Period of 2 Years in “Agriculture” Zone, Lots 23, 25 and 26 in D.D. 38 and Lot 803 in D.D. 46, Loi Tung, Sha Tau Kok
(RNTPC Paper No. A/NE-MUP/148)

28. The Committee noted that the applicant’s representative requested on 8.6.2020 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.

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

Fanling, Sheung Shui and Yuen Long East District

[Ms Ivy C.W. Wong, Senior Town Planner/Fanling, Sheung Shui and Yuen Long East (STP/FSYLE), was invited to the meeting at this point.]

Agenda Item 11

Section 16 Application

[Open Meeting (Presentation and Question Sessions Only)]

A/YL-KTN/709 Renewal of Planning Approval for Temporary Warehouse for Musical Instruments, Posters, Documents and Ancillary Caretaker's Office for a Period of 3 Years in "Agriculture" and "Industrial (Group D)" Zones, Lots 812 S.A (Part) and 813 S.A (Part) in D.D.107, Kam Tin, Yuen Long
(RNTPC Paper No. A/YL-KTN/709)

Presentation and Question Sessions

30. 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 warehouse for musical instruments, posters, documents and ancillary caretaker's 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 period, no public comment was received; 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 12 of the Paper. Whilst the applied use was not in line with the planning intention of “Agriculture” (“AGR”) zone, it was of a small scale and the Director of Agriculture, Fisheries and Conservation had no strong view against the development. Approval of the application on a temporary basis would not frustrate the long-term planning intention of the “AGR” zone. The applied use was considered not incompatible with the surrounding areas which were predominated by cultivated/fallow agricultural land, scattered residential dwellings/structures, open storage/storage yards, parking of vehicles and vacant/unused land. The application was in line with the Town Planning Board Guidelines No. 34C in that there had been no change in planning circumstances since the last approval, the same applied use was granted in 2017 and all the approval conditions had been complied with. Relevant government departments had no adverse comment on the application.

31. Members had no question on the application.

Deliberation Session

32. After deliberation, the Committee decided to approve the application on a temporary basis for a period of 3 years and be renewed from 15.7.2020 to 14.7.2023, 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 10:00 a.m., as proposed by the applicant, is allowed on the Site during the planning approval period;

- (b) no operation on Saturdays, Sundays and public holidays, as proposed by the applicant, is allowed on the Site during the planning approval period;
- (c) the existing fire service installations implemented on the Site shall be maintained in efficient working order at all times during the planning approval period;
- (d) 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; and
- (e) 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.”

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

Agenda Item 12

Section 16 Application

[Open Meeting (Presentation and Question Sessions Only)]

A/YL-KTS/846 Renewal of Planning Approval for Temporary Shop and Services (Real Estate Agency) for a Period of 3 Years in “Agriculture” and “Village Type Development” Zones, Lot 1488 RP in D.D. 106, Yuen Kong Tsuen, Pat Heung, Yuen Long
(RNTPC Paper No. A/YL-KTS/846)

Presentation and Question Sessions

34. 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 shop and services (real estate agency) for a period of three years;
- (c) departmental comments – departmental comments were set out in paragraph 10 of the Paper;
- (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 had no objection to the application based on the assessments set out in paragraph 12 of the Paper. Whilst the applied use was not entirely in line with the planning intentions of “Agriculture” (“AGR”) and “Village Type Development” (“V”) zones, the Director of Agriculture, Fisheries and Conservation had no strong view on the application and District Lands Officer/Yuen Long, Lands Department advised that there was no Small House application approved or under processing at the site. Temporary approval of the application would not frustrate the long-term planning intention of the “AGR” and “V” zones. The applied use was considered not incompatible with the surrounding land uses which were predominantly rural in character. The applied use was in line with the Town Planning Board Guidelines No. 34C in that previous approvals for the same applied use was granted at the site since 2010, there had been no change in planning circumstances since the last approval and all approval conditions of the last approved application had been complied with. Relevant government departments had no objection to or no adverse comment on the application.

35. Members had no question on the application.

Deliberation Session

36. After deliberation, the Committee decided to approve the application on a temporary basis for a period of 3 years and be renewed from 24.6.2020 to 23.6.2023, 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 9:00 a.m., as proposed by the applicant, is allowed on the Site during the planning approval period;
- (b) no vehicle is allowed to queue back to or reverse onto/from public road at any time during the planning approval period;
- (c) the existing drainage facilities on the Site shall be maintained at all times during the planning approval period;
- (d) 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 24.9.2020;
- (e) the existing trees and landscape plantings within the Site shall be maintained in a healthy condition at all times during the planning approval period;
- (f) the existing fire service installations implemented on the Site shall be maintained in efficient working order at all times during the planning approval period;
- (g) if any of the above planning conditions (a), (b), (c), (e) or (f) is not complied with during the planning approval period, the approval hereby given shall cease to have effect and shall be revoked immediately without further notice;
- (h) if the above planning condition (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; and

- (i) upon expiry of the planning permission, the reinstatement of the part of the Site zoned “Agriculture” to an amenity area to the satisfaction of the Director of Planning or of the TPB.”

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

Agenda Item 13

Section 16 Application

[Open Meeting (Presentation and Question Sessions Only)]

A/YL-PH/839 Renewal of Planning Approval for Temporary Shop and Services (Provision Store) for a Period of 3 Years in “Village Type Development” Zone, Lot 2743 (Part) in D.D. 111, Pat Heung, Yuen Long
(RNTPC Paper No. A/YL-PH/839)

Presentation and Question Sessions

38. 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 shop and services (provision store) 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, four public comments were received from the village representatives of Wang Toi Shan and villagers objecting to the application. Major grounds of objection

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. Whilst the applied use was not entirely in line with the planning intention of the “Village Type Development” (“V”) zone, the District Lands Officer/Yuen Long, Lands Department, advised that there was currently no Small House application approved or under processing at the site. Approval of the application on a temporary basis would not frustrate the long-term planning intention of the “V” zone. The development was considered not incompatible with the surrounding land uses, which were rural in character. The application was in line with the Town Planning Board Guidelines No. 34C in that there had been no change in planning circumstances since the previous approval for the same applied use granted in 2017 and all the approval conditions in the previous approved application had been complied with. 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.

39. Members had no question on the application.

Deliberation Session

40. After deliberation, the Committee decided to approve the application on a temporary basis for a period of 3 years and be renewed from 24.6.2020 to 23.6.2023, on the terms of the application as submitted to the Town Planning Board (TPB) and subject to the following conditions :

- “(a) no operation between 10:00 p.m. and 9:00 a.m., as proposed by the applicant, is allowed on the Site during the planning approval period;
- (b) no vehicle is allowed to queue back to or reverse onto/from public road at any time during the planning approval period;

- (c) the existing drainage facilities on the Site shall be maintained at all times during the planning approval period;
- (d) 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 24.9.2020;
- (e) the existing trees at the Site shall be maintained at all times during the planning approval period;
- (f) the existing fire service installations implemented on the Site shall be maintained in efficient working order at all times during the planning approval period;
- (g) if any of the above planning condition (a), (b), (c), (e) or (f) is not complied with during the planning approval period, the approval hereby given shall cease to have effect and shall be revoked immediately without further notice; and
- (h) if the above planning condition (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.”

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

Agenda Item 14

Section 16 Application

[Open Meeting]

A/YL-PH/840 Proposed Temporary Recycling Material Centre with Ancillary Office
for a Period of 3 Years and Land Filling in “Residential (Group D)”
Zone, Lot 55 (Part) in D.D. 108, Pat Heung, Yuen Long
(RNTPC Paper No. A/YL-PH/840)

42. The Committee noted that the applicant’s representative requested on 5.6.2020 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.

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

[The Chairman thanked Ms Ivy C.W. Wong, STP/FSYLE, for her attendance to answer Members’ enquiries. She left the meeting at this point.]

Tuen Mun and Yuen Long West District

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

Agenda Item 15

Section 16 Application

[Open Meeting (Presentation and Question Sessions Only)]

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

Presentation and Question Sessions

44. 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 logistics centre with ancillary office and parking of vehicle for a period of three years;
- (c) departmental comments – departmental comments were set out in paragraph 10 of the Paper.
- (d) during the statutory publication periods, 49 public comments from the N.T. Oyster and Aquatic Products United Association, the Lau Fau Shan Chamber of Commerce, a district council member, seafood companies, villagers and individuals objecting to the application were received.

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. Whilst the applied use was not in line with the planning intention of the “Residential (Group E)” (“R(E)”) zone, there was no known development proposal for the site. Approval of the application on a temporary basis of three years would not jeopardise the long-term development of the site. The applied use was considered not incompatible with the surrounding land uses which were predominantly occupied for logistics centre and warehouses. The application was in line with the Town Planning Board Guidelines No. 13F in that the site fell within Category 2 areas. There was no adverse comment from the relevant government departments except the Director of Environmental Protection (DEP). While DEP did not support the application, there was no environmental complaint against the site in the past three years. To address the concerns on the possible environmental impacts and nuisance and the technical requirements of the concerned government departments, relevant approval conditions were recommended. A total of 11 previous applications for similar use at the site had been approved by the Committee. Approval of the current application was in line with the previous decisions of the Committee. Regarding the public comments, the comments of government departments and planning assessments above were relevant.

45. Members had no question on the application.

Deliberation Session

46. After deliberation, the Committee decided to approve the application on a temporary basis for a period of 3 years until 12.6.2023, on the terms of the application as submitted to the Town Planning Board (TPB) and subject to the following conditions :

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

is allowed on the Site during the planning approval period;

- (b) no operation on Sundays and public holidays, as proposed by the applicant, is allowed on the Site during the planning approval period;
- (c) no recycling, cleansing, dismantling, repairing or other workshops activities, as proposed by the applicant, is allowed on the Site at any time during the planning approval period;
- (d) no vehicle is allowed to queue back to public road or reverse onto/from the public road at any time during the planning approval period;
- (e) the existing drainage facilities on the Site shall be maintained at all times during the planning approval period;
- (f) the submission of a condition record of existing drainage facilities within 3 months from the date of planning approval to the satisfaction of the Director of Drainage Services or of the TPB by 12.9.2020;
- (g) the implementation of the accepted landscape proposal within 6 months from the date of planning approval to the satisfaction of the Director of Planning or of the TPB by 12.12.2020;
- (h) 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 12.12.2020;
- (i) if any of the above planning conditions (a), (b), (c), (d) or (e) is not complied with during the planning approval period, the approval hereby given shall cease to have effect and shall be revoked immediately without further notice; and
- (j) if any of the above planning conditions (f), (g) or (h) is not complied with by the specified date, the approval hereby given shall cease to have effect

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

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

Agenda Item 16

Section 16 Application

[Open Meeting (Presentation and Question Sessions Only)]

A/YL-LFS/361 Renewal of Planning Approval for Temporary Warehouse for Storage of Animal Feed for a Period of 3 Years in “Recreation” Zone, Lots 2075 (Part), 2076 (Part), 2082 (Part) and 2083 (Part) in D.D. 129, Lau Fau Shan, Yuen Long

(RNTPC Paper No. A/YL-LFS/361)

Presentation and Question Sessions

48. 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) renewal of planning approval for temporary warehouse for storage of animal feed 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, seven public comments were received from the N.T. Oyster and Aquatic Products United Association, the Lau Fau Shan Chamber of Commerce, the villagers and an individual objecting to 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 temporary use could be tolerated for a further period of three years based on the assessments set out in paragraph 12 of the Paper. Whilst the applied use was not entirely in line with the planning intention of “Recreation” (“REC”) zone, there was no known programme to implement the zoned use. Approval of the application on a temporary basis would not frustrate the planning intention of the “REC” zone. The applied use for temporary warehouse for storage of animal feed was not incompatible with the surrounding areas which were predominantly used for warehouses and open storages purposes. The application was generally in line with the Town Planning Board Guidelines No. 34C (TPB PG-No. 34C) in that there had been no material change in planning circumstances since the granting of the previous approval and the applicant had complied with all the approval conditions. 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.

49. In response to a Member's enquiry on whether the application with different applicants could be regarded as renewal application according to the current practice and whether the assessment criteria would be the same, Ms Bonnie K.C. Lee, STP/TMYLW, said that there had been no material change in planning circumstances since the granting of the previous approval. In considering the application, relevant government departments had been consulted and concerned government departments had no objection to or adverse comments on the application and the applicant had complied with all the approval conditions. The application was generally in line with the TPB PG-No. 34C on the assessment for renewal of planning approval. On the invitation of the Chairman, the Secretary explained that in considering a planning application, the major concern was on the land use and the nature of the proposed use rather than who the applicant was. A renewal application should be submitted before the expiry of the temporary approval. A streamlined approach for renewal application in respect of the submission requirements was adopted. There was no need to undertake new technical assessments to support a renewal application, so long as there was no major change in planning circumstances.

50. A Member enquired whether the structure under the current application was part of the same structure in the adjoining site to the south. In response, Ms Bonnie K.C. Lee, STP/TMYLW, said the applicant had made use of the northern portion of the big warehouse structure for storage of animal feed which was the subject of the current application. She further explained that the storage and workshop in the remaining portion of the warehouse existed before the first publication in the Gazette of the notice of the Interim Lau Fau Shan and Tsim Bei Tsui Development Permission Area Plan and was considered as an existing use.

Deliberation Session

51. After deliberation, the Committee decided to approve the application on a temporary basis for a period of 3 years until 12.6.2023, 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. to 8:00 a.m. as proposed by the applicant, is allowed on the Site during the planning approval period;
- (b) no operation on Sundays and public holidays, as proposed by the applicant, is allowed on the Site during the planning approval period;
- (c) no vehicle exceeding 5.5 tonnes, as defined in the Road Traffic Ordinance, including container vehicle/trailer/tractor, as proposed by the applicant, is allowed to enter/exit or to be parked/stored on the Site at any time during the planning approval period;
- (d) no workshop activity, as proposed by the applicant, is allowed on the Site at any time during the planning approval period;
- (e) no open storage of materials is allowed on the Site at any time during the planning approval period;
- (f) no vehicle is allowed to queue back to or reverse onto/from the public road at any time during the planning approval period;

- (g) the existing trees within the Site shall be maintained in good condition at all times during the planning approval period;
- (h) the existing drainage facilities on the Site should be maintained at all times during the approval period;
- (i) the submission of a condition record of the existing drainage facilities on the Site within 3 months from the date of planning approval to the satisfaction of the Director of Drainage Services or of the TPB by 12.9.2020;
- (j) the submission of a fire service installations proposal within 6 months from the date of planning approval to the satisfaction of the Director of Fire Services or of the TPB by 12.12.2020;
- (k) in relation to (j) above, the implementation of the fire service installations proposal within 9 months from the date of planning approval to the satisfaction of the Director of Fire Services or of the TPB by 12.3.2021;
- (l) if any of the above planning conditions (a), (b), (c), (d), (e), (f), (g) or (h) is not complied with during the planning approval period, the approval hereby given shall cease to have effect and shall be revoked immediately without further notice; and
- (m) if any of the above planning conditions (i), (j) or (k) is not complied with by the specified date, the approval hereby given shall cease to have effect and shall on the same date be revoked without further notice.”

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

Agenda Item 17

Section 16 Application

[Open Meeting (Presentation and Question Sessions Only)]

A/YL-PS/605 Proposed Temporary Shop and Services (Real Estate Agency) for a
Period of 3 Years in “Village Type Development” Zone, Lot 134 RP in
D.D. 123, Ping Shan, Yuen Long
(RNTPC Paper No. A/YL-PS/605)

Presentation and Question Sessions

53. 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 shop and services (real estate agency) for a period of three years;
- (c) departmental comments – departmental comments were set out in paragraph 10 of the Paper;
- (d) during the first three weeks of the statutory publication period, two public comments from individuals objecting to the application were received. Major views were set out in paragraph 11 of the Paper; and
- (e) the Planning Department (PlanD)’s views – PlanD had no objection to the application based on the assessments set out in paragraph 12 of the Paper. Whilst the proposed temporary real estate agency use was not entirely in line with the planning intention of the “Village Type Development” (“V”) zone, the development could provide such facilities in the area to meet any such demand and the District Lands Officer/Yuen Long, Lands Department advised that there was currently no Small House application or approval concerning the site. Approval of the application on a temporary basis

would not jeopardize the long-term planning intention of the “V” zone. The proposed use was not incompatible with the surrounding land uses with residential dwellings, car parks, storage yards and village clusters. The site fell within the Wetland Buffer Area of the Town Planning Board Guidelines No. 12C and the Director of Agriculture, Fisheries and Conservation had no comment on the application. Other concerned departments had no adverse comment on the application and relevant approval conditions were recommended to address their technical concerns. Regarding the adverse public comments, the comments of government departments and planning assessments above were relevant.

54. Members had no question on the application.

Deliberation Session

55. After deliberation, the Committee decided to approve the application on a temporary basis for a period of 3 years until 12.6.2023, on the terms of the application as submitted to the Town Planning Board (TPB) and subject to the following conditions :

- “(a) no operation between 9:00 p.m. and 10:00 a.m., as proposed by the applicant, is allowed on the Site during the planning approval period;
- (b) the submission of a fire service installations proposal within 3 months from the date of planning approval to the satisfaction of the Director of Fire Services or of the TPB by 12.9.2020;
- (c) in relation to (b) above, the implementation of the fire service installations proposal within 6 months from the date of planning approval to the satisfaction of the Director of Fire Services or of the TPB by 12.12.2020;
- (d) if the above planning condition (a) is not complied with during the planning approval period, the approval hereby given shall cease to have effect and shall be revoked immediately without further notice; and

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

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

Agenda Item 18

Section 16 Application

[Open Meeting]

A/TM-LTY Y/392 Proposed Temporary Shop and Services with Ancillary Storage of Goods for a Period of 3 Years in “Residential (Group D)” Zone, Lot 2339 (Part) in D.D. 130, Tuen Mun
(RNTPC Paper No. A/TM-LTY Y/392A)

57. The Committee noted that the applicant’s representative requested on 2.6.2020 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 second time that the applicant requested deferment of the application. Since the last deferment, the applicant had submitted further information, providing responses to departmental comments.

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

further deferment would be granted unless under very special circumstances.

Agenda Item 19

Section 16 Application

[Open Meeting (Presentation and Question Sessions Only)]

A/YL-PS/604 Temporary Public Vehicle Park (Private Cars, Light Goods Vehicles and 19-seater Coaches) for a Period of 3 Years in “Village Type Development” and “Government, Institution or Community” Zones, Lots 21 RP (Part), 22 RP (Part), 24 RP (Part), 25 (Part), 28 RP (Part) and 29 RP (Part) in D.D. 121, Tong Fong Tsuen, Ping Shan, Yuen Long
(RNTPC Paper No. A/YL-PS/604)

Presentation and Question Sessions

59. Mr Alexander W.Y. Mak, STP/TMYLW, presented the application and covered the following aspects as detailed in the Paper :

- (a) background to the application;
- (b) temporary public vehicle park (private cars, light goods vehicles and 19-seater coaches) for a period of three years;
- (c) departmental comments – departmental comments were set out in paragraph 9 of the Papers;
- (d) during the first three weeks of the statutory publication period, one public comment from an individual objecting to the application was received. Major grounds of objection 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 assessment set out in paragraph 11 of the Paper.

Whilst the development was not entirely in line with the planning intention of the “Village Type Development” (“V”) zone, it could serve the local villagers/residents for meeting their car parking needs and the District Lands Officer/Yuen Long, Lands Department advised that there was no Small House application approved or under processing concerning the site. Approval of the application on a temporary basis would not frustrate the long-term planning intention of the area. The applied use was considered not incompatible with the surrounding land uses predominated by residential dwellings, parking of vehicles, car testing centre and open storage. Concerned government departments had no adverse comment on or no objection to the application. Four previous applications within the subject “V” and “Government, Community and Institution” zones for temporary public vehicle park use were approved by the Committee. Approval of the current application was in line with the Committee’s previous decisions. Regarding the adverse public comment, the comments of government departments and planning assessments above were relevant.

60. Members had no question on the application.

Deliberation Session

61. After deliberation, the Committee decided to approve the application on a temporary basis for a period of 3 years until 12.6.2023, 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., as proposed by the applicant, is allowed on the Site during the planning approval period;
- (b) no medium and heavy goods vehicles exceeding 5.5 tonnes, including container tractors/trailers, as defined in the Road Traffic Ordinance are allowed to be parked/stored on or enter/exit the Site, as proposed by the applicant, at any time during the planning approval period;

- (c) a notice should be posted at a prominent location of the Site at all times, as proposed by the applicant, to indicate that no medium and heavy goods vehicles exceeding 5.5 tonnes, including container tractors/trailers, as defined in the Road Traffic Ordinance are allowed to be parked/stored on or enter/exit the Site at any time during the planning approval period;
- (d) no vehicle without valid licences issued under the Road Traffic Ordinance, as proposed by the applicant, is allowed to be parked/stored on the Site at any time during the planning approval period;
- (e) no vehicle washing, vehicle repair, dismantling, paint spraying or other workshop activities, as proposed by the applicant, is allowed on the Site at any time during the planning approval period;
- (f) no vehicle is allowed to queue back to or reverse onto/from public road at any time during the planning approval period;
- (g) the existing fencing of the Site shall be maintained at all times during the planning approval period;
- (h) the submission of a condition record of the existing drainage facilities within 3 months to the satisfaction of the Director of Drainage Services or of the TPB by 12.9.2020;
- (i) in relation to (h) above, the implemented drainage facilities on the Site shall be maintained at all times during the planning approval period;
- (j) the submission of a fire service installations proposal within 3 months from the date of planning approval to the satisfaction of the Director of Fire Services or of the TPB by 12.9.2020;
- (k) in relation to (j) above, the implementation of the fire service installations proposal within 6 months from the date of planning approval to the satisfaction of the Director of Fire Services or of the TPB by 12.12.2020;

- (l) the submission of a revised landscape and tree preservation proposal within 3 months from the date of planning approval to the satisfaction of the Director of Planning or of the TPB by 12.9.2020;
- (m) in relation to (l) above, the implementation of the revised landscape and tree preservation proposal within 6 months from the date of planning approval to the satisfaction of the Director of Planning or of the TPB by 12.12.2020;
- (n) if any of the above planning conditions (a), (b), (c), (d), (e), (f), (g) 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
- (o) if any of the above planning conditions (h), (j), (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.”

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

Agenda Item 20

Section 16 Application

[Open Meeting (Presentation and Question Sessions Only)]

A/YL-TT/494 Renewal of Planning Approval for Temporary Shop and Services for a Period of 3 Years in “Other Specified Uses” annotated “Rural Use” Zone, Lots 3586 S.B RP (Part), 3587 (Part) and 3588 (Part) in D.D.116 and Adjoining Government Land, Yuen Long
(RNTPC Paper No. A/YL-TT/494A)

Presentation and Question Sessions

63. 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) renewal of planning approval for temporary shop and services 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 had no objection to the application based on the assessments set out in paragraph 12 of the Paper. Whilst the proposed development was not entirely in line with the planning intention of the “Other Specified Uses” annotated “Rural Use” zone, the proposed temporary retail shop for pet food could serve any such demand in the area. There was no known programme for the long-term development of the site. Approval of the application on a temporary basis would not frustrate the long-term planning intention of the area. The applied use was not incompatible with the surrounding uses which were mixed in nature with predominately residential structures intermixed with warehouses and storage yards. 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. The application was generally in line with the Town Planning Board Guidelines No. 38 in that the proposal would not adversely affect the rural environment, the conservation of the rural landscape and the maintenance of the rural character of the area and its surroundings, nor would it overstrain the capacity of existing and planned infrastructure.

64. Members had no question on the application.

Deliberation Session

65. After deliberation, the Committee decided to approve the application on a temporary basis for a period of 3 years until 12.6.2023, on the terms of the application as submitted to the Town Planning Board (TPB) and subject to the following conditions :

- “(a) no operation between 9:00 p.m. and 9:00 a.m., as proposed by the applicant, is allowed on the Site during the planning approval period;
- (b) no medium or heavy goods vehicles exceeding 5.5 tonnes, including container tractor/trailer, as defined in the Road Traffic Ordinance, as proposed by the applicant, is allowed to be parked/stored on or enter/exit the Site at any time during the planning approval period;
- (c) no vehicle is allowed to queue back to or reverse onto/from public road at any time during the planning approval period;
- (d) the existing boundary fencing on the Site shall be maintained at all times during the planning approval period;
- (e) all existing trees within the Site shall be maintained at all times during the planning approval period;
- (f) all existing drainage facilities on the Site shall be maintained at all times during the planning approval period;
- (g) the submission of a condition record of the existing drainage facilities on the Site within 3 months from the date of commencement of the renewed planning approval to the satisfaction of the Director of Drainage Services or of the TPB by 12.9.2020;

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

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

Agenda Item 21

Section 16 Application

[Open Meeting (Presentation and Question Sessions Only)]

A/YL-TYST/1008 Temporary Vehicle Repair Workshop and Open Storage of Scrap Metal, Construction Machinery and Building/Recycling Materials with Ancillary Workshop and Packaging Activities for a Period of 3 Years in “Undetermined” Zone, Various Lots in D.D. 119 and D.D. 121 and Adjoining Government Land, Tong Yan San Tsuen, Yuen Long
(RNTPC Paper No. A/YL-TYST/1008A)

Presentation and Question Sessions

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

- (a) background to the application;

- (b) temporary vehicle repair workshop and open storage of scrap metal, construction machinery and building/recycling materials with ancillary workshop and packaging activities 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, 41 public comments were received from individuals, including 37 individuals objecting to the application and four with no comment. Major objection grounds were set out in paragraph 11 of the Paper; and
- (e) the Planning Department (PlanD)'s views – PlanD considered that the temporary use could be tolerated for a period of three years based on the assessments set out in paragraph 12 of the Paper. The applied use was generally not in conflict with the planning intention of the “Undetermined” (“U”) zone which was intended for open storage use but was designated with this zoning mainly due to concerns of the capacity of Kung Um Road. Whilst the site fell within an area zoned “Special Residential – Public Rental Housing (with Commercial)”, “Local Open Space”, “Residential – Zone 5 (Existing Development Area)” and “District Open Space” as well as 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. Approval of the application on a temporary basis of 3 years would not jeopardise the long-term development of the area. The applied use was generally not incompatible with the surrounding uses. 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 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. Regarding the public comment, the comments of government departments and planning assessments above were relevant.

68. Members had no question on the application.

Deliberation Session

69. After deliberation, the Committee decided to approve the application on a temporary basis for a period of 3 years until 12.6.2023, 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 container and container trailer repairing activities, paint-spraying activities (except at structures No. 2, 5, 6, 8 to 10, 14 and 15), burning, melting, washing or cleaning of recycling materials and storage or handling (including loading and unloading) of electrical appliances, electronic or computer wastes, as proposed by the applicant, are allowed on the Site at any time during the planning approval period;
- (d) no vehicle is allowed to queue back to or reverse onto/from public road at any time during the planning approval period;
- (e) all existing trees within the Site shall be maintained at all times during the planning approval period;
- (f) free public access to the existing footpath within the Site, as proposed by the applicant, shall be allowed at all times during the planning approval period;

- (g) the existing boundary fencing on the Site shall be maintained at all times during the planning approval period;
- (h) the existing drainage facilities on the Site shall be maintained at all times during the planning approval period;
- (i) the submission of a condition record of the existing drainage facilities on the Site within 3 months from the date of planning approval to the satisfaction of the Director of Drainage Services or of the TPB by 12.9.2020;
- (j) 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 24.7.2020;
- (k) the submission of a fire service installations proposal within 6 months from the date of planning approval to the satisfaction of the Director of Fire Services or of the TPB by 12.12.2020;
- (l) in relation to (k) above, the implementation of the fire service installations proposal within 9 months from the date of planning approval to the satisfaction of the Director of Fire Services or of the TPB by 12.3.2021;
- (m) if any of the above planning conditions (a), (b), (c), (d), (e), (f), (g) or (h) is not complied with during the planning approval period, the approval hereby given shall cease to have effect and shall be revoked immediately without further notice; and
- (n) if any of the above planning conditions (i), (j), (k) or (l) is not complied with by the specified date, the approval hereby given shall cease to have effect and shall on the same date be revoked without further notice.”

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

Agenda Item 22

Section 16 Application

[Open Meeting (Presentation and Question Sessions Only)]

A/YL-TYST/1013 Temporary Open Storage of Construction Materials (Gravels, Bricks, Sand, Cement in Bags and Paints) with Vehicle Repair Workshop for a Period of 3 Years in “Undetermined” Zone, Lots 2357 S.B RP and 2358 RP in D.D. 120, Tin Liu Tsuen, Yuen Long
(RNTPC Paper No. A/YL-TYST/1013A)

Presentation and Question Sessions

71. 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 materials (gravels, bricks, sand, cement in bags and paints) with vehicle repair 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 a member of the Yuen Long District Council objecting to 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 generally not in conflict with the planning intention of the “Undetermined” (“U”) zone which was intended for open storage use but was designated

with this zoning mainly due to concerns of the capacity of Kung Um Road. Whilst the site mainly fell within an area shown as 'Road' and partly fell within an area zoned "Other Specified Uses" annotated "Refuse Collection Point and Sewage Pumping Station on the Recommended Outline Development Plan (RODP) of Yuen Long South (YLS), 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 3 years would not jeopardise the long-term development of the area. The applied use was generally not incompatible with the surrounding uses. It 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. Regarding the public comment, the comments of government departments and planning assessments above were relevant.

72. In response to a Member's enquiry on the nature of "U" zone and whether there were any criteria on assessment of planning applications within "U" zone, Mr Steven Y.H. Siu, STP/TMYLW, said that the planning intention of the subject "U" zone was to cater for the continuing demand for open storage, which could not be accommodated in conventional godown premises. However, Kung Um Road was insufficient to cater for the heavy goods vehicular traffic generated from the proposed development. The area was therefore zoned "U" pending further detailed studies on the infrastructural impacts and the preparation of detailed layout plan.

Deliberation Session

73. The Chairman said that the brownfield operations in the Kung Um Road area were included in the YLS Study and they would be phased out when the housing and other developments in YLS were implemented progressively. The RODP of YLS was promulgated in May 2020 and the respective outline zoning plans would soon be amended to

cater for the implementation of the YLS development.

74. After deliberation, the Committee decided to approve the application on a temporary basis for a period of 3 years until 12.6.2023, on the terms of the application as submitted to the Town Planning Board (TPB) and subject to the following conditions :

- “(a) no operation between 9:00 p.m. and 7:00 a.m., as proposed by the applicant, is allowed on the Site during the planning approval period;
- (b) no operation on Sundays and public holidays, as proposed by the applicant, is allowed on the Site during the planning approval period;
- (c) no workshop activities, except for the vehicle repair workshop at Structure No. 8, 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 existing boundary fencing on the Site shall be maintained at all times during the planning approval period;
- (h) the existing drainage facilities on the Site shall be maintained at all times during the planning approval period;
- (i) the submission of a condition record of the existing drainage facilities on

the Site within 3 months from the date of planning approval to the satisfaction of the Director of Drainage Services or of the TPB by 12.9.2020;

- (j) 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 24.7.2020;
- (k) the submission of a fire service installations proposal within 6 months from the date of planning approval to the satisfaction of the Director of Fire Services or of the TPB by 12.12.2020;
- (l) in relation to (k) above, the implementation of the fire service installations proposal within 9 months from the date of planning approval to the satisfaction of the Director of Fire Services or of the TPB by 12.3.2021;
- (m) if any of the above planning conditions (a), (b), (c), (d), (e), (f), (g) or (h) is not complied with during the planning approval period, the approval hereby given shall cease to have effect and shall be revoked immediately without further notice; and
- (n) if any of the above planning conditions (i), (j), (k) or (l) is not complied with by the specified date, the approval hereby given shall cease to have effect and shall on the same date be revoked without further notice.”

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

[Dr Venus Y.H. Lun left the meeting at this point.]

Agenda Item 23

Section 16 Application

[Open Meeting (Presentation and Question Sessions Only)]

A/YL-TYST/1016 Renewal of Planning Approval for Temporary Open Storage of Construction Machinery and Construction Material with Ancillary Repair Workshop and Office for a Period of 3 Years in “Undetermined” Zone, Lots 2418 (Part), 2420, 2421, 2740 RP, 2741, 2742, 2744, 2745 S.A, 2745 S.B, 2746, 2747 and 2748 (Part) in D.D. 120 and Adjoining Government Land, Tong Yan San Tsuen, Yuen Long
(RNTPC Paper No. A/YL-TYST/1016)

Presentation and Question Sessions

76. 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) renewal of planning approval for temporary open storage of construction machinery and construction material with ancillary repair 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 period, two public comments were received from individuals 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 further period of three years based on the assessments set out in paragraph 12 of the Paper. The applied use was

generally not in conflict with the planning intention of the “Undetermined” (“U”) zone which was intended for open storage use but was designated with this zoning mainly due to concerns of the capacity of Kung Um Road. Whilst the site fell within an area partly zoned “Local Open Space” and “Special Residential – Public Rental Housing (with Commercial)” 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. Approval of the application on a temporary basis of 3 years would not jeopardise the long-term development of the area. The applied use was generally not incompatible with the surrounding uses. It 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. Regarding the public comments, the comments of government departments and planning assessments above were relevant.

77. In response to a Member’s enquiry, Mr Steven Y.H. Siu, STP/TMYLW, said that there was a temporary domestic structure surrounded on three sides by the application site while there was no information available on whether the substantiated environmental complaint in 2017 was from the household of that domestic structure.

Deliberation Session

78. After deliberation, the Committee decided to approve the application on a temporary basis for a period of 3 years and be renewed from 24.6.2020 to 23.6.2023, 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 storage or handling (including loading and unloading) of used electrical appliances, computer/electronic parts (including cathode-ray tubes) or any other types of electronic waste, as proposed by the applicant, is allowed on the Site at any time during the planning approval period;
- (d) no heavy goods vehicle exceeding 24 tonnes, including container tractor/trailer, as defined in the Road Traffic Ordinance, as proposed by the applicant, is 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 boundary fence on the Site shall be maintained at all times during the planning approval period;
- (g) the existing trees within the Site shall be maintained at all times during the planning approval period;
- (h) the existing drainage facilities on the Site shall be maintained at all times during the planning approval period;
- (i) the submission of a condition record of the existing drainage facilities on the Site within 3 months from the date of commencement of the renewed planning approval to the satisfaction of the Director of Drainage Services or of the TPB by 24.9.2020;
- (j) the existing fire service installations implemented on the Site should be maintained in efficient working order at all times during the planning

approval period;

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

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

Agenda Item 24

Section 16 Application

[Open Meeting]

A/YL-TYST/1017 Renewal of Planning Approval for Temporary Open Storage of Construction Materials, Equipment and Machinery and Container Site Offices with Ancillary Repair Activities for a Period of 3 Years in “Undetermined” Zone, Lots 348 RP (Part), 353 S.A RP (Part), 353 S.B (Part), 354 RP (Part), 355 (Part), 356, 357 (Part), 358 (Part) and 359 in D.D. 119, Tong Yan San Tsuen, Yuen Long
(RNTPC Paper No. A/YL-TYST/1017)

80. The Secretary reported that consideration of the application was rescheduled as the applicant had submitted further information.

Agenda Item 25

Section 16 Application

[Open Meeting (Presentation and Question Sessions Only)]

A/HSK/219 Renewal of Planning Approval for Temporary Logistics Centre with Ancillary Site Office for a Period of 3 Years in “Residential (Group A) 3”, “Open Space” Zones and an area shown as ‘Road’, Lots 805 S.B RP, 807 RP, 808 RP, 809 RP (Part), 813 RP (Part), 814 RP (Part), 815 (Part) and 816 S.B RP (Part) in D.D. 125 and Adjoining Government Land, Ha Tsuen, Yuen Long

(RNTPC Paper No. A/HSK/219)

Presentation and Question Sessions

81. 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) renewal of planning approval for temporary logistics centre with ancillary site 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 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 further period of three years based on the assessments set out in paragraph 12 of the Paper. Whilst the applied use was not in line with the planning intentions, the implementation programme for that part of Hung Shui Kiu/Ha Tsuen New Development

Area (HSK/HT NDA) was still being formulated, and Project Manager (West), Civil Engineering and Development Department and the Director of Leisure and Cultural Services had no objection to the temporary use. Approval of the application on a temporary basis would not jeopardize the long-term development of the site. The applied use was not incompatible with the major surrounding land uses which was predominated by vehicle park, open storage, logistics centre and workshop uses. The renewal application was considered generally in line with the Town Planning Board Guidelines No. 34C in that there had been no major change in planning circumstances since the last approval. The application was generally in line with the Town Planning Board Guidelines No. 13F in that the site fell within HSK/HT NDA and previous planning approvals had been given. 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 other concerned departments. Regarding the public comment received, the comments of government departments and planning assessments above were relevant.

82. Members had no question on the application.

Deliberation Session

83. After deliberation, the Committee decided to approve the application on a temporary basis for a period of 3 years and be renewed from 15.7.2020 to 14.7.2023, 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., 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 vehicle is allowed to queue back to or reverse onto/from the public road at any time during the planning approval period;
- (d) the existing landscape planting on the Site shall be maintained at all times during the planning approval period;
- (e) the existing drainage facilities on the Site shall be maintained at all times during the planning approval period;
- (f) the existing fire services installations shall be maintained in efficient working order at all times during the planning approval period;
- (g) the submission of a condition record of existing drainage facilities 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 15.10.2020;
- (h) if any of the above planning conditions (a), (b), (c), (d), (e) or (f) is not complied with during the planning approval period, the approval hereby given shall cease to have effect and shall be revoked immediately without further notice; and
- (i) if the above planning condition (g) is not complied with by the specified date, the approval hereby given shall cease to have effect and shall on the same date be revoked without further notice.”

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

Agenda Item 26

Section 16 Application

[Open Meeting (Presentation and Question Sessions Only)]

A/HSK/220 Temporary Public Vehicle Park (Private Cars) for a Period of 3 Years
in “Residential (Group A) 4” Zone, Lots 2409(Part) and 2377 RP(Part)
in D.D.124 and Adjoining Government Land, Hung Shui Kiu Tin Sam
Road, Yuen Long
(RNTPC Paper No. A/HSK/220)

Presentation and Question Sessions

85. 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 public vehicle park (private cars) 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, one public comment was received from an individual raising concern 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. Whilst the applied use was not in line with the planning intention of “Residential (Group A)4” (“R(A)4”) zone, the Project Manager (West), Civil Engineering and Development Department had no objection to the temporary use. Approval of the application on a temporary basis would not jeopardize the long-term development of the site. The applied use might also help to meet some of the parking demand in the area. The

applied use was not incompatible with the surrounding land uses with open storage yards, residential dwellings, canteen, bus depot and residential estate. Appropriate approval conditions were recommended to minimise any potential environmental nuisances, and address the technical requirements of other concerned departments. Regarding the public comment received, the comments of government departments and planning assessments above were relevant.

86. In response to the Chairman and a Member's enquiries, Mr Simon P.H. Chan, STP/TMYLW, said that the site fell within the Hung Shui Kiu/Ha Tsuen New Development Area and was zoned "R(A)4" for high-density residential developments while the implementation programme for that part of area was still being formulated.

Deliberation Session

87. After deliberation, the Committee decided to approve the application on a temporary basis for a period of 3 years until 12.6.2023, on the terms of the application as submitted to the Town Planning Board (TPB) and subject to the following conditions :

- “(a) no medium and heavy goods vehicles exceeding 5.5 tonnes, including container tractors/trailers, as defined in the Road Traffic Ordinance are allowed to be parked/stored on or enter/exit the Site, at any time during the planning approval period;
- (b) a notice shall be posted at a prominent location of the Site to indicate that no medium and heavy goods vehicles exceeding 5.5 tonnes, including container tractors/trailers, as defined in the Road Traffic Ordinance are allowed to be parked/stored on or enter/exit the Site at any time during the planning approval period;
- (c) no vehicle without valid licence issued under the Road Traffic Ordinance is allowed to be parked/stored on the Site at any time during the planning approval period;

- (d) no vehicle is allowed to queue back to or reverse onto/from public road at any time during the planning approval period;
- (e) the submission of a revised drainage proposal within 6 months from the date of the planning approval to the satisfaction of the Director of Drainage Services or of the TPB by 12.12.2020;
- (f) in relation to (e) above, the implementation of the revised 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 12.3.2021;
- (g) in relation to (f) above, the implemented drainage facilities shall be maintained at all times during the planning approval period;
- (h) the submission of a fire service installations proposal within 6 months from the date of the planning approval to the satisfaction of the Director of Fire Services or of the TPB by 12.12.2020;
- (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 12.3.2021;
- (j) if any of the above planning conditions (a), (b), (c), (d) or (g) is not complied with during the planning approval period, the approval hereby given shall cease to have effect and shall be revoked immediately without further notice; and
- (k) if any of the above planning conditions (e), (f), (h) or (i) is not complied with by the specified date, the approval hereby given shall cease to have effect and shall on the same date be revoked without further notice.”

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

Agenda Item 27

Section 16 Application

[Open Meeting (Presentation and Question Sessions Only)]

A/HSK/222 Proposed Temporary Shop and Services with Ancillary Office for a Period of 3 Years in “Village Type Development” Zone, Lots 1804(Part), 1808RP, 1809 RP(Part) and 1817(Part) in D.D.124, San Lee Uk Tsuen, Tin Ha Road, Yuen Long
(RNTPC Paper No. A/HSK/222)

Presentation and Question Sessions

89. 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 shop and services with ancillary 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 periods, no public comment was received; 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 more akin to storage/wholesale/warehouse use and was considered not entirely in line with the planning intention of the “Village Type Development” (“V”) zone. There was no strong planning justification given for a departure from the planning intention of the “V” zone, even on a temporary basis. The proposed development was considered excessive in scale in the “V” zone, which was mostly occupied

by village houses. The nature of use and scale of the proposed development was considered not compatible with the surrounding land uses which were predominantly occupied by village houses intermixed with agricultural land. The proposed use was close to the residential dwellings and no other similar application within the same “V” zone had been approved. The approval of the application would set an undesirable precedent for similar applications, the cumulative effect of approving such similar applications would result in a general degradation of the environment of the area.

90. Members had no question on the application.

Deliberation Session

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

- “(a) the proposed development is not in line with the planning intention of the “Village Type Development” (“V”) zone which is intended primarily for development of Small Houses by indigenous villagers. No strong planning justification has been given in the submission for a departure from such planning intention, even on a temporary basis; and
- (b) approval of the application would set an undesirable precedent for similar applications within the same “V” zone. The cumulative effect of approving such similar applications would result in a general degradation of the environment of the area.”

Agenda Item 28

Section 16 Application

[Open Meeting (Presentation and Question Sessions Only)]

A/HSK/223 Temporary Open Storage of Containers with Ancillary Logistics Uses, Vehicle Repair Workshop, Container Repair Workshop and Parking of Tractors for a Period of 3 Years in “Residential (Group A) 2”, “Government, Institution or Community”, “Open Space”, “Other Specified Uses” annotated “Parking and Operational Facilities for Environmentally Friendly Transport Services” and an area shown as ‘Road’, Lots 112 (Part), 113 (Part), 133 (Part), 134 (Part), 135 (Part), 136 (Part), 137 (Part), 166 (Part), 256 (Part), 257 (Part), 258 (Part), 259 (Part), 260 S.A , 260 S.B (Part), 261 S.A.(Part), 261 RP (Part), 262, 263, 264, 265 (Part), 266, 267 (Part), 268 (Part), 270 (Part), 271, 272 (Part), 273, 274, 275, 276 (Part), 277, 278 (Part), 279 (Part), 281 (Part) and 681 (Part) in D.D.125, Ha Tsuen, Yuen Long
(RNTPC Paper No. A/HSK/223)

Presentation and Question Sessions

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

- (a) background to the application;
- (b) temporary open storage of containers with ancillary logistics uses, vehicle repair workshop, container repair workshop and parking of tractors 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 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. Whilst the applied use was not in line with the planning intentions, the implementation programme for that part of the Hung Shui Kiu/Ha Tsuen New Development Area (HSK/HT NDA) was still being formulated, and Project Manager (West), Civil Engineering and Development Department and the Director of Leisure and Cultural Services had no objection to the temporary use. Approval of the application on a temporary basis would not jeopardize the long-term development of the site. The applied use was not incompatible with the major surrounding land uses which was predominated by open storage yards, warehouses and logistics centres. The applied use was generally in line with the Town Planning Board Guidelines No. 13F (TPB PG-No. 13F) in that the site fell within HSK/HT NDA and previous planning approval had been given. 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.

93. Members had no question on the application.

Deliberation Session

94. A Member noted that there were a number of planning applications for temporary open storage and port back-up uses within the HSK/HT NDA and raised concern if there was any implication on the implementation of the NDA. In response, the Chairman said that noting the changes in planning circumstances in the rural New Territories, the Town Planning Board had revised the TPB PG-No. 13E in March 2020 to set out a general approach for

assessing planning applications for open storage and port back-up uses in NDAs during the interim period before the site was required for NDA development. In general, sympathetic consideration might be given to applications for continued operation of open storage and port back-up uses during the interim period.

95. After deliberation, the Committee decided to approve the application on a temporary basis for a period of 3 years until 12.6.2023, on the terms of the application as submitted to the Town Planning Board (TPB) and subject to the following conditions :

- “(a) no operation from 8:00 p.m. to 8:00 a.m., as proposed by the applicant, is allowed on the Site during the planning approval period;
- (b) no operation on Sundays and public holidays, as proposed by the applicant, is allowed on the Site during the planning approval period;
- (c) the stacking height of containers stored within 5m of the periphery of the Site shall not exceed the height of the boundary fence, as proposed by the applicant, at any time during the planning approval period;
- (d) the stacking height of containers stored on the Site shall not exceed 8 units at all times, as proposed by the applicant, during the planning approval period;
- (e) no vehicle is allowed to queue back to or reverse onto/from the public road at any time during the planning approval period;
- (f) the existing trees and landscape planting on the Site shall be maintained at all times during the planning approval period;
- (g) the existing drainage facilities on the Site should be maintained at all times during the planning approval period;
- (h) the submission of a condition record of the existing drainage facilities within 3 months from the date of planning approval to the satisfaction of

the Director of Drainage Services or of the TPB by 12.9.2020;

- (i) the provision of fire extinguisher(s) and the submission of a valid fire certificate (FS251) within 6 weeks from the date of planning approval to the satisfaction of the Director of Fire Services or of the TPB by 24.7.2020;
- (j) the submission of a fire service installations proposal within 6 months from the date of planning approval to the satisfaction of the Director of Fire Services or of the TPB by 12.12.2020;
- (k) in relation to (j) above, the implementation of the fire service installations proposal within 9 months from the date of planning approval to the satisfaction of the Director of Fire Services or of the TPB by 12.3.2021;
- (l) 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
- (m) if any of the above planning conditions (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.”

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

Agenda Item 29

Section 16 Application

[Open Meeting (Presentation and Question Sessions Only)]

A/HSK/224 Renewal of Planning Approval for Temporary Warehouse for Storage of Construction Machinery and Construction Materials with Ancillary Office and Repairing Workshop for a Period of 3 Years in “Residential (Group A) 3” Zone and an area shown as ‘Road’, Lot 897 S.B RP in D.D.125, Ha Tsuen, Yuen Long
(RNTPC Paper No. A/HSK/224)

Presentation and Question Sessions

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

- (a) background to the application;
- (b) renewal of planning approval for temporary warehouse for storage of construction machinery and construction materials with ancillary office and repairing 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 providing views 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 further period of three years based on the assessments set out in paragraph 12 of the Paper. Whilst the applied use was not in line with the planning intentions, the implementation programme for that part of the Hung Shui Kiu/Ha Tsuen New Development

Area (HSK/HT NDA) was still being formulated, and Project Manager (West), Civil Engineering and Development Department had no objection to the temporary use. Approval of the application on a temporary basis would not jeopardize the long-term development of the site. The applied use was not incompatible with the major surrounding land uses which was predominated by open storage, vehicle park and workshop uses. The application was also generally in line with Town Planning Board Guidelines 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. Regarding the public comment received, the comments of government departments and planning assessments above were relevant.

98. Members had no question on the application.

Deliberation Session

99. After deliberation, the Committee decided to approve the application on a temporary basis for a period of 3 years and be renewed from 15.7.2020 to 14.7.2023, on the terms of the application as submitted to the Town Planning Board (TPB) and subject to the following conditions :

- “(a) no operation between 9:00 p.m. and 7:00 a.m., as proposed by the applicant, is allowed on the Site during the planning approval period;
- (b) no operation on Sundays or public 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 the public road at any time during the planning approval period;
- (d) the existing landscape planting on the Site shall be maintained at all times during the planning approval period;

- (e) the existing drainage facilities on the Site shall be maintained at all times during the planning approval period;
- (f) the existing fire services installations shall be maintained in efficient working order at all times during the planning approval period;
- (g) the submission of a condition record of existing drainage facilities 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 15.10.2020;
- (h) if any of the above planning conditions (a), (b), (c), (d), (e) or (f) is not complied with during the planning approval period, the approval hereby given shall cease to have effect and shall be revoked immediately without further notice; and
- (i) if the above planning condition (g) is not complied with by the specified date, the approval hereby given shall cease to have effect and shall on the same date be revoked without further notice.”

100. 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 Bonnie K.C. Lee, Mr Alexander W.Y. Mak, Mr Steven Y.H. Siu and Mr Simon P.H. Chan, STPs/TMYLW, for their attendance to answer Members' enquiries. They left the meeting at this point.]

Agenda Item 30

Any Other Business

101. There being no other business, the meeting closed at 3:45 p.m..