

RESTRICTED

TOWN PLANNING BOARD

**Minutes of 650th Meeting of the
Rural and New Town Planning Committee held at 2:30 p.m. on 26.6.2020**

Present

Director of Planning
Mr Raymond K.W. Lee

Chairman

Mr Stephen L.H. Liu

Vice-chairman

Mr Peter K.T. Yuen

Mr Philip S.L. Kan

Mr K.K. Cheung

Dr C.H. Hau

Dr Lawrence K.C. Li

Miss Winnie W.M. Ng

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

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

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

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

Secretary

Absent with Apologies

Mr L.T. Kwok

Mr Ricky W.Y. Yu

In Attendance

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

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

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

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 649th RNTPC Meeting held on 12.6.2020

[Open Meeting]

2. The draft minutes of the 649th RNTPC meeting held on 12.6.2020 were confirmed without amendments.

Agenda Item 2

Matters Arising

[Open Meeting]

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

Fanling, Sheung Shui and Yuen Long East District

Agenda Item 3

Section 12A Application

[Open Meeting]

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

4. The Committee noted that the applicant’s representative requested on 11.6.2020 deferment of consideration of the application for a period of one month in order to allow the applicant to prepare further information to address comments from Government departments. It was the second time the applicant requested deferment of the application. Since the last deferment, the applicant had submitted further information to address departmental comments.

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

Sai Kung and Islands District

Agenda Item 4

Section 16 Application

[Open Meeting]

A/SK-HC/317

Proposed Houses with Minor Relaxation of Plot Ratio Restriction in “Residential (Group E)”, “Residential (Group D)” Zones and an area shown as ‘Road’, Various Lots in D.D. 210 and 244 and Adjoining Government Land, Ho Chung, Sai Kung
(RNTPC Paper No. A/SK-HC/317)

6. The Committee noted that the applicant’s representative requested on 1.6.2020 deferment of consideration of the application for a period of two months so as to allow time for preparation of further information to address departmental 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.

Sha Tin, Tai Po and North District

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

Agenda Item 5

Section 16 Application

[Open Meeting]

A/NE-KLH/583 Proposed 5 Houses (New Territories Exempted Houses) in
“Agriculture” Zone, Lots 643B S.A RP, 643B S.B, 643B RP, 644 S.A,
644 S.B and 644 RP in D.D. 9, Yuen Leng Village, Tai Po
(RNTPC Paper No. A/NE-KLH/583A)

8. The Secretary reported that Spence Robinson Limited (SRL) was one of the consultant of the applicant. Mr K.K. Cheung had declared an interest on the item as his firm had current business dealings with SRL.

9. The Committee noted that the applicant had requested deferment of consideration of the application and Mr K.K. Cheung had not yet arrived at the meeting.

10. The Committee noted that the applicant’s representative requested on 3.6.2020 deferment of consideration of the application for a period of two months in order to allow time to prepare further information to address the comments of the Environmental Protection Department. It was the second time that the applicant requested deferment of the application. Since the last deferment, the applicant had submitted further information to address departmental comments.

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

could be processed within a shorter time, the application could be submitted to an earlier meeting for the Committee's consideration. The Committee also agreed to advise the applicant that two months were allowed for preparation of the submission of the further information. Since it was the second deferment and a total of four months had been allowed for preparation of submission of further information, no further deferment would be granted unless under very special circumstances.

Agenda Item 6

Section 16 Application

[Open Meeting]

A/NE-KLH/585 Temporary Activity Centre for a Period of 3 Years in "Green Belt"
Zone, Lot 477 RP in D.D. 9, Nam Wa Po, Tai Po
(RNTPC Paper No. A/NE-KLH/585)

12. The Committee noted that the applicant's representative requested on 12.6.2020 deferment of consideration of the application for a period of two months in order to allow time to prepare further information to address departmental comments. It was the first time that the applicant requested deferment of the application.

13. 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 7

Section 16 Application

[Open Meeting (Presentation and Question Sessions Only)]

A/TP/671 Proposed House (New Territories Exempted House - Small House) in
 “Green Belt” Zone, Lot 80 S.A in D.D. 21, San Uk Ka Village, Tai Po
 (RNTPC Paper No. A/TP/671)

Presentation and Question Sessions

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

- (a) background to the application;
- (b) the proposed house (New Territories Exempted House (NTEH) – Small House);
- (c) departmental comments – departmental comments were set out in paragraph 10 and Appendix II of the Paper;
- (d) during the first three weeks of the statutory publication periods, seven public comments were received including one supporting comment from the Indigenous Inhabitant Representative of San Uk Ka Village and six objecting comments from Kadoorie Farm and Botanic Garden, World Wide Fund for Nature Hong Kong, Designing Hong Kong Limited, the Hong Kong Bird Watching Society and an individual. 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 development was not in line with the planning intention of “Green Belt” (“GB”) zone and there was no strong planning justification in the submission for a departure from the planning intention. The Chief

Town Planner/Urban Design and Landscape, PlanD had some reservations on the application as vegetation clearance within and surrounding the site had taken place since 2009. Approval of the application would encourage the extension of village cluster resulting in further encroachment onto the existing woodland and the cumulative impact of which would further degrade the landscape quality of the environment in “GB” zone. In that regard, the application did not comply with Town Planning Board Guidelines No. 10 in that the development would involve clearance of existing natural vegetation affecting the existing natural landscape. The proposed development also did not comply with the Interim Criteria for Consideration of Application for NTEH/Small House Development in the New Territories as there was sufficient land to fully meet the future demand of Small Houses. It was considered more appropriate to concentrate the proposed Small House development within the “Village Type Development” 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 the planning assessments above were relevant.

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

15. Members had no question on the application.

Deliberation Session

16. A Member enquired about the sequence of the rejection reasons recommended by PlanD. In response, the Secretary explained that it was the general practice to present the reasons in order of the planning intention of the land use zone, the TPB Guidelines and/or assessment criteria applicable to the application, and other planning considerations.

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

“(a) the proposed development is not in line with the planning intention of the

“Green Belt” (“GB”) zone, which is primarily for defining the limits of urban and suburban development areas by natural features and to contain urban sprawl as well as to provide passive recreational outlets. There is a general presumption against development within this zone. There is no strong planning justification in the submission for a departure from the planning intention;

- (b) the proposed development does not comply with the Town Planning Board Guidelines No. 10 for ‘Application for Development within “GB” zone under section 16 of the Town Planning Ordinance’ in that the proposed development would involve clearance of existing natural vegetation affecting the existing natural landscape in the area. The applicant fails to demonstrate that the proposed development would have no adverse landscape impact on the surrounding areas;
- (c) the proposed development does not comply with the Interim Criteria for Consideration of Application for New Territories Exempted House/Small House in New Territories in that the proposed development would have adverse landscape impact on the surrounding areas; and
- (d) land is still available within the “Village Type Development” (“V”) zone of San Uk Ka, Cheung Uk Tei, Sheung Wun Yiu and Ha Wun Yiu which is primarily intended for Small House development. It is considered more appropriate to concentrate the proposed Small House development within the “V” zone for more orderly development pattern, efficient use of land and provision of infrastructure and services.”

Agenda Item 8

Section 16 Application

[Open Meeting (Presentation and Question Sessions Only)]

A/NE-HLH/43 Temporary Open Storage of Construction Materials and Machinery, Office, Staff Rest Room and Store Room for a Period of 3 Years in “Agriculture” Zone, Lot 327 in D.D. 87, Ta Kwu Ling
(RNTPC Paper No. A/NE-HLH/43)

Presentation and Question Sessions

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

- (a) background to the application;
- (b) the temporary open storage of construction materials and machinery with ancillary 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, five public comments were received. A North District Council member indicated no comment on the application, while Kadoorie Farm and Botanic Garden Corporation, the Hong Kong Bird Watching Society, Designing Hong Kong Limited and an individual objected to 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 applied use was not in line with the planning intention of the “Agriculture” zone and the Director of Agriculture, Fisheries and Conservation did not support the application as the site possessed potential

for agricultural rehabilitation. There was no strong planning justification provided in the submission to justify for a departure from the planning intention, even on a temporary basis. The applied use was considered not entirely compatible with the landscape character of the area and the Chief Town Planner/Urban Design and Landscape, PlanD had reservation on the application from the landscape planning perspective. Approval of the application would set an undesirable precedent and the cumulative impact of such approval would further degrade the landscape quality of the surrounding environment. The Commissioner for Transport did not support the application as the applicant failed to demonstrate that the development would not generate adverse traffic impact on the surrounding area. The application did not comply with Town Planning Board Guidelines No. 13F as the site fell within Category 3 areas and the site was not the subject of any previous planning approval. The site was the subject of a previous planning application (No. A/NE-HLH/38) which was rejected by the Committee on similar considerations. There had been no major change in the planning circumstances of the area since the rejection of the previous application. Regarding the public comments, the comments of government departments and the planning assessments above were relevant.

19. In response to the Chairman's enquiry, Mr Tim T.Y. Fung, STP/STN, said that no review application was lodged after the previous application (No. A/NE-HLH/38) was rejected by the Committee.

Deliberation Session

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

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

other agricultural purposes. There is no strong planning justification in the submission for a departure from such planning intention, even on a temporary basis;

- (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 approval for open storage granted for the Site; and there are adverse comments from the government departments and local objections on the application; and
- (c) the applicant fails to demonstrate that the development would not cause adverse traffic impact on the surrounding areas.”

Agenda Item 9

Section 16 Application

[Open Meeting]

A/NE-LYT/723 Temporary Eating Place (Canteen) for a Period of 3 Years in
“Agriculture” Zone, Lot 926 (Part) in D.D. 83, Lung Ma Road, Fanling
(RNTPC Paper No. A/NE-LYT/723A)

21. The Committee noted that the applicant’s representative requested on 17.6.2020 deferment of consideration of the application for a period of two months in order to allow time to prepare further information (FI) to address the comments of the Environmental Protection Department (EPD). It was the second time that the applicant requested deferment of the application. Since the last deferment, the applicant had submitted FI to address the comments from the Transport Department and EPD.

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

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

Agenda Item 10

Section 16 Application

[Open Meeting]

A/NE-TKLN/23 Proposed Temporary Place of Recreation, Sports or Culture (Parent-Child Play Area), Eating Place, Shop and Services with Ancillary Car Park for a Period of 5 Years in "Recreation" Zone, Lots 35 RP, 36, 42 RP, 43, 44, 45 RP, 59 RP and 64 S.B RP in D.D. 80, Lin Ma Hang Road, Pak Fu Shan
(RNTPC Paper No. A/NE-TKLN/23B)

23. 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 to prepare further information (FI) to address the comments from the Transport Department (TD). It was the third time that the applicant requested deferment of the application. Since the last deferment, the applicant had submitted FI including responses to comments and a revised traffic impact assessment to address the comments of TD.

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. Since it was the third deferment and a total of six months had been allowed for preparation of submission of further information, no further deferment would be granted unless under very special circumstances.

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

Agenda Item 11

Section 16 Application

[Open Meeting (Presentation and Question Sessions Only)]

A/NE-WKS/13 Partial Filling of Land and Pond for the Proposed Temporary Public Vehicle Park (Excluding Container Vehicle) for a Period of 3 Years in “Green Belt” Zone, Lot 1275 RP (Part) in D.D. 79, Wo Keng Shan
(RNTPC Paper No. A/NE-WKS/13)

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 partial filling of land and pond for the proposed temporary public vehicle park (excluding container vehicle) for a period of three years;
- (c) departmental comments – departmental comments were set out in paragraph 10 of the Paper. Local views conveyed by the District Officer (North), Home Affairs Department were set out in paragraph 10.1.11 of the Paper;
- (d) during the first three weeks of the statutory publication period, five public comments were received from the Chairman of Sheung Shui Rural Committee, Kadoorie Farm and Botanic Garden Corporation, the Hong

Kong Bird Watching Society and individuals, with one indicating no comment and the remaining four objecting to the application. Major grounds were set out in paragraph 11 of the Paper; and

- (e) the Planning Department (PlanD)'s views – PlanD did not support the application based on assessments set out in paragraph 12 of the Paper. The proposed development was not in line with the planning intention of the “Green Belt”(“GB”) zone where there was a general presumption against development. There were no strong justifications in the submission for a departure from the planning intention of the “GB” zone, even on a temporary basis. The proposed use was considered not entirely compatible with the surrounding rural landscape character and the Chief Town Planner/Urban Design and Landscape, PlanD had reservation on the application and the application did not comply with Town Planning Board Guidelines No. 10 as the existing natural landscape had been affected. Approval of the application would set an undesirable precedent for similar applications within the area. The Commissioner for Transport also did not support the application as the applicant failed to demonstrate that the proposed use would not cause adverse traffic impact on the surrounding areas. Regarding the public comments, the comments of relevant government departments and the planning assessments above were relevant.

[Mr K.K. Cheung arrived to join the meeting at this point.]

- 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 temporary development is not in line with the planning intention of the “Green Belt” (“GB”) zone, which is primarily for defining the limits of urban and sub-urban development areas by natural features

and to contain urban sprawl as well as to provide passive recreational outlets. There is a general presumption against development within this zone. There is no strong planning justification in the submission for a departure from such planning intention, even on a temporary basis;

- (b) the proposed development is not in line with the Town Planning Board Guidelines No. 10 for Application for Development within “GB” zone under section 16 of the Town Planning Ordinance in that the existing natural landscape has been affected;
- (c) the applicant fails to demonstrate that the proposed development would not cause adverse traffic impact on the surrounding areas; and
- (d) the approval of the application will set an undesirable precedent for similar applications within the same “GB” zone. The cumulative effect of approving such similar applications would result in a general degradation of the environment of the area.”

[The Chairman thanked 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

[Miss Winnie B.Y. Lau, District Planning Officer/Fanling, Sheung Shui and Yuen Long East (DPO/FSYLE), Ms S.H. Lam, Ms Ivy C.W. Wong and Ms Emily P.W. Tong, Senior Town Planners/Fanling, Sheung Shui and Yuen Long East (STPs/FSYLE), were invited to the meeting at this point.]

Agenda Item 12

Section 16 Application

[Open Meeting]

A/FLN/18

Proposed Minor Relaxation of Maximum Plot Ratio and Building Height Restrictions for Permitted Commercial/Residential Development with Public Transport Interchange, and Proposed Shop and Services, Eating Place, School (not elsewhere specified) and Place of Entertainment in “Other Specified Uses” annotated “Commercial/Residential Development with Public Transport Interchange (2)” Zone, Lots 247, 255 (Part), 257 (Part), 267, 406 (Part), 408 (Part), 409, 414 (Part), 415 (Part), 416 (Part), 418 (Part), 420 (Part), 424 (Part), 425 (Part), 426 (Part), 427 (Part), 434 (Part) and 435 (Part) in D.D. 51 and Adjoining Government Land, Fanling North (RNTPC Paper No. A/FLN/18A)

28. The Secretary reported that the application was submitted by Keep York Limited, which was a subsidiary of Sun Hung Kai Properties Limited (SHK). Llewelyn-Davies Hong Kong Limited (LD), Archiplus International (Hong Kong Limited) (AIL) and Black & Veatch Hong Kong Limited (B&V) were three of the consultants of the applicant. The following Members had declared interests on the item:

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|---------------------|---|---|
| Mr K.K. Cheung | - | his firm having current business dealings with SHK, AIL and B&V; |
| Miss Winnie W.M. Ng | - | being a Director of Kowloon Motor Bus Company (1933) Ltd. (KMB) and SHK was one of the shareholders of KMB; |
| Mr Conrad T.C. Wong | - | his firm having current business dealings with SHK; and |
| Mr Ricky W.Y. Yu | - | having current business dealings with LD |

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

30. The Committee noted that the applicant's representative requested on 15.6.2020 deferment of consideration of the application for a period of two months in order to allow time to prepare further information (FI) to address further comments from the Transport Department (TD). It was the second time the applicant requested deferment of the application. Since the last deferment, the applicant had submitted further information including a revised traffic impact assessment to address the comments of TD.

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

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

Agenda Item 13

Section 16 Application

[Open Meeting (Presentation and Question Sessions Only)]

A/YL-KTS/847 Proposed Temporary Transitional Housing Development for a Period of 3 Years and Excavation of Land in “Residential (Group D)” Zone, Lots No. 472 (Part), 587 RP, 591, 592, 600, 1276 (Part), 1277 RP, 1318, 1321, 1322, 1324, 1325 S.A & S.B-E, 1326, 1327, 1329, 1330 (Part), 1334, 1335 S.A, 1335 RP, 1336 RP, 1337 RP (Part), 1338 (Part), 1339 (Part), 1340, 1341 (Part), 1342 (Part) and 1343 RP (Part) in D.D. 106 and Adjoining Government Land, Kong Ha Wai, Kam Tin, Yuen Long
(RNTPC Paper No. A/YL-KTS/847)

32. The Secretary reported that Henderson Land Development Company Limited (HLD) were the owners of the private lots at the application site and AECOM Asia Company Limited (AECOM) was one of the consultants of the applicant. The following Members had declared interests on the item:

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

33. The Committee agreed that as the interests of Mr K.K. Cheung, Dr Lawrence K.C. Li and Mr Peter K.T. Yuen were indirect and Dr C. H. Hau had no involvement in the

application, they could stay in the meeting.

Presentation and Question Sessions

34. Miss Winnie B.Y. Lau, DPO/FSYLE, drew Members' attention that two replacement pages (pages 17 and 18 of the Main Paper) and five additional pages to Appendix IV of the Paper were tabled at the meeting to revise the number of public comments received during the statutory publication period of the application. She then, with the aid of a PowerPoint presentation, presented the application and covered the following aspects as detailed in the Paper:

- (a) background to the application;
- (b) the proposed temporary transitional housing development for a period of three years and excavation of land;
- (c) departmental comments – departmental comments were set out in paragraph 9 of the Paper;
- (d) during the first three weeks of the statutory publication period, 46 public comments were received. 45 comments from Yuen Long District Council members, Village Representatives of various villages, local residents and individuals objected to the application. The Chairman of Pat Heung Rural Committee supported the application. Major views were set out in paragraph 10 of the Paper; and
- (e) the Planning Department (PlanD)'s views – PlanD had no objection to the application based on the assessments set out in paragraph 11 of the Paper. The proposed temporary transitional housing was generally in line with the planning intention of the “Residential (Group D)” (“R(D)”) zone and was also in line with the Government policy to increase the supply of transitional housing to relieve the pressure of families living in unpleasant conditions and waiting for public housing for a long time. The Secretary for Transport (STH) and Housing had given in-principle policy support to

the applicant for the proposed transitional housing project. The proposed development was considered not incompatible with the surrounding area. The proposed temporary transitional housing would provide planning gains benefiting the existing residents in the neighbourhood as it would remove the existing open storage and warehouse operations on the site that were not compatible with residential and agricultural uses in the surrounding area, thereby improving the condition of the area and eliminating the environmental nuisances to the existing residents nearby. Concerned government departments had no objection to or no adverse comment on the application. Approval conditions were recommended to address the concerns of government departments. Regarding the public comments, the comments of government departments and the planning assessments above were relevant.

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

The Tso Tong Lot

- (a) noting the comments of the District Lands Officer/Yuen Long, Lands Department that one of the private lots was held by a Tso (the Tso's lot) and the District Officer (Yuen Long), Home Affairs Department (DO/YL, HAD)'s comments on the inclusion of the lot should be sought, what the comments of relevant government departments were on that aspect and the details of the land ownership of the Tso's lot;

Site and Surroundings

- (b) the concern of the Director of Environmental Protection (DEP) regarding land contamination at the application site;
- (c) with reference to the aerial photo in Plan A-3 of the Paper, what the major uses in the area were;

- (d) noting that there were some open storage/warehouse uses on the land surrounding the application site, whether the land was also owned by HLD and whether such operations would create nuisance to future residents;

The Proposed Transitional Housing

- (e) whether there were any requirements on the eligibility of the project proponent for transitional housing;
- (f) noting that the proposed transitional housing was temporary in nature and was not subject to building height restrictions stipulated in the “R(D)” zone, whether the development intensity could be increased for better utilisation of land;
- (g) noting that landscaping works would be carried out for the proposed transitional housing, whether the landscape works proposed were only for the duration of the transitional housing and whether there were any measures to avoid the removal of the landscape planting when the proposed transitional housing ceased operation;
- (h) whether there would be boundary fencing proposed for the application site;

Grade 3 Historic Compound at Kong Ha Wai

- (i) noting that there was a Grade 3 historic compound to the southeast of the application site, what the distance of the nearest building of the proposed development was from the historic compound and whether there were any measures required to be taken to protect the compound during the construction stage;
- (j) whether there were any proposals for the future use of the Grade 3 historic building;

Public Comments

- (k) the response to the public comments that the proposed transitional housing would help facilitate the developer's future private development at the site;
- (l) should the subject application for temporary transitional housing be approved, whether the approval given would have any implications on granting approval to permanent development at the site in future; and

Land Use Review at Kam Tin South

- (m) whether the site was related to the land use review (LUR) at Kam Tin South and the corresponding amendments to the outline zoning plan (OZP) made in 2015 and 2017, and whether the proposed temporary transitional housing would affect the timeframe of reviewing the development potential of the "R(D)" zone at the site.

36. In response, Miss Winnie B.Y. Lau, DPO/FSYLE, made the following main points:

The Tso Tong Lot

- (a) only about 107m² of the Tso's lot fell within the application site. The portion of the Tso's lot was required to provide proper access to connect the northern and southern portion of the application site. The applicant had obtained owner's consent from the Tso in accordance with the provisions set out in Town Planning Board Guidelines No. 31A;

Site and Surroundings

- (b) parts of the site were currently and previously used as open storage, warehouse and workshop uses. It was uncertain whether the land had been contaminated. As such, the applicant had to undertake site investigation to ascertain whether the land had been contaminated. Should there be land

contamination, the applicant would have to submit a remedial action plan to the satisfaction of DEP;

- (c) the areas surrounding the site comprised mainly residential structures/dwellings, open storage yards and warehouses. There was also a Grade 3 historic compound, namely the main building, entrance gate and servant's quarters of Kong Ha Wai, to the southeast of the site. The village settlement of Kam Tsin Wai was located further east of the site and Ng Ka Tsuen was located to the further north of the site;

- (d) not all the private lots falling within the subject "R(D)" zone were owned by HLD. With regard to the open storage or industrial uses nearby, two temporary open storage/warehouse uses adjoining the eastern part of the site as shown on Plan A-2 were covered with planning approvals which would expire within the coming two years. The other storage uses adjoining the site included storage of rattan goods and groceries which were more passive in nature. The structures adjacent to the southern part of the application site were mainly plant nurseries. The applicant had carried out an environmental assessment (EA) to assess whether the open storage/warehouse uses in the area would have adverse impact on the development, and the EA concluded that there were no unacceptable impacts. To mitigate the possible nuisance and improve the visual amenity, boundary fencing and peripheral buffer planting would be provided and fast growing species, such as bamboo, would be used. Moreover, most of the residential blocks would be located at the western part of the site, which were away from the open storage/warehouse uses. Should there be a material change to the open storage/warehouses uses in the vicinity of the application site, planning permission from the Town Planning Board would be required;

The Proposed Transitional Housing

- (e) according to the Transport and Housing Bureau (THB), the operator of the transitional housing should be a non-profit making organisation or social

enterprise. In mid-June 2020, an Assessment Committee of the Funding Scheme to Support Transitional Housing Projects by Non-government Organisation comprising government officials and non-official members was set up by the THB to vet applications for transitional housing and oversee its implementation. For the subject application, the applicant would need to submit their proposal to the Assessment Committee. If the proposal was approved, the applicant would have to sign an agreement with the government in respect of the implementation of the transitional housing;

- (f) according to the applicant, the proposed maximum building height of four storeys was to avoid the need for extensive foundation works and provision of disabled and fireman's lift. This could enable timely implementation of the proposed transitional housing to meet the needs of the public;
- (g) the agreement between the STH and the operator of the transitional housing would cover exit arrangements upon decommissioning of the transitional housing. Members' concern on the retention of the landscape planting could be relayed to the THB for follow-up as appropriate. Moreover, no reinstatement clause of the site to an amenity area was recommended as an approval condition as the application site fell within a development zone;
- (h) there would be boundary fencing provided for the proposed development. However, the existing pedestrian path traversing the application site from Kam Sheung Road to Kam Shui South Road would be kept open 24-hours daily for public use;

Grade 3 Historic Compound at Kong Ha Wai

- (i) the closest building of the proposed temporary transitional housing was at least 6m away from the Grade 3 historic compound at Kong Ha Wai. As the proposed temporary transitional housing was of four storeys and foundation works was not required, it was envisaged that the impact on those historic buildings would be minimal. The Antiquities and Monument Office would further consider whether the proposed

development would have any impact on the Grade 3 historic compound during the building plan submission stage;

- (j) PlanD had not received any proposal on the future use of the Grade 3 historic compound. However, according to media reports, the land owner intended to revitalize it for some community facilities which would be opened to the local community;

Public Comments

- (k) there were public comments saying that should the subject temporary transitional housing application be approved, it would facilitate the developer to take forward permanent residential development at the site in future and the government would in effect subsidise the applicant to carry out site formation works for the benefit of the land owner. It should be noted that the technical assessments conducted for the subject application was in support of transitional housing only and should the application be approved, it would be for the proposed transitional housing. Any subsequent use of the site for permanent residential development would require new planning application accompanied with fresh technical assessments in support of the application. With regard to the subsidy provided by the Government for transitional housing purpose, it did not include the cost for carrying out permanent site formation works. As advised by THB, the land owner of the subject transitional housing site would bear the cost of the site formation works; and

Land Use Review at Kam Tin South

- (l) with the completion of Route 3 and West Rail, a LUR was conducted for the Kam Tin South area, including the application site. Although the LUR concluded that Kam Tin South had potential for further residential and commercial development, the area was subject to infrastructural constraints. As such, only the West Rail Kam Sheung Road Station (KSRS), Pat Heung Maintenance Centre, and three sites immediately adjacent to KSRS were

rezoned in two rounds of OZP amendments to facilitate comprehensive commercial/residential development and public housing development together with supporting government, institution and community uses.

Deliberation Session

37. A Member considered that the proposed temporary transitional housing could provide housing units to help alleviate the pressing housing demand and provide a better environment for those living in poor conditions. As the application was of temporary nature and would not affect the long-term planning of the area, the Member supported the application.

38. Another Member also supported the application, but opined that the government should reduce the possible impact and nuisance to the future residents caused by open storage/warehouse uses in the vicinity of the application site, and that a sustainable design and maintenance arrangement for the peripheral planting along the site boundary should be adopted so as to enhance the amenity value of the area in the long term.

39. The Chairman summarised that Members in general supported the application. With regard to Members' concerns on land use compatibility issue, the Chairman said that in considering applications for open storage/warehouse uses in the area in future, due consideration should be given to the potential adverse environmental impact that they might have on the surrounding area.

40. After deliberation, the Committee decided to approve the application on a temporary basis for a period of 3 years until 26.6.2023, on the terms of the application as submitted to the Town Planning Board (TPB) and subject to the following conditions:

- “(a) no vehicle is allowed to queue back to or reverse onto/from public road at any time during the planning approval period;
- (b) the provision of a bus bay and bus stacking area within the Site for public transport services after commencement of the development at all times during the planning approval period;

- (c) the submission of a run-in/out proposal at Kam Sheung Road within 6 months from the date of planning approval to the satisfaction of the Director of Highways and the Commissioner for Transport or of the TPB by 26.12.2020;
- (d) in relation to (c) above, the implementation of the run-in/out proposal at Kam Sheung Road within 9 months from the date of planning approval to the satisfaction of the Director of Highways and the Commissioner for Transport or of the TPB by 26.3.2021;
- (e) the submission of an updated sewerage impact assessment within 6 months from the date of planning approval to the satisfaction of the Director of Environmental Protection and the Director of Drainage Services or of the TPB by 26.12.2020;
- (f) in relation to (e) above, the implementation of the sewerage improvement measures within 9 months from the date of planning approval to the satisfaction of the Director of Environmental Protection and the Director of Drainage Services or of the TPB by 26.3.2021;
- (g) the submission of an updated noise impact assessment within 6 months from the date of planning approval to the satisfaction of the Director of Environmental Protection or of the TPB by 26.12.2020;
- (h) in relation to (g) above, the implementation of the noise mitigation measures within 9 months from the date of planning approval to the satisfaction of the Director of Environmental Protection or of the TPB by 26.3.2021;
- (i) the submission of a revised drainage impact assessment within 6 months from the date of planning approval to the satisfaction of the Director of Drainage Services or of the TPB by 26.12.2020;

- (j) in relation to (i) above, the implementation of the revised drainage proposal within 9 months from the date of planning approval to the satisfaction of the Director of Drainage Services or of the TPB by 26.3.2021;
- (k) the submission of a contamination assessment plan and remediation action plan (if necessary) within 6 months from the date of planning approval to the satisfaction of the Director of Environmental Protection or of the TPB by 26.12.2020;
- (l) in relation to (k) above, the implementation of the remedial actions prior to commencement of construction for the contaminated areas of the development within 9 months from the date of planning approval to the satisfaction of the Director of Environmental Protection or of the TPB by 26.3.2021;
- (m) the submission of a fire service installations proposal within 6 months from the date of planning approval to the satisfaction of the Director of Fire Services or of the TPB by 26.12.2020;
- (n) in relation to (m) above, the implementation of the fire service installations proposal within 9 months from the date of planning approval to the satisfaction of the Director of Fire Services or of the TPB by 26.3.2021;
- (o) if any of the above planning conditions (a) or (b) is not complied with during the planning approval period, the approval hereby given shall cease to have effect and shall be revoked immediately without further notice; and
- (p) if any of the above planning conditions (c), (d), (e), (f), (g), (h), (i), (j), (k), (l), (m) or (n) 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 V of the Paper.

Agenda Item 14

Section 16 Application

[Open Meeting]

A/YL-KTS/848 Place of Recreation, Sports or Culture (Hobby Farm) and Filling of Land in “Agriculture” Zone, Lots 777 RP, 778 RP, 779 RP and 926 in D.D. 103, Kam Tin, Yuen Long
(RNTPC Paper No. A/YL-KTS/848)

42. The Committee noted that the applicant’s representative requested on 17.6.2020 deferment of consideration of the application for a period of two months to allow time to prepare further information to respond to 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.

Agenda Item 15

Section 16 Application

[Open Meeting]

A/YL-KTS/849 Proposed Temporary Place of Recreation, Sports or Culture (Hobby Farm) for a Period of 5 Years and Filling of Land in “Agriculture” Zone, Lots 1720 S.A, 1720 S.B, 1720 S.C, 1720 RP, 1721 (Part), 1723 and 1724 in D.D. 106, Pat Heung, Yuen Long
(RNTPC Paper No. A/YL-KTS/849)

44. The Committee noted that the applicant’s representative requested on 17.6.2020 deferment of consideration of the application for a period of two months for preparation of further information to respond to departmental comments. It was the first time that the applicant requested deferment of the application.

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

Agenda Item 16

Section 16 Application

[Open Meeting]

A/YL-PH/829

Proposed Houses and Filling of Land and Excavation of Land in “Residential (Group D)” Zone, Lots 101 S.F RP, 101 S.G, 101 S.H, 101 S.I and 101 S.J in D.D. 111, Fan Kam Road, Pat Heung, Yuen Long

(RNTPC Paper No. A/YL-PH/829A)

46. The Committee noted that the applicant’s representative requested on 19.6.2020 deferment of consideration of the application for a period of two months to allow time to prepare further information (FI) to address comments from the Transport Department. It was the second time that the applicant requested deferment of the application. Since the last deferment, the applicant had submitted FI to address departmental comments.

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

Agenda Item 17

Section 16 Application

[Open Meeting (Presentation and Question Sessions Only)]

A/YL-PH/841 Proposed Temporary Shop and Services (Sales of Vehicle Parts) for a
Period of 3 Years in “Agriculture” Zone, Lot 303 (Part) in D.D. 110,
Pat Heung, Yuen Long
(RNTPC Paper No. A/YL-PH/841)

Presentation and Question Sessions

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

- (a) background to the application;
- (b) the proposed temporary shop and services (sales of vehicle parts) 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, three public comments from Kadoorie Farm and Botanic Garden Corporation, Designing Hong Kong Limited and an individual were received objecting to the application. Major 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. Although the proposed development was considered not entirely incompatible with the locality, it was not in line with the planning intention of the “Agriculture” (“AGR”) zone and the Director of Agriculture, Fisheries and Conservation (DAFC) did not support the application as the

site possessed potential for agricultural rehabilitation. There was no strong planning justification in the submission for a departure from the planning intention, even on a temporary basis. Other relevant government departments had no objection to or no adverse comment on the application. Whilst there were two similar applications for temporary shop and services uses within the same “AGR” zone approved by the Committee, DAFC did not support the current application from agricultural point of view. Regarding the public comments, the comments of government departments and the planning assessments above were relevant.

49. Some Members raised the following questions:

- (a) noting that DAFC did not support the current application but had no adverse comments on the two similar applications adjacent to the application, what the considerations of DAFC were on the current application; and
- (b) when the two similar applications (No. A/YL-PH/754 and A/YL-PH/766) adjacent to the application site were approved by the Committee.

50. In response, Ms Ivy C.W. Wong, STP/FSYLE, made the following main points:

- (a) with reference to Plans A-1 and A-2 of the Paper, the two similar applications were located to the immediate east and further east of the application site. DAFC carried out a site inspection in April 2020 and observed that there were active agricultural activities in the vicinity of the application site. As agricultural infrastructures such as road access and water source were available, DAFC considered that the site could be used for agriculture activities such as green houses and plant nurseries and hence they did not support the current application. As for the two similar applications, DAFC did not have any adverse comments as there was no high agricultural rehabilitation potential at those two sites at that time;

- (b) the two similar applications were approved with conditions on a temporary basis for three years in September 2017 and March 2018 respectively.

Deliberation Session

51. A Member expressed concern on DAFC's objection to the current application, having noted that no adverse comments were raised by DAFC on the two similar applications (No. A/YL-PH/754 and A/YL-PH/766) adjacent to the site.

52. Another Member opined that there might have been changes in the planning circumstances of the area and thus DAFC did not support the application. However, with reference to the aerial photo in Plan A-3 of the Paper, which was taken in October 2019, the Committee noted that there seemed to be no major change in the planning circumstances of the "AGR" zone.

53. Regarding DAFC's comments that there were active agricultural activities in the vicinity, the Committee noted that there were pockets of active agricultural activities in the south, southeast and further west and northwest of the application site. As for a public comment stating that the site involved 'destroy first, build later', the Committee noted that the site was subject to enforcement action against an unauthorised storage use. An Enforcement Notice was issued in December 2019. Subsequent site inspections revealed that the unauthorised development was discontinued and the site had been vacated.

54. A Member considered that, unless there was a change in planning circumstances since the approval of the two similar applications, the application could be supported. Another Member opined that to ensure consistency in considering the application, clarification should be sought from DAFC on the agricultural rehabilitation potential in the area and the difference in its views on the current application and the two similar applications.

55. A Member considered that there was insufficient information available to make a decision on the application at the current juncture and was of the view that DAFC should be further consulted. Another Member noted that the temporary approvals given to the two similar applications would expire in September 2020 and March 2021 respectively, and

agreed that clarification from DAFC should be sought.

56. The Chairman summarised that Members generally considered that clarification from DAFC should be sought.

57. After deliberation, the Committee decided to defer a decision on the application pending further clarification with DAFC on the agricultural rehabilitation potential in the area and the difference in its views on the current application and the two similar applications adjacent to the application site.

Agenda Item 18

Section 16 Application

[Open Meeting (Presentation and Question Sessions Only)]

A/YL-PH/842 Renewal of Planning Approval for Temporary Shop and Services (Real Estate Agency, Car Beauty Product Retail and Auto Parts Retail) for a Period of 3 Years in “Open Storage” Zone, Lots 1584 S.A ss.2 and 1584 S.A RP in D.D.111, Kam Tin Road, Pat Heung, Yuen Long
(RNTPC Paper No. A/YL-PH/842)

Presentation and Question Sessions

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

- (a) background to the application;
- (b) the renewal of planning approval for temporary shop and services (real estate agency, car beauty product retail and auto parts retail) 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 from the Green Villa Mutual Aid Committee was received objecting to the application. Major views were set out in paragraph 11 of the Paper; and
- (e) the Planning Department (PlanD)'s views – PlanD had no objection to the application based on the assessments set out in paragraph 12 of the Paper. Although the applied use was not entirely in line with the planning intention of the “Open Storage” zone, temporary approval of the application would not frustrate the long-term planning intention. The applied use was in line with Town Planning Board Guidelines No. 34C in that there was no major change in planning circumstances since the last approval and all approval conditions of the last approved application had been complied with. Regarding the public comment, the comments of government departments and the planning assessments above were relevant.

59. In response to the Chairman's enquiry, Ms Ivy C.W. Wong, STP/FSYLE, with reference to Plan A-3 of the Paper, said that Green Villa was located to the further southeast of the application site.

Deliberation Session

60. The Committee noted that no environmental complaint pertaining to the site was received in the past three years.

61. After deliberation, the Committee decided to approve the application on a temporary basis for a period of 3 years, and be renewed from 29.7.2020 to 28.7.2023, 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 vehicle is allowed to queue back to or reverse onto/from public road at any time during the planning approval period;
- (c) the existing trees and landscape plantings within the Site shall be maintained at all times during the planning approval period;
- (d) the existing drainage facilities on the Site shall be maintained at all times during the planning approval period;
- (e) the submission of a run-in/out proposal at Kam Tin Road within 6 months from the date of commencement of the renewed planning approval to the satisfaction of the Commissioner for Transport and the Director of Highways or of the TPB by 29.1.2021;
- (f) in relation to (e) above, the implementation of the run-in/out proposal at Kam Tin Road within 9 months from the date of commencement of the renewed planning approval to the satisfaction of the Commissioner for Transport and the Director of Highways or of the TPB by 29.4.2021;
- (g) 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 29.10.2020;
- (h) the existing fire service installations implemented on the Site shall 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) 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 any of the above planning conditions (e), (f) or (g) is not complied with

by the specified date, the approval hereby given shall cease to have effect and shall on the same date be revoked without further notice.”

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

Agenda Item 19

Section 16 Application

[Open Meeting]

A/YL-PH/843 Proposed Temporary Public Vehicle Park for a Period of 3 Years in
“Residential (Group D)” Zone, Lots 78 S.A (Part), 93 (Part) and 94
(Part) in D.D. 108, Fan Kam Road, Pat Heung, Yuen Long
(RNTPC Paper No. A/YL-PH/843)

63. The Committee noted that the applicant’s representative requested on 17.6.2020 deferment of consideration of the application for a period of two months to allow time for preparation of further information to address departmental comments. It was the first time that the applicant requested deferment of consideration of the application.

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

Agenda Item 20

Section 16 Application

[Open Meeting (Presentation and Question Sessions Only)]

A/NE-KTS/487 Proposed Temporary Open Storage of Construction Materials and Machinery with Ancillary Offices for a Period of 3 Years and Filling of Ponds in “Green Belt” Zone, Lots 1196, 1197 and 1198 in D.D. 92, Kwu Tung South, Sheung Shui
(RNTPC Paper No. A/NE-KTS/487)

65. The application site was located in the vicinity of the Hong Kong Jockey Club (HKJC) Beas River Country Club. The following Members have declared interests on the item:

- | | | |
|--|---|--|
| Dr Lawrence K.C. Li | - | being a voting member of the HKJC; |
| Mr Peter K.T. Yuen | - | being an ordinary member of the HKJC and a member of the Board of Governors of the Hong Kong Arts Centre which had received donation from HKJC before; |
| Mr Stephen L.H. Liu
(the Vice Chairman) | } | being an ordinary member of the HKJC; |
| Mr K.K. Cheung | | |
| Mr Phillip S.L. Kan | | |
| Miss Winnie W.M. Ng | | |
| Mr Conrad T.C. Wong | | |
| Dr C.H. Hau | - | had applied for funding from the HKJC Charities Trust for his project; and |

Mr L.T. Kwok - HKJC Charities Trust had sponsored some of his projects before.

66. The Committee noted that Mr L.T. Kwok had tendered an apology for being unable to attend the meeting.

67. The Committee noted that according to the Procedure and Practice of the Town Planning Board, a Member who was an ordinary/corporate member of a club, association, union or other bodies would not constitute a conflict of direct interest if the Member was not directly involved in the matter under consideration. As Dr Lawrence K.C. Li was a Voting Member of the HKJC, the Committee agreed that he should leave the meeting temporarily for the item. For other Members who were just ordinary members of the HKJC, they could be allowed to stay in the meeting. The Committee also agreed that Dr C.H. Hau could stay in the meeting as his interest was indirect.

[Dr Lawrence K.C. Li left the meeting temporarily at this point.]

Presentation and Question Sessions

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

- (a) background to the application;
- (b) the proposed temporary open storage of construction materials and machinery with ancillary offices for a period of three years and filling of ponds;
- (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 from the Kadoorie Farm and Botanic Garden Corporation, Hong

Kong Bird Watching Society, Designing Hong Kong Limited and an individual were received objecting to 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 consideration set out in paragraph 12 of the Paper. The proposed use was not in line with the planning intention of the “Green Belt” (“GB”) zone and there was a general presumption against development within the zone. There was no strong planning justification in the submission for a departure from the planning intention, even on a temporary basis. The proposed use was considered not compatible with the surrounding rural character. The Chief Town Planner/Urban Design and Landscape, PlanD had reservations on the application and approval of the application would set an undesirable precedent resulting in a general degradation of the environment and landscape quality of the area. The Commissioner for Transport did not support the application as the information provided by the applicant was insufficient to address traffic impact and the Chief Engineer/Mainland North, Drainage Services Department had reservation on the application. The proposed development was not in line with Town Planning Board Guidelines No. 10 and 13F in that the site fell within Category 4 areas and no previous approval for open storage use had been granted for the site, and there were adverse departmental comments on the application. Regarding the public comments, the comments of concerned government departments and the planning assessments above were relevant.

69. With reference to Plan A-3 of the Paper, the Chairman enquired the uses to the north of the application site. In response, Ms S.H. Lam, STP/FSYLE, said that there was an abandoned chicken farm and some agricultural uses to the north of the application site.

Deliberation Session

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

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

- (b) the proposed development is not in line with the Town Planning Board Guidelines No. 10 for Application for Development within Green Belt Zone under Section 16 of the Town Planning Ordinance in that the proposed development is not compatible with the surrounding areas and the applicant fails to demonstrate that there is no adverse landscape, traffic and drainage impacts on the surrounding areas;

- (c) the proposed development is not in line with the Town Planning Board Guidelines No. 13F for Application for Open Storage and Port Back-up Uses in that there is no previous planning approval for the open storage use and there are adverse departmental comments on the landscape, traffic and drainage aspects; and

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

[Dr Lawrence K.C. Li returned to join the meeting at this point.]

Agenda Item 21

Section 16 Application

[Open Meeting (Presentation and Question Sessions Only)]

A/YL-NSW/278 Temporary Shop and Services (Sales of Private Cars) for a Period of 3 Years in “Undetermined” Zone, Lots 751 (Part), 763 (Part), 764 S.A RP (Part) in D.D. 115, Castle Peak Road - Yuen Long Section, Yuen Long
(RNTPC Paper No. A/YL-NSW/278A)

Presentation and Question Sessions

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

- (a) background to the application;
- (b) the temporary shop and services (sale of 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, three public comments from a Yuen Long District Council member, Tung Shing Lei Village Residents Welfare Association Yuen Long and an individual were received objecting to the application. Major views were set out in paragraph 10 of the Paper; and
- (e) the Planning Department (PlanD)’s views – PlanD had no objection to the application based on the assessments set out in paragraph 11 of the Paper. While the subject “Undetermined” (“U”) zone had been identified in the 2017 Policy Address as having potential for housing development, the detailed land use proposal and appropriate development parameters were

subject to further study. The proposed temporary use for a period of three years would not jeopardise the long-term land use planning for the area. The proposed use was not incompatible with the surrounding land uses. Concerned government departments had no objection to or no adverse comments on the application. Relevant approval conditions had been recommended to address the technical concerns or requirements of the concerned departments. The Committee had approved a similar application for temporary retail shop for wheels and tyres within the same “U” zone, approval of the current application was in line with the Committee’s previous decision. Regarding the public comments, the comments of government departments and the planning assessments above were relevant.

72. With reference to Plan A-4 of the Paper, a Member enquired whether there was an existing building within the application site. In response, Ms Emily P.W. Tong, STP/FSYLE, said that the structure as shown in the photo was within the application site which was occupied by a vehicle showroom and no operation was noticed during a recent site inspection.

Deliberation Session

73. After deliberation, the Committee decided to approve the application on a temporary basis for a period of 3 years until 26.6.2023, 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. on Mondays to Sundays and public holidays, as proposed by the applicant, is allowed on the Site during the planning approval period;
- (b) only private cars are allowed to be parked on the Site at any time during the planning approval period;
- (c) no vehicle is allowed to queue back to or reverse onto/from the Site at any time during the planning approval period;

- (d) the implementation of the submitted drainage proposal within 6 months from the date of planning approval to the satisfaction of the Director of Drainage Services or of the TPB by 26.12.2020;
- (e) the submission of a fire service installations proposal within 6 months from the date of planning approval to the satisfaction of the Director of Fire Services or of the TPB by 26.12.2020;
- (f) in relation to (e) above, the implementation of the fire service installations proposal within 9 months from the date of planning approval to the satisfaction of the Director of Fire Services or of the TPB by 26.3.2021;
- (g) if any of the above planning conditions (a), (b) or (c) is not complied with during the planning approval period, the approval hereby given shall cease to have effect and shall be revoked immediately without further notice; and
- (h) if any of the above planning conditions (d), (e) or (f) is not complied with by the specified date, the approval hereby given shall cease to have effect and shall on the same date be revoked without further notice.”

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

Agenda Item 22

Section 16 Application

[Open Meeting]

A/YL-ST/570 Proposed Public Utility Installation (Solar Energy System) in “Green Belt” Zone, Lot 353 in D.D. 99, San Tin, Yuen Long
(RNTPC Paper No. A/YL-ST/570)

75. 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 set of assessment criteria was still being formulated, the Planning Department recommended deferment of the current application until such assessment criteria was endorsed for use.

76. 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.

[The Chairman thanked Miss Winnie B.Y. Lau, DPO/FSYLE, Ms S.H. Lam, Ms Ivy C.W. Wong and Ms Emily P.W. Tong, STPs/FSYLE, for their attendance to answer Members' enquiries. They left the meeting at this point.]

Tuen Mun and Yuen Long West District

Agenda Item 23

Section 16 Application

[Open Meeting]

Proposed Amendments to the Approved Tong Yan San Tsuen Outline Zoning Plan No. S/YL-TYST/12 and the Approved Tai Tong Outline Zoning Plan No. S/YL-TT/16

(RNTPC Paper No. 3/20)

77. The Secretary reported that the proposed amendment items to the approved Tong Yan San Tsuen (TYST) Outline Zoning Plan (OZP) and Tai Tong (TT) OZP were to take forward Stages 1 and 2 of the Revised Recommended Outline Development Plan (RODP) of the Yuen Long South (YLS) Development under the "Planning and Engineering Study for Housing Sites in YLS – Investigation" (the YLS Study) commissioned by the Planning Department (PlanD) and the Civil Engineering and Development Department (CEDD), where Ove Arup & Partners Hong Kong Limited (ARUP) was the consultant of the YLS Study.

The Revised RODP had recommended substantial number of flats for public housing. The following Members had declared interests on the item:

- | | |
|---|--|
| Mr Gavin C.T. Tse
(as <i>Chief Engineer</i>
(Works), <i>Home Affairs</i>
<i>Department</i>) | - being a representative of the Director of Home Affairs as a member of the Strategic Planning Committee and Subsidised Housing Committee of the Hong Kong Housing Authority (HKHA); |
| Mr K.K. Cheung | - his firm having current business dealings with HKHA and ARUP; |
| Mr Conrad T.C. Wong | - his firm having current business dealings with HKHA; |
| Mr L.T. Kwok | - his serving organisation openly bid a funding from HKHA; and |
| Dr C.H. Hau | - currently conducting contract research projects with CEDD. |

78. The Committee noted that Mr L.T. Kwok had tendered an apology for being unable to attend the meeting.

79. The Committee noted that according to the procedure and practice adopted by the Town Planning Board, as the proposed amendments, including those for public housing development, were the subject of amendments to the OZP proposed by PlanD, the interests of Members in relation to HKHA would only need to be recorded. As Mr K.K. Cheung and Dr C.H. Hau had no involvement in relation to the amendment items, the Committee agreed that they could stay in the meeting.

Presentation and Question Session

80. The following representatives from PlanD, CEDD and the consultants were invited to the meeting at this point:

PlanD

- Mr Kepler S.Y. Yuen - District Planning Officer/Tuen Mun and Yuen Long West (DPO/TMYLW)
- Mr Steven Y.H. Siu - Senior Town Planner/Tuen Mun and Yuen Long West (STP/TMYLW)
- Ms Sandy S.K. Ng - Senior Town Planner/Cross-Boundary Infrastructure and Development (STP/CID)

CEDD

- Mr Desmond Lam - Chief Engineer/West 1 (CE/W1)
- Mr W.L. Chui - Senior Engineer/District Monitoring Group on Housing Sites (West) (SE/DMGHS(West))

The Consultants

- Mr Peter Chan
 - Mr Ray Tang
 - Mr Elvis Lau
- } ARUP

81. The Chairman extended a welcome and invited the government representatives to brief Members on the Paper. With the aid of a PowerPoint presentation, Mr Steven Y.H. Siu, STP/TMYLW, presented the proposed amendments as detailed in the Paper and covered the following main points:

Background

- (a) according to the 2011-12 Policy Address, the Government would explore the possibility of converting some 150ha of land in North District and Yuen Long that were used mainly for industrial purposes or temporary storage, or which was deserted, into housing land. In that connection, PlanD and CEDD jointly commissioned the YLS Study in November 2012 to examine

the development potential of the degraded brownfield sites in YLS for housing purposes with supporting infrastructure and community facilities, and to improve the existing environment. The RODP was promulgated in August 2017;

- (b) in December 2018, in view of the latest policy initiatives and to meet the acute demand for public housing, a review on the RODP of the YLS Study was commissioned primarily with a view to optimising the development intensities of the early stages of the YLS Development where technical feasibility permitted. The review was substantially completed in 2019 and concluded that the intensification of development intensities under the Revised RODP was technically feasible and environmentally acceptable as a whole, and the Revised RODP was promulgated in May 2020;

Proposed Amendments to Matters shown on the OZPs

- (c) the current proposed amendments on the TYST and TT OZPs involved rezoning of about 71 ha of land to the southwest of Yuen Long New Town to facilitate Stages 1 and 2 of the YLS Development, which aimed to meet the acute demand for housing and the expected demand for Multi-storey Building (MSB) floor-space once clearance of brownfield land in YLS ensued;
- (d) Amendment Items A (on TT OZP) and A1 to A5 (on TYST OZP) involved rezoning of about 41.7ha of land for public housing development, government, institution or community (GIC) facilities, open space and associated works:
 - (i) Amendment Item A: rezoning of a site to the east of Kiu Hing Road from “Other Specified Uses” annotated “Rural Use” (“OU(RU)”) and “Agriculture” to “Government, Institution or Community(1)” (“G/IC(1)”) with a maximum building height (BH) restriction of 8 storeys;

- (ii) Amendment Item A1: rezoning of two sites to the west of Kung Um Road from “Undetermined” (“U”) to “G/IC(1)”;
 - (iii) Amendment Item A2: rezoning of three sites in the vicinity of Shan Ha Road and Kung Um Road from “Open Storage” (“OS”) and “U” to “G/IC(2)” with a maximum BH restriction of 4 storeys;
 - (iv) Amendment Item A3: rezoning of five sites to the west of Kung Um Road from “U” to “Residential (Group A) 3” with a maximum plot ratio (PR) restriction of 7 and a maximum BH restriction of 160mPD;
 - (v) Amendment Item A4: rezoning of four sites and strips of land in the vicinity of Lam Tai West Road, Lam Tai East Road and Kung Um Road from “U” to “Open Space” (“O”); and
 - (vi) Amendment Item A5: rezoning of an area to the west of Kung Um Road from “U” to an area shown as ‘Road’;
- (e) Amendment Item B (about 1.2ha) was for retention of existing residential clusters, which involved rezoning of two sites in the vicinity of Tin Liu Tsuen on the TYST OZP from “U” to “Residential (Group D)” (“R(D)”) with maximum PR and BH restrictions of 0.2 and 2 storeys (6m) respectively and rezoning of a site in the vicinity of Muk Kiu Tau Tsuen on the TT OZP from “OU(RU)” to “R(D)”) with maximum PR and BH restrictions of 0.4 and 3 storeys (9m) respectively;
- (f) Amendment Item C (about 1.3ha) was mainly for re-provisioning of village houses affected by government projects, which involved rezoning of two sites in the vicinity of Shan Ha on the TYST OZP from “R(D)”) and “U” to “Village Type Development (1)” (“V(1)”) and rezoning of a site in the vicinity of Wong Nai Tun Tsuen on the TT OZP from “OU(RU)” to “V(1)”), both with a maximum BH restriction of 8.23m (3 storeys);
- (g) Amendment Items D1 to D4, covering about 22.6ha of land on the TYST

OZP, was mainly for proposed MSB development, open storage, open space and associated works to the south of Yuen Long Highway and near Tin Shui Wai West Interchange (TSWWI):

- (i) Amendment Item D1: rezoning of three sites south of Yuen Long Highway from “Industrial (Group D)” (“I(D)”), “Residential (Group B)1” (“R(B)1”), “G/IC” and “Green Belt” (“GB”) to “Other Specified Uses” (“OU”) annotated “Storage and Workshop Use”, with maximum non-domestic PR and BH restrictions of 5 and 110mPD respectively;
 - (ii) Amendment Item D2: rezoning of an area to the south of TSWWI from “GB” to “OS”;
 - (iii) Amendment Item D3: rezoning of two sites and strips of land in the vicinity of TSWWI and Tong Yan San Tsuen Road from “I(D)”, “R(B)1”, “G/IC” and “GB” to “O”; and
 - (iv) Amendment Item D4: rezoning of an area to the south of Yuen Long Highway from “I(D)”, “R(B)1” and “GB” to an area shown as ‘Road’.
- (h) Amendment Item E (about 4.2ha) involved rezoning of a site to the southern end of Kung Um Road from “U” to “OU” annotated “Sewage Treatment Works” mainly for a sewage treatment/screening plant with maximum BH of 35mPD;

Proposed Amendment to the Notes and Explanatory Statement (ES) of the OZPs

- (i) corresponding revisions to the Notes and ES had been proposed to take into account the proposed amendments and to follow the revised Master Schedule of Notes to Statutory Plan promulgated by the Board;

Technical Assessments

- (j) relevant technical assessments had been carried out in the YLS Study and all assessment results indicated that the YLS Development was technically feasible and would not cause unacceptable environmental impacts;

Consultation

- (k) the Shap Pat Heung Rural Committee (SPHRC), the Yuen Long District Council's Housing, Town Planning and Development Committee (YLDC HTP&DC) and Ping Shan Rural Committee (PSRC) were consulted on 8.5.2020, 20.5.2020 and 12.6.2020 respectively. The SPHRC supported the YLS Development and the proposed OZP amendments, but raised concerns on the compensation/relocation arrangement for affected stakeholders and the traffic and transport impact of the proposal during both the construction and implementation stages. SPHRC members suggested road improvement works as well as a new connection to Yuen Long Town Centre and a tunnel connection to the TT area via the proposed Route 11;
- (l) the YLDC HTP&DC did not raise objection to the proposed amendments, but passed a motion objecting to the alleged bundling of the YLS Development with the proposed road improvement works in the area. YLDC HTP&DC members also raised concern on traffic, lack of employment opportunities and commercial/retail uses in the YLS area, the need for an integrated pedestrian and cycling network and associated infrastructures, the displacement of some existing social welfare facilities, and the operational feasibility of the proposed MSBs. Suggestions were made to include more GIC facilities in the YLS Development and provide more public housing in the TYST area;
- (m) the PSRC did not raise objection to the YLS Development. Apart from traffic concerns similar to those raised by SPHRC and YLDC HTP&DC, PSRC members also raised concern on the brownfield operations to be affected by the YLS Development. Specific suggestions were made

including retaining some of the area in the YLS Development for open storage use and construction of an additional access road to Shan Ha; and

- (n) the proposed amendments had been circulated to relevant government bureaux/departments for comments. Comments from concerned government bureaux/departments had been incorporated where appropriate. Other departments had no objection to or no adverse comment on the proposed amendments.

82. As the presentation by PlanD's representative had been completed, the Chairman invited questions from Members.

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

Traffic and Transportation Aspects

- (a) details of the proposed environmentally friendly transport services (EFTS);
- (b) details on the proposed Route 11 and whether it would help ease the traffic condition in the area;
- (c) details of the traffic and transport impacts of the YLS Development;

GIC Provision

- (d) noting that there would be increases in the development intensity and changes to the overall public/private housing supply as shown on the Revised RODP, whether there would be sufficient GIC facilities to cater for the future population and whether the affected residential care home for the disabled would be reprovisioned;

Development intensity and open space provision

- (e) the development intensity of the residential developments in the Yuen Long

area;

- (f) noting that open space would be provided in residential developments and Amendment Item A4 also involved the rezoning of a number of sites to “O”, under what circumstances would open space be provided in residential developments or be provided separately;
- (g) whether the areas rezoned to “O” could be used for residential development to increase flat supply; and

MSB development

- (h) details of the operation of the MSBs and noting that there was an on-going study regarding MSBs, whether the industry would be consulted on the findings.

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

84. In response, Mr Kepler S.Y. Yuen, DPO/TMYLW, PlanD, and Mr Desmond Lam, CE/W1, CEDD, made the following points:

Traffic and Transportation Aspects

- (a) the EFTS, which was the same as that being studied under the Hung Shui Kiu/Ha Tsuen New Development Area (HSK/HT NDA), was to connect YLS with HSK/HT NDA and the Tin Shui Wai area. For the on-going study of the proposed EFTS, the Stage 1 public consultation to seek the public’s views on the alignment and operation mode of the EFTS was completed;
- (b) with regard to the planned Route 11, it was proposed to connect Sham Tseng and Lam Tei with northeast Lantau Island and was currently under study by the Highways Department. Relevant parties would be consulted on the findings at a later stage. Subject to the findings of the study, the

tentative completion year of Route 11 would be 2036;

- (c) a traffic and transport impact assessment was conducted as part of the YLS Study. With reference to Plan 6 of the Paper, a series of major transport infrastructures and improvement measures were proposed, including improvements to the TYST Interchange and TSWWI, a new slip road to divert traffic away from the section of Kung Um Road and Kiu Hing Road close to Shap Pat Heung Road for direct access to Yuen Long Highway, new district distributor roads running through the development area, and widening of Kung Um Road and Kiu Hing Road, etc.;

GIC Provision

- (d) the YLS Study had taken into account the need to provide GIC facilities to meet the planned population in the area. Some GIC facilities, such as neighbourhood elderly centre and residential care home for the elderly, would be provided within public housing developments. There were also sites rezoned to “G/IC” for provision of such facilities. The provision for open space and GIC facilities was in accordance with the Hong Kong Planning Standard and Guidelines (HKPSG) and the planned provision was generally adequate to meet the demand of the overall planned population;

Development intensity and open space provision

- (e) regarding the development intensities of residential developments in the Yuen Long area, the maximum domestic PR of residential developments in the Yuen Long New Town was 5. The public housing developments under Amendment Item A3 had a maximum domestic PR of 6.5, which was increased from the original PR of 5 in the RODP taking into account the latest policy initiatives to increase the domestic PR of public housing sites by up to 30% where technical feasibility permitted;
- (f) as for sites to be rezoned to “O” under Amendment Item A4, they were mainly district open space to meet the requirements under the HKPSG.

While local open space would be provided in the proposed public housing developments, district open space usually would be provided separately. It should be noted that as the existing residential developments in the YLS area were mainly low-density and low-rise in nature, the strips of land proposed to be rezoned to “O” also served as a buffer and breezeway to improve the overall environment; and

MSB development

- (g) the operation of the MSBs was currently under study and a market sounding-out exercise was being carried out. No details on the operation of the MSBs were currently available. For brownfield operations that would be affected by the YLS Development, compensation to the affected operators would be provided according to the prevailing policies.

Affected operations in the YLS area

85. A Member enquired about the impacts of the YLS Development on the livestock farms in the area. In response, Mr Desmond Lam, CE/W1, CEDD said that there were three chicken farms and three pig farms within the YLS area. One chicken farm and one pig farm would be affected under Stage 2 of the YLS Development and it was anticipated that land resumption works would commence tentatively in 2025. The remaining livestock farms were located at the further south of the YLS area and fell within the remaining stages of the YLS Development, of which one chicken farm would be retained. Compensation to the affected farm operators would be provided according to the established mechanisms.

86. Noting that two existing concrete batching plants (CBPs) in Tong Yan San Tsuen would be affected under Amendment Item D1, a Member was concerned that it might affect the supply of concrete for construction projects in Hong Kong, and enquired whether there would be sites for relocation of the CBPs. Mr Kepler S.Y. Yuen, DPO/TMYLW, PlanD, said that Amendment Item D1, which fell within Stage 2 of the YLS Development, was mainly for the provision of MSBs to accommodate brownfield operations that could not be accommodated in conventional flatted factory buildings. Land resumption for that part of the YLS area was anticipated to commence tentatively in 2022. Compensation to the

affected business operators would be provided according to the established mechanisms while assistance would be provided for their relocation as appropriate. As there were also existing CBPs that would be affected by the HSK/HT NDA, there might be opportunities to explore compensation/relocation as a whole to ensure the concrete supply to the construction industry would not be adversely affected. While there were no sites earmarked in the YLS area for CBP, such use was a Column 2 use in the “OS” zone.

87. The Chairman supplemented that the Works Branch of Development Bureau was overseeing the supply of concrete for the construction industry and would closely monitor the situation.

88. After deliberation, the Committee decided to:

- “(a) agree to the proposed amendments and that the draft Tong Yan San Tsuen Outline Zoning Plan (OZP) No. S/YL-TYST/12A at Attachment III (to be renumbered as S/YL-TYST/13) and draft Tai Tong OZP No. S/YL-TT/16A at Attachment IV (to be renumbered as S/YL-TT/17) and their Notes at Attachments V and VII respectively are suitable for exhibition for public inspection under section 5 of the Ordinance; and
- (b) adopt the revised Explanatory Statements (ESs) at Attachments VI and VIII for the draft Tong Yan San Tsuen OZP No. S/YL-TYST/12A (to be renumbered as S/YL-TYST/13) and draft Tai Tong OZP No. S/YL-TT/16A (to be renumbered as S/YL-TT/17) as an expression of the planning intentions and objectives of the Board for various land use zonings of the OZPs and the revised ESs will be published together with the draft OZPs.”

89. Members noted that, as a general practice, the Secretariat of the Board would undertake detailed checking and refinement of the draft OZP including the Notes and ES, if appropriate, before their publication under the Ordinance. Any major revisions would be submitted for the Board’s consideration.

[The Chairman thanked Mr Kepler S.Y. Yuen, DPO/TMYLW, Ms Sandy S.K. Ng, STP/CID, Mr Desmond Lam, CE/W1, CEDD, Mr W.L. Chui, SE/DMGHS(West), CEDD, Messrs Peter

Chan, Ray Tang and Elvis Lau for their attendance to answer Members' enquiries. They left the meeting at this point.]

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

Agenda Item 24

Section 16 Application

[Open Meeting (Presentation and Question Sessions Only)]

A/YL-TYST/1009 Temporary Warehouse for Storage of Food and Electronic Goods for a Period of 3 Years in "Undetermined" Zone, Lots 490 RP (Part), 709, 710, 711, 723, 724, 725, 729, 730, 731 and 732 in D.D. 119, Pak Sha Tsuen, Yuen Long
(RNTPC Paper No. A/YL-TYST/1009A)

Presentation and Question Sessions

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

- (a) background to the application;
- (b) the temporary warehouse for storage of food and electronic goods for a period of three years;
- (c) departmental comments – departmental comments were set out in paragraph 9 of the Paper;
- (d) no public comment was received during the first three weeks of the statutory publication period; and

- (e) the Planning Department (PlanD)'s views – PlanD considered the temporary use could be tolerated for a period of three years based on the assessments set out in paragraph 11 of the Paper. The applied use was not in conflict with the planning intention of the “Undetermined” (“U”) zone. Whilst the site mainly fell within the Revised 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 temporary use for a period of three years. Approval of the application on temporary basis for a period of three years would not jeopardise the long-term development of the area. The proposal was generally not incompatible with the surrounding uses. There were no adverse comments on the application from concerned government departments, except the Director of Environmental Protection (DEP). Although DEP did not support the application, no environmental complaint concerning the site was received in the past three years. Relevant approval conditions were recommended to minimise any potential environmental nuisances or to address the technical requirements of concerned government departments. There was one previous approval for warehouse use at the site and 54 similar applications had been approved in that part of the “U” zone, approval of the current application was generally in line with the Committee’s previous decisions.

91. Members had no question on the application.

Deliberation Session

92. After deliberation, the Committee decided to approve the application on a temporary basis for a period of 3 years until 26.6.2023, 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 open storage, repairing, cleaning, dismantling, spraying, other workshop activities and handling/storage of electronic waste and cathode-ray tubes, 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 or reverse onto/from public road at any time during the planning approval period;
- (e) all existing trees within the Site shall be maintained at all times, as proposed by the applicant, during the planning approval period;
- (f) the existing boundary fencing on the Site shall be maintained at all times during the planning approval period;
- (g) the existing drainage facilities on the Site shall be maintained at all times during the planning approval period;
- (h) the submission of a condition record of the existing drainage facilities on Site within 3 months from the date of planning approval to the satisfaction of the Director of Drainage Services or of the TPB by 26.9.2020;
- (i) the submission of a revised fire service installations proposal within 6 months from the date of planning approval to the satisfaction of the Director of Fire Services or of the TPB by 26.12.2020;
- (j) in relation to (i) above, the implementation of the fire service installations proposal within 9 months from the date of planning approval to the satisfaction of the Director of Fire Services or of the TPB by 26.3.2021;
- (k) if any of the above planning conditions (a), (b), (c), (d), (e), (f) or (g) is not complied with during the planning approval period, the approval hereby

given shall cease to have effect and shall be revoked immediately without further notice; and

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

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

Agenda Item 25

Section 16 Application

[Open Meeting (Presentation and Question Sessions Only)]

A/YL-TYST/1010 Temporary Eating Place (Outside Seating Accommodation of a Licensed Restaurant) for a Period of 3 Years in “Residential (Group A)” Zone, Government Land in front of Shops No. 4-5, G/F, Blocks 1-9, Treasure Court, 8 Ying Fuk Street, Hung Shui Kiu, Yuen Long
(RNTPC Paper No. A/YL-TYST/1010A)

Presentation and Question Sessions

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

- (a) background to the application;
- (b) the temporary eating place (outside seating accommodation (OSA) of a licenced restaurant) 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, nine public comments from individuals were received objecting to the application. Major views were set out in paragraph 10 of the Paper; and
- (e) the Planning Department (PlanD)'s views – PlanD had no objection to the application based on the assessments set out in paragraph 11 of the Paper. The subject OSA, which was ancillary to a licenced restaurant at the proposed-design commercial ground floor of a residential development, was considered not in conflict with the planning intention of the “Residential (Group A)” zone. The applied use was considered not incompatible with the surrounding uses in the area. Concerned government departments had no objection to or adverse comments on the application. Relevant approval conditions were recommended to minimise any potential environmental nuisances or to address local concerns and the technical requirements of concerned government departments. As eight previous approvals for the same applied use at the same site had been granted since 2012, approval of the current application was in line with the Committee's previous decisions. Regarding the public comments, the comments of government departments and the planning assessments above were relevant.

95. Members had no question on the application.

Deliberation Session

96. After deliberation, the Committee decided to approve the application on a temporary basis for a period of 3 years until 26.6.2023, on the terms of the application as submitted to the Town Planning Board (TPB) and subject to the following conditions:

- “(a) no operation between 9:30 p.m. and 9:00 a.m., as proposed by the applicant, is allowed on the Site during the planning approval period; and
- (b) if the above planning condition (a) is not complied with during the planning approval period, the approval hereby given shall cease to have effect and shall be revoked immediately without further notice.”

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

Agenda Item 26

Section 16 Application

[Open Meeting]

A/YL-TYST/1018 Proposed Temporary Public Vehicle Park for Private Cars and Light Goods Vehicles for a Period of 3 Years in “Village Type Development” Zone, Lots 2461 (Part), 2462 RP (Part) and 2464 RP in D.D. 120 and Adjoining Government Land, Lam Hau Tsuen, Yuen Long
(RNTPC Paper No. A/YL-TYST/1018)

98. The Committee noted that the applicant’s representative requested on 18.6.2020 deferment of consideration of the application for a period of two months so as to allow time to address departmental comments. It was the first time that the applicant requested deferment of consideration of the application.

99. 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 27

Section 16 Application

[Open Meeting]

A/YL-TYST/1019 Temporary Warehouse for Storage of Construction Materials and Exhibition Materials for a Period of 3 Years in “Undetermined” Zone, Lots 1170 S.B ss.2 (Part), 1170 S.B ss.3 (Part), 1170 S.B ss.4 S.A, 1170 S.B ss.4 RP, 1170 S.B ss.5 (Part), 1170 S.B RP (Part), 1173 (Part), 1175 (Part), 1176 (Part) and 1196 (Part) in D.D. 119, Pak Sha Tsuen, Yuen Long
(RNTPC Paper No. A/YL-TYST/1019)

100. The Committee noted that the applicant’s representative requested on 18.6.2020 deferment of consideration of the application for a period of two months so as to allow time to address departmental comments. It was the first time that the applicant requested deferment of the application.

101. 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 28

Section 16 Application

[Open Meeting]

A/YL-TYST/1020 Proposed Temporary Driving School for a Period of 3 Years in “Open Storage” Zone, Lot 2620 RP (Part) in D.D. 120, Shan Ha Road, Yuen Long
(RNTPC Paper No. A/YL-TYST/1020)

102. The Committee noted that the applicant requested on 11.6.2020 deferment of consideration of the application for a period of two months to allow time to address departmental comments. It was the first time that the applicant requested deferment of the application.

103. 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 29

Section 16 Application

[Open Meeting (Presentation and Question Sessions Only)]

A/YL-TYST/1021 Temporary Warehouse for Storage of Furniture for a Period of 3 Years in “Undetermined” Zone, Lot 1023 (Part) in D.D. 119, Pak Sha Tsuen, Yuen Long
(RNTPC Paper No. A/YL-TYST/1021)

Presentation and Question Sessions

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

- (a) background to the application;
- (b) the temporary warehouse for storage of furniture 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 from an individual was received providing views on the application. Major views were set out in paragraph 10 of the Paper; and
- (e) the Planning Department (PlanD)’s views – PlanD considered that the temporary use could be tolerated for a period of three years based on the assessments set out in paragraph 11 of the Paper. The applied use was not in conflict with the planning intention of the “Undetermined” (“U”) zone. Whilst the site fell within the Revised Recommended Outline Development Plan of Yuen Long South, the Chief Engineer/Cross-Boundary and Infrastructure Development, PlanD and the Project Manager (West), Civil Engineering and Development Department had no objection to the temporary use for three years. Approval of the application on a temporary basis for a period of three years would not jeopardise the long-term development of the area. The development was generally not incompatible with the surrounding uses. Concerned government departments had no objection to or no adverse comments on the application. Relevant approval conditions were recommended to minimise any potential environmental nuisances or to address local concerns and the technical requirements of concerned government departments. Given that 117 similar applications had been approved in that part of the “U” zone, approval of the current application was generally in line with the

Committee's previous decisions. Regarding the public comment, the comments of government departments and the planning assessments above were relevant.

105. Members had no question on the application.

Deliberation Session

106. After deliberation, the Committee decided to approve the application on a temporary basis for a period of 3 years until 26.6.2023, 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 workshop activities, as proposed by the applicant, shall be carried out on the Site at any time during the planning approval period;
- (d) no medium or heavy goods vehicles exceeding 5.5 tonnes, including container tractors/trailers, as defined in the Road Traffic Ordinance are allowed to be parked/stored on or enter/exit the Site, as proposed by the applicant, at any time during the planning approval period;
- (e) no vehicle is allowed to queue back to or reverse onto/from public road at any time during the planning approval period;
- (f) the implementation of the accepted drainage proposal within 6 months from the date of planning approval to the satisfaction of the Director of Drainage Services or of the TPB by 26.12.2020;
- (g) in relation to (f) above, the implemented drainage facilities on the Site shall

be maintained at all times during the planning approval period;

- (h) the submission of a fire service installations proposal within 6 months from the date of planning approval to the satisfaction of the Director of Fire Services or of the TPB by 26.12.2020;
- (i) in relation to (h) above, the implementation of the fire service installations proposal within 9 months from the date of planning approval to the satisfaction of the Director of Fire Services or of the TPB by 26.3.2021;
- (j) if any of the above planning conditions (a), (b), (c), (d), (e) 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 (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.”

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

Agenda Item 30

Section 16 Application

[Open Meeting (Presentation and Question Sessions Only)]

A/YL-TYST/1022 Temporary Warehouse for Storage of Vehicle, Vehicle Parts and Electronic Goods for a Period of 3 Years in “Undetermined” Zone, Lots 1198 S.A (Part), 1198 S.B (Part), 1228 (Part) and 1231 S.A ss.1 (Part) in D.D. 119, Tong Yan San Tsuen, Yuen Long
(RNTPC Paper No. A/YL-TYST/1022)

108. The Committee noted that two replacement pages (page 6 of the Paper and page 1

of Appendix V) providing updated comments of the Lands Department had been tabled for Members' reference.

Presentation and Question Sessions

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

- (a) background to the application;
- (b) the temporary warehouse for storage of vehicle, vehicle parts and electronic goods for a period of three years;
- (c) departmental comments – departmental comments were set out in paragraph 9 of the Paper;
- (d) during the first three weeks of the statutory publication period, two public comments from individuals were received providing views on the application. Major views were set out in paragraph 10 of the Paper; and
- (e) the Planning Department (PlanD)'s views – PlanD considered the temporary use could be tolerated for a period of three years based on the assessments set out in paragraph 11 of the Paper. The applied use was not in conflict with the planning intention of the “Undetermined” (“U”) zone. Whilst the site fell within the Revised 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 application. Approval of the application on a temporary basis of three years would not jeopardise the long-term development of the area. The development was generally not incompatible with the surrounding uses. Concerned government departments had no objection to or no adverse comments on the application. Relevant approval conditions were recommended to minimise any potential environmental nuisances or to

address local concerns and the technical requirements of concerned government departments. As two previous planning approvals for warehouse use and 115 similar applications had been approved in that part of the “U” zone, approval of the current application was generally in line with the Committee’s previous decisions. While the site was subject to two previous revocations, the current application was submitted by another applicant with different site layout and development parameters, hence the current application could be considered afresh. Regarding the public comments, the comments of government departments and the planning assessments above were relevant.

110. Members had no question on the application.

Deliberation Session

111. With reference to Plan A-4b of the Paper, a Member observed that there were vehicle repairing activities at the application site. Members noted that vehicle repair workshop use was not the applied use. An advisory clause had been proposed stating that the planning permission was given to the development/uses under application and did not condone any other development/use (i.e. vehicle repair workshop) which currently existed on the site but was not covered by the application, and immediate action should be taken to discontinue the uses not covered by the permission.

112. After deliberation, the Committee decided to approve the application on a temporary basis for a period of 3 years until 26.6.2023, 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 of recycling materials, repairing, dismantling, recycling,

cleaning, assembling, other workshop activities and handling of cathode-ray tubes, as proposed by the applicant, shall be carried out on the Site at any time during the planning approval period;

- (d) no medium or heavy goods vehicles exceeding 5.5 tonnes, including container tractors/trailers, as defined in the Road Traffic Ordinance are allowed to be parked/stored on or enter/exit the Site, as proposed by the applicant, at any time during the planning approval period;
- (e) no vehicle is allowed to queue back to or reverse onto/from public road at any time during the planning approval period;
- (f) the implementation of the accepted drainage proposal within 6 months from the date of planning approval to the satisfaction of the Director of Drainage Services or of the TPB by 26.12.2020;
- (g) in relation to (f) above, the implemented drainage facilities on the Site shall be maintained at all times during the planning approval period;
- (h) the submission of a revised fire service installations proposal within 6 months from the date of planning approval to the satisfaction of the Director of Fire Services or of the TPB by 26.12.2020;
- (i) in relation to (h) above, the implementation of the fire service installations proposal within 9 months from the date of planning approval to the satisfaction of the Director of Fire Services or of the TPB by 26.3.2021;
- (j) if any of the above planning conditions (a), (b), (c), (d), (e) 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 (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.”

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

Agenda Item 31

Section 16 Application

[Open Meeting (Presentation and Question Sessions Only)]

A/YL-TYST/1023 Renewal of Planning Approval for Temporary Open Storage of Construction Machinery, Construction Material, Metal Ware and Vehicle Spare Parts and Ancillary Site Office for a Period of 3 Years in “Undetermined” and “Village Type Development” Zones, Lots 2406, 2407, 2408 (Part), 2409 S.B (Part) and 2419 (Part) in D.D. 120, Tong Yan San Tsuen, Yuen Long
(RNTPC Paper No. A/YL-TYST/1023)

Presentation and Question Sessions

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

- (a) background to the application;
- (b) the renewal of planning approval for temporary open storage of construction machinery, construction material, metal ware and vehicle spare parts and 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, two public comments from individuals were received 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 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 not in conflict with the planning intention of the “Undetermined” zone. Whilst the site mainly fell within the Revised Recommended Outline Development Plan of Yuen Long South, the Chief Engineer/Cross-Boundary and Infrastructure Development, PlanD and the Project Manager (West), Civil Engineering and Development Department had no objection to the proposed temporary use for three years. Approval of the application on a temporary basis for three years would not jeopardise the long-term development of the area. The applied use was generally not incompatible with the surrounding uses. The application was in line with Town Planning Board Guidelines No. 13F (TPB PG-No. 13F) which the site fell within Category 1 area and TPB PG-No. 34C in that there had been no material change in planning circumstances since the previous approval and the approval conditions under the previous application had been complied with. Concerned government departments had no adverse comment on the application, except the Director of Environmental Protection (DEP). Although DEP did not support the application, there had been no environmental complaint concerning the site received in the past three years. Relevant approval conditions were recommended to minimise any potential environmental nuisances or to address the local concerns and the technical requirements of concerned departments. Regarding the public comments, the comments of government departments and the planning assessments above were relevant.

115. Members had no question on the application.

Deliberation Session

116. After deliberation, the Committee decided to approve the application on a temporary basis for a period of 3 years and be renewed from 12.8.2020 to 11.8.2023, 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 workshop activities and 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 trees within the Site shall be maintained at all times during the planning approval period;
- (g) the existing boundary fencing on the Site shall be maintained at all times during the planning approval period;
- (h) the existing drainage facilities on the Site shall be maintained at all times during the planning approval period;
- (i) the submission of 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 12.11.2020;

- (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.”

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

Agenda Item 32

Section 16 Application

[Open Meeting]

A/TM/548 Columbarium (within a Religious Institution) in “Green Belt” Zone, G/F of an Existing Building within Tsing Wan Kun in Lot 559 in D.D. 131, Tuen Mun
(RNTPC Paper No. A/TM/548A)

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

119. The Committee noted that the applicant had requested deferment of consideration

of the application. As the interest of Mr K.K. Cheung was indirect, the Committee agreed that he could stay in the meeting.

120. The Committee noted that the applicant's representative requested on 9.6.2020 deferment of consideration of the application for a period of two months in order to allow time to prepare further information to address departmental comments. It was the second time that the applicant requested deferment of the application. Since the last deferment, the applicant had submitted FI including revised traffic impact assessment to address the comments of government departments.

121. The Secretary reported that the premises was the subject of two previous applications (No. A/TM/405 and A/TM/487) for the same use in 2010 and 2016, with the former withdrawn in 2015 and the latter rejected by the Committee in 2017. The previous applications for the same use had been deferred for a number of times in order to address the concerns of government departments, including those on traffic related issue. Moreover, it was noted that the application premises had been renovated for columbarium purpose without valid planning permission. Under such circumstances, the Planning Department considered that whilst the subject request for deferment might still be acceded to, further deferment should not be granted as the applicant should have had sufficient time to address departmental concerns.

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

Agenda Item 33

Section 16 Application

[Open Meeting (Presentation and Question Sessions Only)]

A/TM/549 Proposed Commercial Development with Office, Shop and Services, Eating Place and Other Uses (including Art Studio, Office and/or Information Technology and Telecommunications Industries) (Wholesale Conversion of an Existing Industrial Building) in “Industrial” Zone, Tuen Mun Town Lot No. 86, No. 1 Kin Fat Lane, Tuen Mun

(RNTPC Paper No. A/TM/549)

123. The Committee noted that three replacement pages (pages 6, 7 and 16 of the Main Paper) rectifying typographical errors were tabled at the meeting for Members’ information.

Presentation and Question Sessions

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

- (a) background to the application;
- (b) the proposed commercial development with office, shop and services, eating place and other uses (including art studio, office and/or information technology and telecommunications industries) (wholesale conversion of an existing industrial building);
- (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 from the Incorporated Owners of Greenland Gardens was received indicating they had no comment on the application; and

- (e) the Planning Department (PlanD)'s views – PlanD had no objection to the application based on the assessments set out in paragraph 12 of the Paper. The proposed development was considered not incompatible with the surrounding land uses and was in line with Government's new policy on revitalising Industrial Buildings (IBs). The Secretary for Development indicated policy support to the application. While the Director-General of Trade and Industry (DG of TI) was concerned over the depletion of industrial premises, he had no comment on the application in view of the Government's policy on revitalisation of IBs as announced in Policy Address 2018 to meet Hong Kong's changing social and economic needs and it would make better use of valuable land resources. Other concerned government departments had no objection to or no adverse comments on the application. Appropriate approval conditions as suggested by relevant departments were recommended to ensure that the proposed wholesale conversion of the industrial building would not cause adverse impacts on the surrounding area. The proposed development generally complied with Town Planning Board Guidelines No. 25D. In order not to jeopardise the long-term planning intention of the site, it was recommended that the approval would be for the lifetime of the building. There were ten similar applications for wholesale conversion of the existing IBs into commercial uses. Approval of the application was in line with the Committee's previous decisions.

125. The Chairman and a Member enquired about the recommendation relating to the subject "Industrial" ("I") zone in the 2014 Area Assessments of Industrial Land in the Territory (the 2014 Area Assessment) and whether the proposed wholesale conversion of an existing industrial building was contradictory to the findings of the 2014 Area Assessment.

126. In response, Ms Jessica Y.C. Ho, STP/TMYLW, said that the subject "I" zone was located in Tuen Mun Area 9. The 2014 Area Assessment had recommended to retain the area as "I" as the vacancy rate was low. While the proposed use seemed to be contradictory to the recommendation in the 2014 Area Assessment and DG of TI was concerned about the reduction of industrial floor space, it should be noted that the Policy

Address 2018 had announced the initiative of revitalisation of IBs. As such, DG of TI had no objection to the application.

127. In response to a Member's enquiry on whether there was any increase in industrial floor space to compensate for the loss of industrial floor space arising from wholesale conversion of existing IBs, the Chairman said that an updated area assessment of industrial land was under preparation and it was anticipated that the updated area assessment would be completed by the end of the year.

Deliberation Session

128. In response to a Member's enquiry, the Chairman explained that two rounds of revitalisation of IBs had been undertaken. The first round was from 2010 to 2016. The current round, which commenced in April 2019 and would last until March 2022, involved two measures. For wholesale conversion of existing IBs aged 15 years or above, 10% of the converted floor space should be designated for specified uses prescribed by the Government and payment of waiver fee would not be required. For IBs constructed before 1987, incentive was provided to encourage their redevelopment by allow relaxation of maximum permissible non-domestic plot ratio by up to 20%.

129. After deliberation, the Committee decided to approve the application, on the terms of the application as submitted to the Town Planning Board (TPB). The permission should be valid until 26.6.2024, 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 design and provision of parking facilities, loading/unloading spaces and vehicular access for the proposed development to the satisfaction of the Commissioner for Transport or of the TPB;
- (b) the submission of land contamination assessments and the implementation of the remediation measures identified therein to the satisfaction of the Director of Environmental Protection or of the TPB;

- (c) the implementation of the accepted sewerage upgrading proposal to the satisfaction of the Director of Drainage Services or of the TPB; and
- (d) the design and provision of fire service installations and water supply for fire fighting to the satisfaction of the Director of Fire Services or of the TPB.”

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

Agenda Item 34

Section 16 Application

[Open Meeting (Presentation and Question Sessions Only)]

A/HSK/225 Temporary Warehouse for Storage of Spare Parts and Adblue for a Period of 3 Years in “Residential (Group A) 3”, “Residential (Group A) 4” and “Open Space” Zones, Lots 1827 S.B (Part), 1827 S.B ss.1, 1828 (Part), 1843 (Part), 1844 (Part), 1845 (Part), 1846 (Part), 1848 and 1849 (Part) in D.D. 125 and Adjoining Government Land, Ha Tsuen, Yuen Long
(RNTPC Paper No. A/HSK/225)

Presentation and Question Sessions

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

- (a) background to the application;
- (b) the temporary warehouse for storage of spare parts and adblue for a period of three years
- (c) departmental comments – departmental comments were set out in paragraph

9 of the Paper;

- (d) during the first three weeks of the statutory publication period, two public comments from a Yuen Long District Councillor and an individual were received providing views on the application. Major views were set out in paragraph 10 of the Paper; and

- (e) the Planning Department (PlanD)'s views – PlanD considered that the applied use could be tolerated for a period of three years based on the assessments set out in paragraph 11 of the Paper. Although the applied use was not in line with the planning intentions of “Residential (Group A)3”, “Residential (Group A)4” and “Open Space” zones, the implementation programme of that part of the Hung Shui Kiu New Development Area was being formulated, and the Project Manager (West), Civil Engineering and Development Department had no objection to the temporary use for a period of three years at the site. Approval of the application on a temporary basis would not frustrate the long-term development of the site. The applied use was not incompatible with the surrounding land uses. Concerned government departments had no objection to or no adverse comments on the application. Relevant approval conditions were recommended to minimise any potential environmental nuisances or to address local concerns and the technical requirements of concerned government departments. While the planning permission under the last approved application (No. A/HSK/31) was revoked due to non-compliance with the approval condition on provision of fire service installations, relevant proposal had been included in the current submission and was accepted by the Director of Fire Services. It was considered that sympathetic consideration could be given and shorter compliance periods were recommended in order to closely monitor the progress on compliance with approval conditions. Regarding the public comments, the comments of government departments and the planning assessments above were relevant.

132. Members had no question on the application.

Deliberation Session

133. After deliberation, the Committee decided to approve the application on a temporary basis for a period of 3 years until 26.6.2023, on the terms of the application as submitted to the Town Planning Board (TPB) and subject to the following conditions:

- “(a) no operation from 9:00 p.m. to 7:00 a.m., as proposed by the applicant, is allowed on the Site during the planning approval period;
- (b) no operation on Sundays and public holidays, as proposed by the applicant, is allowed on the Site during the planning approval period;
- (c) no 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 trees and landscape planting on the Site shall be maintained at all times during the planning approval period;
- (e) the existing drainage facilities on the Site should be maintained at all times during the planning approval period;
- (f) the submission of a condition record of the existing drainage facilities within 3 months from the date of planning approval to the satisfaction of the Director of Drainage Services or of the TPB by 26.9.2020;
- (g) the implementation of the accepted fire service installations proposal within 6 months from the date of planning approval to the satisfaction of the Director of Fire Services or of the TPB by 26.12.2020;
- (h) 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

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

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

Agenda Item 35

Section 16 Application

[Open Meeting (Presentation and Question Sessions Only)]

A/HSK/226 Proposed Temporary Public Vehicle Park (Private Car) for a Period of
3 Years in “Village Type Development” Zone, Lot 1159 (Part) in
D.D.125, Ha Tsuen, Yuen Long
(RNTPC Paper No. A/HSK/226)

Presentation and Question Sessions

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

- (a) background to the application;
- (b) the proposed temporary public vehicle park (private car) for a period of three years;
- (c) departmental comments – departmental comments were set out in paragraph 9 of the Paper;
- (d) during the first three weeks of the statutory publication period, four public comments were received. One individual supported the application, another individual objected to the application and a Yuen Long District

Councillor and an individual provided views on the application. Major views were set out in paragraph 10 of the Paper; and

- (e) the Planning Department (PlanD)’s views – PlanD had no objection to the application based on the assessments set out in paragraph 11 of the Paper. Whilst the proposed use was not entirely in line with the planning intention of the “Village Type Development” (“V”) zone, the proposed public vehicle park could meet the parking demands from the locals. There was no Small House application approved or under processing at the site. AS such, approval of the application on a temporary basis of three years would not jeopardise the long-term planning intention of the area. The applied use was considered not incompatible with the surrounding land uses. Concerned government departments had no objection to or no adverse comment on the application. Relevant approval conditions were recommended to minimise any potential environmental nuisances or to address the technical requirements of concerned government departments. There were five similar applications for temporary public vehicle park use within the same “V” zone. Approval of the current application was in line with the Committee’s previous decisions. Regarding the public comments, the comments of government departments and the planning assessments above were relevant.

136. Members had no question on the application.

Deliberation Session

137. After deliberation, the Committee decided to approve the application on a temporary basis for a period of 3 years until 26.6.2023, on the terms of the application as submitted to the Town Planning Board (TPB) and subject to the following conditions:

- “(a) no vehicle without valid license issued under the Road Traffic Ordinance, as proposed by the applicant, is allowed to be parked/stored on the Site at any time during the planning approval period;

- (b) no light, medium and heavy goods vehicles, including container tractors/trailers, 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) a notice shall be posted at a prominent location of the Site to indicate that no light, medium and heavy goods vehicles, including container tractors/trailers, as defined in the Road Traffic Ordinance are allowed to enter/be parked on the Site at all times during the planning approval period;
- (d) no vehicles are allowed to queue back to or reverse onto/from the public road at any time during the planning approval period;
- (e) the existing trees and landscape planting on the Site shall be maintained at all times during the planning approval period;
- (f) the submission of a drainage proposal within 6 months from the date of planning approval to the satisfaction of the Director of Drainage Services or of the TPB by 26.12.2020;
- (g) in relation to (f) above, the implementation of the drainage proposal within 9 months from the date of planning approval to the satisfaction of the Director of Drainage Services or of the TPB by 26.3.2021;
- (h) in relation to (g) above, the implemented drainage facilities on the Site shall be maintained at all times during the approval period;
- (i) the submission of a fire service installations proposal within 6 months from the date of the planning approval to the satisfaction of the Director of Fire Services or of the TPB by 26.12.2020;
- (j) in relation to (i) above, the implementation of the fire service installations proposal within 9 months from the date of the planning approval to the satisfaction of the Director of Fire Services or of the TPB by 26.3.2021;

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

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

Agenda Item 36

Section 16 Application

[Open Meeting (Presentation and Question Sessions Only)]

A/HSK/227 Temporary Logistics Centre and Ancillary Parking of Vehicles for a Period of 3 Years in “Government, Institution or Community” Zone and area shown as ‘Road’, Lots 3150 RP (Part), 3151 RP (Part), 3152 RP (Part), 3162 RP, 3163 RP (Part), 3164 (Part), 3165, 3166, 3167 S.A (Part), 3168 (Part), 3169 (Part), 3177 (Part), 3178 (Part), 3179, 3180, 3181 S.A (Part), 3181 RP (Part), 3182, 3183 (Part), 3184 (Part), 3187 RP (Part) and 3188 RP (Part) in D.D.129 and Adjoining Government Land, Ha Tusen, Yuen Long
(RNTPC Paper No. A/HSK/227)

Presentation and Question Sessions

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

- (a) background to the application;

- (b) the temporary logistics centre and ancillary parking of vehicles 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 a Yuen Long District Councillor and an individual were received 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 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 the “Government, Institution or Community” (“G/IC”) zone, the implementation programme for that part of the Hung Shui Kiu/Ha Tsuen New Development Area (HSK/HT NDA) was still being formulated and the Project Manager (West), Civil Engineering and Development Department had no objection to the applied use for a period of three years. The applied use was not incompatible with the surrounding land uses and was generally in line with Town Planning Board Guidelines No. 13F in that the site fell within the HSK/HT NDA and previous planning approvals had been given. While the last two planning permissions (No. A/YL-HT/1072 and A/HSK/40) were revoked due to non-compliance with approval conditions on implementation of landscaping and fire service installation proposals, relevant proposals had been included in the current submission and concerned government departments had no adverse comments on the application. It was considered that sympathetic consideration could be given and shorter compliance periods were recommended in order to closely monitor the progress on compliance with approval conditions. Although the Director of Environmental Protection did not support the application, there was no environmental complaint pertaining to the site in the past three years. Relevant approval conditions

had been recommended to address the possible environmental nuisances or the technical requirements of other concerned government departments. There were four previously approved planning applications for logistics centre at the site and three similar applications in the same “G/IC” zone. Approval of the subject application was in line with the Committee’s previous decisions. Regarding the public comments, the comments of government departments and the planning assessments above were relevant.

140. Members had no question on the application.

Deliberation Session

141. After deliberation, the Committee decided to approve the application on a temporary basis for a period of 3 years until 26.6.2023, on the terms of the application as submitted to the Town Planning Board (TPB) and subject to the following conditions:

- “(a) no operation from 11:00 p.m. to 7:00 a.m., as proposed by the applicant, is allowed on the Site during the planning approval period;
- (b) no operation on Sundays and public holidays, as proposed by the applicant, is allowed on the Site during the planning approval period;
- (c) no 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 drainage facilities on the Site should be maintained at all times during the planning approval period;
- (e) 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 26.9.2020;
- (f) the implementation of the approved landscape proposal within 6 months from the date of planning approval to the satisfaction of the Director of

Planning or of the TPB by 26.12.2020;

- (g) the submission of a fire service installations proposal within 3 months from the date of planning approval to the satisfaction of the Director of Fire Services or of the TPB by 26.9.2020;
- (h) in relation to (g) above, the implementation of the fire service installations proposal within 6 months from the date of planning approval to the satisfaction of the Director of Fire Services or of the TPB by 26.12.2020;
- (i) if any of the above planning conditions (a), (b), (c) or (d) is not complied with during the planning approval period, the approval hereby given shall cease to have effect and shall be revoked immediately without further notice; and
- (j) if any of the above planning conditions (e), (f), (g) or (h) is not complied with by the above specified date, the approval hereby given shall cease to have effect and shall on the same date be revoked without further notice.”

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

Agenda Item 37

Section 16 Application

[Open Meeting]

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

143. The Committee noted that the applicant requested on 10.6.2020 deferment of consideration of the application for a period of two months to allow time to prepare further

information (FI) to address departmental comments. It was the third time that the applicant requested deferment of the application. Since the last deferment, the applicant had submitted FI including responses to the comments of the Director of Agriculture, Fisheries and Conservation.

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

Agenda Item 38

Section 16 Application

[Open Meeting]

A/TM-LTY Y/393 Proposed Temporary Public Vehicle Park (Private Car) and Electric Vehicle Charging Station for a Period of 3 Years in "Village Type Development" Zone, Lot 3689 RP in D.D. 124 and Adjoining Government Land, Sun Fung Wai, Lam Tei, Tuen Mun
(RNTPC Paper No. A/TM-LTY Y/393A)

145. 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 so as to allow time for preparation of further information (FI) 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 FI to respond to the comments of the Commissioner for Transport.

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

Agenda Item 39

Section 16 Application

[Open Meeting (Presentation and Question Sessions Only)]

A/TM-LTYYY/398 Proposed Temporary Training Ground (Hong Kong Institute of Construction, Construction Industry Council) for a Period of 3 Years in an area shown as 'Road', Government Land under Kong Sham Western Highway (next to Wong Kong Wai Road near Fuk Hang Tsuen), Lam Tei, Tuen Mun
(RNTPC Paper No. A/TM-LTYYY/398)

147. The Committee noted that the Construction Industry Council (CIC) was the applicant and Messrs K.K. Cheung and Conrad T.C. Wong had declared interests on the item as their firms had current business dealings with CIC. As Messrs K.K. Cheung and Conrad T.C. Wong had no involvement in the application, the Committee agreed that they could stay in the meeting.

Presentation and Question Sessions

148. 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) the proposed temporary training ground (Hong Kong Institute of Construction, Construction Industry Council) 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, two comments from an individual was received providing views on the application. Major views were set out in paragraph 10 of the Paper; and
- (e) the Planning Department (PlanD)'s views – PlanD considered that the temporary use could be tolerated for a period of three years based on the assessments set out in paragraph 11 of the Paper. Although the site was subject to the Environmental Permit (EP) of Kong Sham Western Highway (KSWH) granted to the Highways Department for planting to mitigate the landscape and visual impacts brought by the operation of KWSH, the applicant had committed that no existing trees would be affected by the proposed training ground and all trees would be retained in-situ and well maintained. The approval of the application on a temporary basis would not jeopardise the requirement under the EP. The proposed development was considered not incompatible with the surrounding land uses. The Secretary for Development supported the application as it would providing training to meet the manpower demand of the construction industry. The site was under the list of vacant government sites for community, institutional or non-profit making purposes on a short-term basis published by the Lands Department. It was considered that the application for temporary training ground use was in line with the intention of the said list to utilise land on a short-term basis. Concerned government departments had no objection to or no adverse comments on the application and relevant approval conditions were recommended to minimise any potential environmental nuisances and address the technical requirement of concerned departments. Regarding the public comments, the comments

from government departments and the planning assessments above were relevant.

149. In response to the Chairman's enquiry on the site conditions, layout and operation of the proposed use, Mr Alexander W.Y. Mak, STP/TMYLW, with reference to Plans A-4a, A-4b and Appendix Ie of the Paper, explained that the site was located beneath the KSWH and had a clear headroom of about 15m from the soffit of the KSWH. A total of 41 structures were proposed at the site which included shelters, toilets, shower rooms, multi-purpose room, office and other supporting and ancillary facilities. Training courses for timber formwork and re-bar fixing would be provided at the site and the site would be flexibly partitioned with landscape planters to separate the training classes.

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

- (a) elaboration on the views of District Officer (Tuen Mun), Home Affairs Department (DO(TM), HAD) that nearby residents might have concerns regarding potential noise, environmental and traffic impacts from the proposed use;
- (b) the number of public comments received;
- (c) the distance of the nearest residential dwelling from the application site; and
- (d) whether there were any policies or guidelines on utilisation of land beneath flyovers.

151. In response, Mr Alexander W.Y. Mak, STP/TMYLW, made the following main points:

- (a) DO(TM), HAD had concerns that the operation of the proposed training ground might cause potential noise, environmental and traffic impacts. In that regard, mitigation measures were proposed by the applicant and an approval condition on the submission of a revised noise impact assessment (NIA) report and implementation of the mitigation measures identified

therein were recommended to address any possible environmental nuisances. The Director of Environmental Protection (DEP) had no objection to the application. As regards the traffic impacts, the Commissioner for Transport had no adverse comments on the application;

- (b) two public comments were received during the statutory publication periods, but they were not submitted by the nearby residents;
- (c) the nearest residential dwelling was about 10m away from the application site. The applicant had proposed noise barriers along the site boundary to mitigate the potential noise impact; and
- (d) there was a Guideline for Use of Land Beneath Flyovers and Footbridges in Chapter 12 of the Hong Kong Planning Standards and Guidelines which contained a list of uses that were acceptable or conditionally acceptable beneath flyovers and footbridges. The proposed temporary training ground was regarded as a conditionally acceptable use.

Deliberation Session

152. With regard to the potential noise and traffic impacts that might be generated by the proposed use as raised by DO(TM), HAD, Members noted that the applicant had submitted an environmental assessment including a NIA and noise mitigation measures such as noise barriers were recommended and DEP had no objection to the application.

153. Regarding the traffic impact, Members noted that access to the application site was via Fuk Hang Tsuen Road, Man Chat Road and Wong Kong Wai Road and it was anticipated that students and staff would reach the site via public transport with the Light Rail Station located about 900m from the application site. A traffic impact assessment had been submitted and C for T had no adverse comment on the application.

154. Considering that the site was currently vacant and overgrown with trees and vegetation, a Member did not support the application unless there were no other suitable sites available to accommodate such training ground. Members noted that all trees within the site

would be retained while some shrubs might be removed.

155. The Vice-chairman opined that the temporary training ground for a period of three years was considered acceptable as the site was currently vacant and the proposed use could optimise the use of scarce land resources with no adverse environmental impact. As such, he supported the application.

156. Another Member remarked that there it was difficult to identify suitable uses underneath flyovers and considered that the proposed training ground could better utilise land resources. This Member supported the application but suggested that the applicant to use more transparent materials in providing noise barriers so that the nearby residents could still enjoy the greenery. On that particular aspect, Mr Terence S.W. Tsang, Assistant Director (Environment Assessment), Environmental Protection Department, said that whilst the existing trees within the site would be retained, other vegetation within the site might be removed. As such, adopting a transparent noise barrier might not be ideal. A Member suggested that the applicant could consider adopting a design of the noise barriers that would blend in with the environment. The Committee agreed that an advisory clause should be added to advise the applicant that the design of the noise barriers should be sensitive to the environment.

157. After further deliberation, the Committee decided to approve the application on a temporary basis for a period of 3 years until 26.6.2023, 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 8:00 a.m., as proposed by the applicant, is allowed on the Site during the planning approval period;
- (b) no operation between 1:00 p.m. and 5:00 p.m. on Saturdays, as proposed by the applicant, is allowed on the Site during the planning approval period;
- (c) no operation on Sundays and public holidays, as proposed by the applicant, is allowed on the Site during the planning approval period;
- (d) the existing tree planting within the Site shall be maintained in good

condition at all times during the planning approval period;

- (e) the submission of a design report of the development, including a detailed layout plan, within 6 months to the satisfaction of the Director of Water Supplies or of the TPB by 26.12.2020;
- (f) the submission of a run-in/out proposal within 6 months from the date of planning approval to the satisfaction of the Commissioner for Transport and the Director of Highways or of the TPB by 26.12.2020;
- (g) in relation to (f) above, the implementation of the run-in/out proposal within 9 months from the date of planning approval to the satisfaction of the Commissioner for Transport and the Director of Highways or of the TPB by 26.3.2021;
- (h) the submission of a noise impact assessment report within 6 months from the date of planning approval to the satisfaction of the Director of Environmental Protection or of the TPB by 26.12.2020;
- (i) in relation to (h) above, the implementation of the noise mitigation measures identified therein within 9 months from the date of planning approval to the satisfaction of the Director of Environmental Protection or of the TPB by 26.3.2021;
- (j) the submission of a drainage proposal within 6 months from the date of planning approval to the satisfaction of the Director of Drainage Services or of the TPB by 26.12.2020;
- (k) in relation to (j) above, the implementation of drainage proposal within 9 months from the date of planning approval to the satisfaction of the Director of Drainage Services or of the TPB by 26.3.2021;
- (l) the implemented drainage facilities shall be maintained at all times during the planning approval period;

- (m) the submission of a fire service installations proposal within 6 months from the date of planning approval to the satisfaction of the Director of Fire Services or of the TPB by 26.12.2020;
- (n) in relation to (m) above, the implementation of the fire service installations proposal within 9 months from the date of planning approval to the satisfaction of the Director of Fire Services or of the TPB by 26.3.2021;
- (o) if any of the above planning conditions (a), (b), (c), (d) or (l) 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
- (p) if any of the above planning conditions (e), (f), (g), (h), (i), (j), (k), (m) or (n) 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.”

158. The Committee also agreed to advise the applicant to note the advisory clauses as set out at Appendix IV of the Paper and the additional advisory clause as below:

“to note the comments of the Committee that the design of the noise barriers should be sensitive to the environment.”

Agenda Item 40

Section 16 Application

[Open Meeting (Presentation and Question Sessions Only)]

A/YL-PS/600 Proposed Temporary Shop and Services for a Period of 3 Years in
 “Village Type Development” Zone, Lots 446(Part) and 447(Part) in
 D.D. 122, Ping Shan, Yuen Long
 (RNTPC Paper No. A/YL-PS/600A)

Presentation and Question Sessions

159. 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) the proposed temporary shop and services for a period of three years;
- (c) departmental comments – departmental comments were set out in paragraph 9 of the Paper;
- (d) no public comment was received during the first three weeks of the statutory publication period; and
- (e) the Planning Department (PlanD)’s views – PlanD had no objection to the application based on the assessments set out in paragraph 11 of the Paper. Although the applied use was not entirely in line with the planning intention of the “Village Type Development” (“V”) zone, it was intended to serve the local residents and could meet any such demand in the area. There was no Small House application approved or under processing at the site. As such, approval of the application on a temporary basis for a period of three years would not jeopardise the long-term planning intention of the site. The development was not entirely incompatible with the surrounding land uses. Concerned government departments had no objection to or no adverse

comments on the application. Appropriate approval conditions were recommended to minimise any potential environmental nuisances or to address the technical requirements of concerned departments. A similar application had been approved in the same “V” zone, approval of the current application was in line with the Committee’s previous decision.

160. Members had no question on the application.

Deliberation Session

161. After deliberation, the Committee decided to approve the application on a temporary basis for a period of 3 years until 26.6.2023, 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 10:00 a.m. is allowed on the Site, as proposed by the applicant, during the planning approval period;
- (b) no operation on Mondays to Fridays (excluding public holidays) is allowed on the Site, as proposed by the applicant, during the planning approval period;
- (c) the submission of a fire service installations proposal within 6 months from the date of planning approval to the satisfaction of the Director of Fire Services or of the TPB by 26.12.2020;
- (d) in relation to (c) above, the implementation of the fire service installations proposal within 9 months from the date of planning approval to the satisfaction of the Director of Fire Services or of the TPB by 26.3.2021;
- (e) if any of the above planning conditions (a) or (b) is not complied with during the planning approval period, the approval hereby given shall cease to have effect and shall be revoked immediately without further notice; and

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

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

Agenda Item 41

Section 16 Application

[Open Meeting (Presentation and Question Sessions Only)]

A/YL-PS/601 Proposed Temporary Public Vehicle Park (Private Cars and Light Buses) for a Period of 3 Years in “Recreation” Zone, Lots 51 (Part), 52 (Part), 54 (Part) and 55 RP (Part) in D.D.126, Ping Shan, Yuen Long (RNTPC Paper No. A/YL-PS/601A)

163. The Committee noted that after issuance of the paper, the applicant’s representative requested on 24.6.2020 deferment of consideration of the application for two months so as to allow time for preparation of further information to address the departmental comments. It was the second time that the applicant requested deferment of the application. The deferment letter was tabled at the meeting for Members’ consideration. Since the last deferment, the applicant had submitted further information, including a geotechnical planning review report, to address departmental comments.

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

for preparation of submission of further information, no further deferment would be granted unless under very special circumstances.

Agenda Item 42

Section 16 Application

[Open Meeting]

A/YL-LFS/363 Proposed Place of Recreation, Sports or Culture and Shop and Services (including Hobby Farming, Children Playground, Refreshment Kiosk, Handicraft Making and Ancillary Public Car Park) in “Green Belt” and “Open Space (1)” Zones, Lots 1601 (Part), 1604, 1605, 1606, 1607, 1608, 1609, 1610 S.A, 1610 S.B, 1610 S.C, 1611, 1612, 1613 (Part), 1615 and 1616 (Part) in D.D. 129 and adjoining Government Land, Lau Fau Shan, Yuen Long
(RNTPC Paper No. A/YL-LFS/363)

165. The Committee noted that the applicant’s representative requested on 12.6.2020 deferment of consideration of the application for a period of two months so as to prepare further information to address comments of government departments. It was the first time that the applicant requested deferment of the application.

166. 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 43

Section 16 Application

[Open Meeting (Presentation and Question Sessions Only)]

A/YL-LFS/364 Proposed Temporary Public Vehicle Park (Private Car and Light Goods Vehicle) for a Period of 3 Years in “Green Belt” Zone, Lots 2704 (Part), 2705 (Part), 2708 (Part), 2709 (Part), 2713 (Part), 2714 (Part), 2716 (Part), 2717 (Part), 2718, 2719 (Part), 2720 (Part), 2721 (Part), 2727 (Part), 2728 (Part), 2729 (Part), 2730, 2731, 2732 (Part), 2754 (Part), 2755 (Part) and 2756 (Part) in D.D. 129, Lau Fau Shan, Yuen Long
(RNTPC Paper No. A/YL-LFS/364)

Presentation and Question Sessions

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

- (a) background to the application;
- (b) the proposed temporary public vehicle park (private car and light goods vehicle) for a period of three years;
- (c) departmental comments – departmental comments were set out in paragraph 10 of the Paper;
- (d) during the first three weeks of the statutory publication period, 83 comments were received. 68 comments from individuals supported the application and 15 comments from the Hong Kong Bird Watching Society, Kadoorie Farm and Botanic Garden Corporation, Designing Hong Kong Limited and individuals objected to the application. Major views were set out in paragraph 11 of the Paper; and
- (e) the Planning Department (PlanD)’s views – PlanD had no objection to the

application based on the assessments set out in paragraph 12 of the Paper. While the proposed development was not in line with the planning intention of the “Green Belt” (“GB”) zone, approval of the application on a temporary basis would not jeopardise the long-term planning intention of the “GB” zone. The proposed use was considered not incompatible with the surrounding land uses. Although the Chief Town Planner/Urban Design and Landscape, PlanD had reservation on the application, the site was the subject of previous planning approvals (No. A/YL-LFS/40 and 74) in 1999 and 2002 for recreational uses with parking spaces and the site was currently paved and did not involve clearance of vegetation. Other concerned government departments had no adverse comments on the application and approval conditions were recommended to minimise any possible environmental impacts and nuisance on the surrounding developments. Although the previous application (No. A/YL-LFS/357) was rejected by the Committee, they were rejected mainly on the grounds that parking of heavy goods vehicles was involved. Regarding the public comments, the comments of government departments and the planning assessments above were relevant.

168. Members had no question on the application.

Deliberation Session

169. Noting that the site was substantially hard paved, a Member enquired whether the current “Green Belt” zoning for the site was suitable. Members noted that the site was the subject of two previous applications for golf driving range and flea market uses with certain parts of the site already paved. The land use zoning of the site should be examined in the future review of the outline zoning plan when opportunity arose.

170. After deliberation, the Committee decided to approve the application on a temporary basis for a period of 3 years until 26.6.2023, on the terms of the application as submitted to the Town Planning Board (TPB) and subject to the following conditions:

“(a) no operation from 11:00 p.m. to 7:00 a.m., as proposed by the applicant, is

allowed on the Site during the planning approval period;

- (b) no 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 the Site at any time during the planning approval period;
- (c) 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 all times during the planning approval period;
- (d) no vehicle without valid licence issued under the Road Traffic Ordinance is allowed to be parked/stored on the Site at any time during the planning approval period;
- (e) no vehicle is allowed to queue back to or reverse onto/from public roads at any time during the planning approval period;
- (f) the provision of fencing of the Site within 6 months from the date of planning approval to the satisfaction of the Director of Planning or of the TPB by 26.12.2020;
- (g) the submission of a revised drainage proposal within 6 months from the date of planning approval to the satisfaction of the Director of Drainage Services or of the TPB by 26.12.2020;
- (h) in relation to (g) above, the implementation of the revised drainage proposal within 9 months from the date of planning approval to the satisfaction of the Director of Drainage Services or of the TPB by 26.3.2021;
- (i) the implemented drainage facilities shall be maintained at all times during the planning approval period;

- (j) the submission of a fire service installations proposal within 6 months from the date of planning approval to the satisfaction of the Director of Fire Services or of the TPB by 26.12.2020;
- (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 26.3.2021;
- (l) if any of the above planning conditions (a), (b), (c), (d), (e) or (i) is not complied with during the planning approval period, the approval hereby given shall cease to have effect and shall be revoked immediately without further notice;
- (m) if any of the above planning conditions (f), (g), (h), (j) or (k) is not complied with by the above specified date, the approval hereby given shall cease to have effect and shall on the same date be revoked without further notice; and
- (n) upon the expiry of the planning permission, the reinstatement of the Site to an amenity area to the satisfaction of the Director of Planning or of the TPB.”

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

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

Agenda Item 44

Any Other Business

Section 16A Application

[Open Meeting]

A/KTN/40-7 Application for Extension of Time for Compliance with Planning Conditions, Lots 759 S.A, 759 RP (Part), 761 S.A, 761 S.C (Part), 762 S.A and 762 S.C (Part) in D.D. 95 and Adjoining Government land, Kwu Tung, Sheung Shui, New Territories

172. The Secretary reported that the application was approved with conditions by the Committee on 27.7.2018. The deadline for compliance with approval condition (j) was 27.6.2020. An application for extension of time for compliance with approval condition (j) for three months up till 27.9.2020 was received by the Town Planning Board on 19.6.2020, which was only five working days before the expiry of the specified time limit of approval condition (j). It was recommended not to consider the application as there was insufficient time to obtain departmental comments before the expiry of the specified time limit for compliance with condition (j) which was essential for consideration of the application.

173. After deliberation, the Committee agreed not to consider the section 16A application as there was insufficient time to obtain departmental comments before the expiry of the specified time limits for compliance with the condition mentioned above which was essential for the consideration of the application.

174. There being no other business, the meeting was closed at 5:50 p.m.