

## **TOWN PLANNING BOARD**

### **Minutes of 659<sup>th</sup> Meeting of the Rural and New Town Planning Committee held at 2:30 p.m. on 6.11.2020**

#### **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 Venus Y.H. Lun

Mr Y.S. Wong

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

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

Principal Environmental Protection Officer (Strategic Assessment),  
Environmental Protection Department  
Mr Stanley C.F. Lau

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

Dr Jeanne C.Y. Ng

Mr Ricky W.Y. Yu

Dr Conrad T.C. Wong

**In Attendance**

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

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

Town Planner/Town Planning Board  
Miss Carman C.Y. Cheung

## **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 658<sup>th</sup> RNTPC Meeting held on 23.10.2020**

[Open Meeting]

2. The draft minutes of the 658<sup>th</sup> RNTPC meeting held on 23.10.2020 were confirmed without amendments.

## **Agenda Item 2**

### **Matter Arising**

[Open Meeting]

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

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

## **Agenda Item 3**

### **Section 12A Application**

[Open Meeting]

Y/TP/31

Application for Amendment to the Approved Tai Po Outline Zoning Plan No. S/TP/28, To rezone the application site from “Green Belt” to “Comprehensive Development Area (2)” and “Comprehensive Development Area (3)”, Various lots in D.D. 12 and D.D. 14 and adjoining Government land, Tung Tsz, Tai Po  
(RNTPC Paper No. Y/TP/31A)

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4. The Secretary reported that the application was submitted by Hobman Company Limited, which was a subsidiary of Wheelock Properties (Hong Kong) Limited (Wheelock).

Llewelyn-Davies Hong Kong Limited (LD), Aedas Limited (Aedas), AECOM Asia Co. Limited (AECOM), Black & Veatch Hong Kong Limited (B&V) and Dennis Lau & Ng Chun Man Architects & Engineers (HK) Limited (DLN) were five 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 Wheelock, Aedas, B&V and DLN;
- Dr C.H. Hau - having past business dealings with AECOM and being a life member of the Conservatory Association (CA) and his spouse being the Vice Chairman of the Board of Directors of CA which had received donation from Wheelock before; and
- Mr Ricky W.Y. Yu - having past business dealings with LD.

5. The Committee noted that Mr Ricky W.Y. Yu had tendered an apology for being unable to attend the meeting and Dr C.H. Hau and Mr Y.S. Wong had not yet joined the meeting. As Mr K.K. Cheung had no involvement in the application, the Committee agreed that he could stay in the meeting.

6. The Committee noted that the applicant's representative requested on 5.10.2020 deferment of consideration of the application for two months in order to allow more time for preparation of further information to address departmental comments and to liaise with relevant departments on the technical aspects of the proposed road widening. It was the second time that the applicant requested deferment of the application. Since the last deferment, the applicant had provided responses to departmental and public comments.

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

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

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

**Agenda Item 4**

**Section 12A Application**

[Open Meeting]

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

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8.            The Secretary reported that Ove Arup & Partners Hong Kong Limited (Arup) was one of the consultants of the applicant. Mr K.K. Cheung had declared an interest on the item for his firm having current business dealings with Arup. As Mr K.K. Cheung had no involvement in the application, the Committee agreed that he could stay in the meeting.

9.            The Committee noted that the applicant’s representative requested on 23.10.2020 deferment of consideration of the application for two months in order to allow more time for preparation of further information to address further departmental comments. It was the second time that the applicant requested deferment of the application. Since the last deferment, the applicant had submitted further information in response to departmental comments.

10.           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



Department		Subsidized Housing committee of HKHA;
Mr Y.S. Wong	-	being a member of Fund Management Sub-committee of the HKHA;
Dr Conrad T.C. Wong	-	having current business dealings with HKHA;
Mr K.K. Cheung	-	his firm having current business dealings with HKHA;
Dr C.H. Hau	-	having past business dealings with AECOM; and
Mr L.T. Kwok	-	his serving organisation openly bid a funding from HKHA.

13. The Committee noted that Dr Conrad T.C. Wong and Mr L.T. Kwok had tendered apologies for being unable to attend the meeting, and Dr C.H. Hau and Mr Y.S. Wong had not yet joined the meeting. As the interest of Mr Gavin C.T. Tse was direct, the Committee agreed that he should leave the meeting temporarily for the item. As Mr K.K. Cheung had no involvement in the application, the Committee agreed that he could stay in the meeting.

[Mr Gavin C.T. Tse left the meeting temporarily and Miss Winnie W.M. Ng joined the meeting at this point.]

#### Presentation and Question Sessions

14. With the aid of a PowerPoint presentation, Ms Amy M.Y. Wu, STP/SKIs, presented the application and covered the following aspects as detailed in the Paper :

- (a) background to the application;
- (b) proposed minor relaxation of plot ratio (PR) restriction for permitted public housing development and proposed public vehicle park (PVP);
- (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 from individuals including two supporting comments and two comments expressing concerns were received. Major views were set out in paragraph 10 of the Paper; and
- (e) the Planning Department (PlanD)'s views – PlanD had no objection to the application based on the assessments set out in paragraph 11 of the Paper. The proposed minor relaxation of PR restriction from 6.4 to 6.7 was in line with the government's policy on enhancing development intensity of public housing sites to increase housing supply and the proposed PVP was in line with the Policy Address to increase car parking spaces to combat illegal parking. With the increase in PR, the building height (BH) of the proposed scheme would be maintained at 125mPD which was in compliance with the BH restriction stipulated under the Outline Zoning Plan. The proposed development would not be incompatible with the planned development in the area and significant visual, air ventilation and landscape impacts were not anticipated. Technical assessments had been conducted to demonstrate that no adverse drainage, sewerage, water supply, traffic and environmental impacts would be caused by the proposed development. Relevant departments had no adverse comments on the application. Regarding the adverse public comments, the comments of government departments and planning assessments above were relevant.

15. In response to a Member's enquiry, Ms Amy M.Y. Wu, STP/SKIs, replied that government, institution and community (GIC) facilities would be provided in accordance with the requirement of the Hong Kong Planning Standards and Guidelines (HKPSG) and the advice of relevant bureaux/departments. The overall planned provision of the GIC facilities would be adequate to serve the need of the existing and new population in Tung Chung New Town and its extension including the site.

#### Deliberation Session

16. Members noted that the proposed scheme would have a domestic PR of 6.5 after



minor relaxation of PR, which was considered compatible with the surrounding planned and existing residential developments with domestic PRs ranging from about 5 to 6.5. While the “Commercial” zone near the MTR station would have a higher PR up to 9.5, the planned residential developments had adopted a stepped BH profile with BH descending from inland area to the waterfront.

17. A Member remarked that should it be technically viable, further increase in the development intensity for public housing development could be considered with a view to maximising the utilisation of land resources to increase housing provision and GIC facilities, where appropriate. Members noted that a domestic PR of 6.5 was in line with the government’s policy to enhance the development intensity of public housing sites. The Committee considered that the proposed minor relaxation of PR from 6.4 to 6.7 at the site was appropriate taking into account the site constraints (i.e. Airport Height Restriction), technical feasibility and the impacts of the proposed development on the surrounding area.

18. 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 6.11.2024, and after the said date, the permission should cease to have effect unless before the said date, the development permitted was commenced or the permission was renewed. The permission was subject to the following condition :

“the design and provision of vehicular access, car parking and loading/unloading facilities to the satisfaction of the Commissioner for Transport or of the TPB.”

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

[Dr C.H. Hau joined the meeting at this point.]

**Agenda Item 6**

**Section 16 Application**

[Open Meeting (Presentation and Question Sessions only)]

A/SK-CWBS/35 Proposed Public Utility Installation (Underground Sewer) and Excavation of Land in “Coastal Protection Area” and “Conservation Area” Zones, Government Land in D.D. 241, Po Toi O, Sai Kung  
(RNTPC Paper No. A/SK-CWBS/35)

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20. The Secretary reported that the application was submitted by the Drainage Services Department (DSD), with Black & Veatch Hong Kong Limited (B&V) as one of the consultants. The following Members had declared interests on the item:

- |                |   |   |
|----------------|---|---|
| Dr C.H. Hau    | - | conducting contract research projects with DSD; and |
| Mr K.K. Cheung | - | his firm having current business dealings with B&V. |

21. As the interest of Dr C.H. Hau was direct, the Committee agreed that he should leave the meeting temporarily for the item. As Mr K.K. Cheung had no involvement in the application, the Committee agreed that he could stay in the meeting.

[Dr C.H. Hau left the meeting temporarily and Mr Gavin C.T. Tse returned to join the meeting at this point.]

**Presentation and Question Sessions**

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

- (a) background to the application;
- (b) proposed public utility installation (underground sewers) and excavation of land;

- (c) departmental comments – departmental comments were set out in paragraph 8 of the Paper;
- (d) during the first three weeks of the statutory publication period, two public comments from World Wide Fund for Nature Hong Kong and an individual expressing concerns were received. Major views were set out in paragraph 9 of the Paper; and
- (e) the Planning Department (PlanD)’s views – PlanD had no objection to the application based on the assessments set out in paragraph 10 of the Paper. There was a general presumption against development in “Coastal Protection Area” and “Conservation Area” zones. In general, only developments that were needed to support conservation of the existing natural landscape or scenic quality of the area or were essential infrastructure projects with overriding public interest might be permitted. The proposed underground sewers formed parts of the sewerage system for treatment of sewage generated from the village houses in Po Toi O and it would link up the underground sewers system from the two “Village Type Development” zones to connect to the planned Po Toi O Sewerage Treatment Plan, which was an essential facility to improve the water quality in the area. As indicated by the applicant, the underground sewers would be mainly located on footpath and encroachment onto the vegetation nearby would be avoided. No significant landscape resources were observed within the application site and the proposed development was considered not incompatible with the landscape setting in the proximity. Environmental Impact Assessment and Drainage Impact Assessment had been conducted and concerned government departments had no objection to or no adverse comment on the application. The District Council and Village Representatives had also been consulted and the proposed underground sewers were supported by the local community. Regarding the public comments, the comments of government departments and planning assessments above were relevant.

23. Members had no question on the application.

## Deliberation Session

24. 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 6.11.2024, 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.

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

## **Agenda Item 7**

### Section 16 Application

[Open Meeting (Presentation and Question Sessions only)]

A/SK-HC/322            Proposed House (New Territories Exempted House - Small House) in  
“Agriculture” Zone, Lot 388 S.A in D.D. 244, Ho Chung, Sai Kung  
(RNTPC Paper No. A/SK-HC/322)

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### Presentation and Question Sessions

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

- (a) background to the application;
- (b) proposed house (New Territories Exempted House (NTEH) – Small House);
- (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 providing views was received. Major view

was 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 proposed development was not in line with the planning intention of the “Agriculture” (“AGR”) zone, the Director of Agriculture, Fisheries and Conservation had no comment on the application in view that the application site was subject to a previously approved application (No.A/SK-HC/258). The proposed development was not incompatible with the surrounding environment and no significant changes or disturbance to the existing landscape character was anticipated. The proposed Small House generally complied with the Interim Criteria for Consideration of Application for NTEHs in that it was not anticipated to result in adverse drainage, sewerage, environmental, geotechnical and archaeological and heritage impact on the surrounding areas. Concerned departments had no adverse comments on or objection to the application. Planning permission had been granted for the previous application submitted by the same applicant but the permission lapsed on 13.8.2020. According to the District Land Officer/Sai Kung, Lands Department (DLO/SK, LandsD), the applicant had applied for a Small House grant by way of Free Building Licence at the application site and the applicant had been certified as an indigenous villager. Noting that there was no change in planning circumstances since the previous application was approved and the Committee had approved 71 similar applications within the subject “AGR” zone where a new village cluster had been established in the locality, sympathetic consideration might be given to the application. Regarding the public comment received, the comments from concerned government departments and the planning assessments above were relevant.

27. Noting that the subject application was submitted by the same applicant of the previously approved application, a Member asked why the Small House grant application was not approved by LandsD and whether septic tank was the main issue to be resolved. Ms Jane W.L. Kwan, STP/SKIs, replied that according to DLO/SK, the Small House grant application was still under processing and septic tank might not be a major issue. In

processing Small House grant applications, as LandsD needed to verify the applicant's status as indigenous villager, it was not uncommon that longer time was required for some cases.

28. In response to the Chairman's enquiry on the current status of the approved Small House applications located to the northeast of the application site, Ms Jane W.L. Kwan said that those approved applications shared similar context with the current application and the Small House grant applications were being processed by LandsD. No fresh planning applications at those sites were received.

### Deliberation Session

29. In response to the Chairman's question, Mr Alan K.L. Lo, Assistant Director/Regional 3, LandsD explained that in processing Small House grant applications, LandsD would verify the applicant's status as indigenous villager, conduct local consultation and handle objections if received. In some situations, a longer processing time was required due to the large number of Small House grant applications and the complicated nature of certain cases.

30. 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 6.11.2024, and after the said date, the permission should cease to have effect unless before the said date, the development permitted was commenced or the permission was renewed. The permission was subject to the following condition :

“the provision of septic tank, as proposed by the applicant, at a location to the satisfaction of the Director of Lands or of the TPB.”

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

**Agenda Item 8**

**Section 16 Application**

[Open Meeting (Presentation and Question Sessions only)]

A/SLC/162                      Proposed Public Utility Installation (Underground Cable) and  
Excavation and Filling of Land in “Coastal Protection Area” Zone,  
Government Land near Chi Ma Wan Road and Lo Uk Tsuen, Pui O,  
Lantau  
  
(RNTPC Paper No. A/SLC/162)

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32.            The Secretary reported that the application was submitted by CLP Power Hong Kong Limited, which was a subsidiary of CLP Holdings Limited (CLP). CLPe Solutions Limited, which was also a subsidiary of CLP, was the consultant of the applicant. The following Members had declared interests on the item:

- Dr Jeanne C.Y. Ng            -    being the Director of CLP Research Institute of CLP;
- Dr Conrad T.C. Wong        -    having current business dealings with CLP; and
- Mr K.K. Cheung              -    his firm having current business dealings with CLP.

33.            The Committee noted that Dr Jeanne C.Y. Ng and Dr Conrad T.C. Wong had tendered apologies for being unable to attend the meeting. As Mr. K.K. Cheung had no involvement in the application, the Committee agreed that he could stay in the meeting.

**Presentation and Question Sessions**

34.            With the aid of a PowerPoint presentation, Mr Kenneth C.K. Yeung, STP/SKIs, presented the application and covered the following aspects as detailed in the Paper :

- (a)    background to the application;
- (b)    proposed public utility installation (underground cable) and excavation and

filling of land;

- (c) departmental comments – departmental comments were set out in paragraph 8 of the Paper;
- (d) during the first three weeks of the statutory publication period, five public comments from Designing Hong Kong Limited, World Wide Fund for Nature Hong Kong, Save Lantau Alliance and individuals objecting to/raising concerns on the application were received. Major views were set out in paragraph 9 of the Paper; and
- (e) the Planning Department (PlanD)’s views – PlanD did not support the application based on the assessments set out in paragraph 10 of the Paper. There was a general presumption against development in “Coastal Protection Area” (“CPA”) zone. In general, only developments that were needed to support conservation of the existing natural landscape or scenic quality of the area or were essential infrastructure projects with overriding public interest might be permitted. Although the application was located on paved footpath and no significant adverse impacts on landscape and natural conservation were envisaged, the Pui O wetland located to the further south of the application site had high ecological value. While there were six similar applications approved within the “CPA” zone, the current application did not warrant the same planning considerations as the proposed installation was to provide electricity to a single lot for storage use which was not permitted within the “CPA” zone. The applicant failed to justify the proposed installation was to support the conservation of the existing natural landscape or scenic quality of the area or was essential infrastructure project with overriding public interest. The approval of the application would set an undesirable precedent for other similar applications to provide utility installation for uses not permitted within the “CPA” zones, and the cumulative effect of approving such application would result in a general degradation of the natural environment and landscape of the area. Regarding the public comments received, the comments from concerned government departments and the planning assessments above were relevant.



35. In response to a Member's enquiry, Mr Kenneth C.K. Yeung, STP/SKIs, with reference to Appendix II of the paper, explained that the six approved similar applications were essential infrastructures to the area (i.e. submarine telecommunication cable, irrigation pipeline, sewage pumping station and underground sewer, and underground power cable connecting the Integrated Waste Management Facilities (IWMF) and Cheung Sha Substation), which were considered to be in the public interest. However, the current application was for proposed underground cable to provide electricity to a lot for storage use, which was not permitted within the "CPA" zone.

#### Deliberation Session

36. The Committee noted that the application was submitted by CLP for laying underground cable on government land connecting the existing low-voltage network to the private lot. The other section of underground cable within the private lot would not be covered by the current application.

37. Members noted that the proposed underground cable was to provide electricity to a private lot for storage use, which was neither a Column 1 nor Column 2 use within the "CPA" zone. A Member asked if enforcement action had been taken for the unauthorized storage use. The Chairman explained that as the South Lantau Coast (SLC) Outline Zoning Plan (OZP) was not previously covered by a development permission area plan, the enforcement power under the Town Planning Ordinance was not applicable to SLC OZP. Nevertheless, all uses/developments would need to comply with the regulations/requirements of relevant government departments including the Lands Department.

38. A Member raised concern that even if the application was not approved, it could not preclude the applicant from generating electricity by other means which might result in adverse impact on the surrounding environment. The Chairman said that environment nuisances could be regulated by relevant legislations enforced by the Environmental Protection Department.

39. Members generally considered that the current application should not be approved as it was to provide electricity for an unauthorized use. Approval of the current

application would set an undesirable precedent for similar applications for provision of utility installation for unauthorized uses within the “CPA” zone and the cumulative effect would result in a general degradation of the natural environment and landscape of the area.

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

- “(a) the proposed installation is not in line with the planning intention of the “Coastal Protection Area” (“CPA”) zone which is to conserve, protect and retain the natural coastlines and the sensitive coastal natural environment, including attractive geological features, physical landform or area of high landscape, scenic or ecological value, with a minimum of built development. There is a general presumption against development in this zone. The proposed installation is to provide electricity for a storage use which is not a permitted use within the “CPA” zone. The applicant fails to demonstrate that the proposed installation is to support the conservation of the existing natural landscape or scenic quality of the area or is an essential infrastructure project with overriding public interest; and
- (b) approval of the application would set an undesirable precedent for similar applications to provide utility installation for uses not permitted within the “CPA” zone and the cumulative effect of approving such similar applications would result in a general degradation of the natural environment and landscape of the area.”

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

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

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

**Agenda Item 9**

**Section 16 Application**

[Open Meeting (Presentation and Question Sessions Only)]

A/NE-LT/682            Proposed Two Houses (New Territories Exempted Houses) in  
“Agriculture” Zone, Lots 1712 and 1713 in D.D. 19, Tin Liu Ha Tsuen,  
Tai Po  
(RNTPC Paper No. A/NE-LT/682B)

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**Presentation and Question Sessions**

41.            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) proposed two houses (New Territories Exempted House (NTEHs) – Small Houses);
- (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, five public comments from the Hong Kong Bird Watching Society, Designing Hong Kong Limited and an individual objecting to the application were received. Major views were set out in paragraph 10 of the Paper; and
- (e) the Planning Department (PlanD)’s views – PlanD had no objection to the application based on the assessments set out in paragraph 11 of the Paper. Although the proposed developments were not in line with the planning intention of the “Agriculture” (“AGR”) zone and the Director of Agriculture, Fisheries and Conservation did not support the application as the application site possessed potential for agricultural rehabilitation, the proposed NTEHs were not incompatible with the surrounding area. As

advised by the District Land Officer/Tai Po of Lands Department (LandsD), the application site comprising two lots were held under Block Government Lease demised for house use and the proposed two houses could be regarded as NTEHs. As the application site had building status which might warrant sympathetic consideration, the approval of the application would unlikely set an undesirable precedent of similar applications within the “AGR” zone. The site fell within the upper indirect water gathering ground and the applicant proposed to connect the proposed NTEHs to the existing public sewerage system. Both the Director of Environmental Protection and the Chief Engineer/Construction of Water Supplies Department had no objection to the application. The Chief Engineer/Mainland North of Drainage Services Department advised that the proposal was feasible. The Commissioner for Transport considered that the application only involving the development of two NTEHs could be tolerated on traffic grounds. Other concerned government departments had no objection to or no adverse comment on the application. Regarding the adverse public comments received, the comments from concerned government departments and the planning assessments above were relevant.

[Dr C.H. Hau returned to join the meeting at this point.]

42. In response to a Member’s enquiry regarding the house erected to the northeast of the application site (i.e. Lot No. 1716 in D.D. 19) without planning permission, Ms Kathy C.L. Chan, STP/STN, said that LandsD had issued a warning letter to the lot owner concerned and the said warning letter was registered in the Land Registry. LandsD advised that they reserved the right to take further lease enforcement actions.

43. In response to the Chairman’s enquiry, Ms Chan, replied that the adjoining land lots (i.e. Lots 1708, 1709, 1711, 1714 to 1718 and 2212 in D.D. 19) as shown on Plan A-2 shared the same circumstances of the application site and were described as ‘house’ lots on the Block Government Lease.

44. A member asked the current situation of the application site. With reference to the aerial photo on Plan A-3, Ms Chan said that the site was currently vacant and partly covered with grasses. Based on the previous aerial photos, the application site was densely

vegetated when the Interim Development Permission Area Plan was gazetted in 1990, and vegetation clearance within and around the site was observed since 2017 for the construction of the house at Lot No. 1716 in D.D. 19. It was noted that the applicant acquired the application site in September 2018, and the applicant clarified in his submission that he had not carried out any works within and near the application site.

#### Deliberation Session

45. The Committee noted that the application site, which was located at the south-eastern fringe of the “Village Type Development” zone of Ha Tin Liu Ha, comprised two lots held under Block Government Lease demised for house use and the Small House grant application was being processed by LandsD. Members generally considered that the application could be approved as the site had building status under the Lease.

46. 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 6.11.2024, and after the said date, the permission should cease to have effect unless before the said date, the development permitted was commenced or the permission was renewed. The permission was subject to the following conditions :

- “(a) the submission and implementation of a drainage proposal to the satisfaction of the Director of Drainage Services or of the TPB;
- (b) the connection of the foul water drainage system to the public sewers to the satisfaction of the Director of Water Supplies or of the TPB;
- (c) the provision of protective measures to ensure no pollution or siltation occurs to the water gathering grounds to the satisfaction of the Director of Water Supplies or of the TPB; and
- (d) the submission of a natural terrain hazard study and the implementation of the mitigation measures identified therein to the satisfaction of the Head of Geotechnical Engineering Office, Civil Engineering and Development Department or of the TPB.”

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

**Agenda Item 10**

**Section 16 Application**

[Open Meeting (Presentation and Question Sessions Only)]

A/NE-TK/688 Proposed Temporary Public Vehicle Park (Private Cars Only) for a Period of 3 Years in “Recreation” Zone, Lots 1657 (Part), 1658 (Part), 1663 RP (Part) and 1676 (Part) in D.D. 17, Ting Kok Village, Tai Po (RNTPC Paper No. A/NE-TK/688)

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**Presentation and Question Sessions**

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

- (a) background to the application;
- (b) proposed temporary public vehicle park (private cars only) for a period of three years;
- (c) departmental comments – departmental comments were set out in paragraph 9 of the Paper;
- (d) during the first three weeks of the statutory publication period, four public comments from the World Wide Fund for Nature Hong Kong, two groups of villagers of Lo Tsz Tin and an individual objecting to the application were received. Major views were set out in paragraph 10 of the Paper; and
- (e) the Planning Department (PlanD)’s views – PlanD had no objection to the application on a temporary basis for a period of three years based on the assessments set out in paragraph 11 of the Paper. Although the proposed

temporary public vehicle park was not entirely in line with the planning intention of the “Recreation” (“REC”) zone, it was to serve the visitors to the recreational facilities in the vicinity as well as the villagers nearby. The approval of the application on a temporary basis for a period of three years would not frustrate the long-term planning intention of the “REC” zone. Concerned government departments had no objection to or no adverse comment on the application. The application site and the area to its east was covered by a previous application which was rejected by the Committee for adverse geotechnical impact on the application site and its surrounding area. Compared with the previous application, the site area in the current application had been reduced from 4,800m<sup>2</sup> to 1,685m<sup>2</sup> by excluding the area near the slopes with geotechnical concern and the number of parking spaces was reduced from 61 to 22. The Head of Geotechnical Engineering Office, Civil Engineering and Development Department had no in-principle objection to the application. There was one similar approved application for the same use within the same “REC” zone. The planning circumstances of the current application were similar to those of the similar application. Regarding the adverse public comments received, the comments from concerned government departments and the planning assessments above were relevant.

49. Members had no question on the application.

#### Deliberation Session

50. After deliberation, the Committee decided to approve the application on a temporary basis for a period of 3 years until 6.11.2023, on the terms of the application as submitted to the Town Planning Board (TPB) and subject to the following conditions :

- “(a) no operation between 11:00 p.m. and 8:00 a.m., as proposed by the applicant, is allowed on the site during the planning approval period;
- (b) no use of neon light signboard, as proposed by the applicant, is allowed on the site during the planning approval period;

- (c) no vehicle without valid licence issued under the Road Traffic (Registration and Licensing of Vehicles) Regulations is allowed to be parked/stored on the site at any time during the planning approval period;
- (d) only private car as defined in the Road Traffic Ordinance is allowed to be parked/stored on or enter/exit the site at any time during the planning approval period;
- (e) a notice should be posted at a prominent location of the site to indicate that only private car as defined in the Road Traffic Ordinance is allowed to be parked/stored on or enter/exit the site at any time during the planning approval period;
- (f) no vehicle dismantling, inspection, maintenance, repairing, cleansing, paint spraying or other workshop activities is allowed on the site at any time during the planning approval period;
- (g) the provision of peripheral fencing on the site within 6 months from the date of planning approval to the satisfaction of the Director of Planning or of the TPB by 6.5.2021;
- (h) the submission of a drainage proposal within 6 months from the date of planning approval to the satisfaction of the Director of Drainage Services or of the TPB by 6.5.2021;
- (i) in relation to (h) above, the implementation of the drainage proposal within 9 months from the date of planning approval to the satisfaction of the Director of Drainage Services or of the TPB by 6.8.2021;
- (j) the submission of fire service installations (FSIs) and water supplies for fire-fighting proposal within 6 months from the date of planning approval to the satisfaction of the Director of Fire Services or of the TPB by 6.5.2021;



- (k) in relation to (j) above, the implementation of the FSIs and water supplies for fire-fighting proposal within 9 months from the date of planning approval to the satisfaction of the Director of Fire Services or of the TPB by 6.8.2021;
- (l) if any of the above planning conditions (a), (b), (c), (d), (e) or (f) is not complied with during the planning approval period, the approval hereby given shall cease to have effect and shall be revoked immediately without further notice; and
- (m) if any of the above planning conditions (g), (h), (i), (j) or (k) is not complied with by the specified date, the approval hereby given shall cease to have effect and shall on the same date be revoked without further notice.”

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

### **Agenda Item 11**

#### **Section 16 Application**

[Open Meeting (Presentation and Question Sessions Only)]

A/NE-TK/689      Proposed Temporary Car Park (Private Cars Only) for a Period of 3  
Years in “Agriculture” Zone, Lots 725 RP (Part) and 762 (Part) in D.D.  
29, Ting Kok, Tai Po  
(RNTPC Paper No. A/NE-TK/689)

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

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

- (a) background to the application;

- (b) proposed temporary car park (private cars only) for a period of three years;
- (c) departmental comments – departmental comments were set out in paragraph 9 of the Paper;
- (d) during the first three weeks of the statutory publication period, three public comments from the Hong Kong Bird Watching Society, World Wide Fund for Nature Hong Kong and an individual objecting to the application were received. Major views were set out in paragraph 10 of the Paper; and
- (e) the Planning Department (PlanD)’s views – PlanD did not support the application based on the assessments set out in paragraph 11 of the Paper. The proposed development was not in line with the planning intention of the “Agriculture” (“AGR”) zone and the Director of Agriculture, Fisheries and Conservation did not support the application as the application site possessed potential for agricultural rehabilitation. The applicant did not provide any strong planning justification in the submission to justify a departure from the planning intention, even on a temporary basis. The Commissioner for Transport did not support the application as the applicant failed to demonstrate the proposed scheme was feasible given that access to some of the parking spaces were blocked by other parking spaces. The Chief Town Planner/Urban Design & Landscape, PlanD had reservation from landscape planning perspective. The application site was part of the subject of two previous applications for temporary car park uses for a period of three years, which were rejected by the Committee and the Town Planning Board (the Board) on review in 2018 and 2020 respectively for the reasons of being not in line with the planning intention of the “AGR” zone, causing adverse landscape impact on the area and setting undesirable precedent for other similar applications. Despite that the scale of the proposed car park was reduced compared with the latest previous application, there was no material change in planning circumstances since the rejection of the latest previous application that warranted a departure from the Board’s previous decision. Regarding the adverse public comments received, the comments from concerned government

departments and the planning assessments above were relevant.

53. Members had no question on the application.

#### Deliberation Session

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

- “(a) the proposed development is not in line with the planning intention of the “Agriculture” (“AGR”) zone which is primarily to retain and safeguard good quality agricultural land/farm/fish ponds for agricultural purposes, and to retain fallow arable land with good potential for rehabilitation for cultivation and other agricultural purposes. There is no strong planning justification in the submission for a departure from the planning intention of “AGR” zone, even on a temporary basis;
- (b) the applicant fails to demonstrate in the submission that the proposed car park layout is feasible from traffic engineering point of view;
- (c) the applicant fails to demonstrate in the submission that the proposed development would not result in adverse landscape impact on the area; and
- (d) the approval of the application would set an undesirable precedent for other similar applications in the “AGR” zone. The cumulative effect of approving such similar applications would result in a general degradation of the landscape character of the area.”

**Agenda Item 11A**

Additional Item

Section 16 Application

[Open Meeting]

A/NE-PK/139            Temporary Private Car Park (Private Car and Light Goods Vehicle) for a Period of 3 Years in “Village Type Development” Zone, Lot 2366 RP (Part) in D.D. 91, Ping Kong, Sheung Shui  
(RNTPC Paper No. A/NE-PK/139)

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55.            The Committee noted that the applicants’ representative requested on 2.11.2020 deferment of consideration of the application for two months in order to allow more time to engage a consultant for preparation of the traffic review to address the comments from the Transport Department (TD). It was the second time that the applicants requested deferment of the application. Since the last deferment, the applicants’ representative had liaised with TD on detailed requirements of the traffic review to address its concern.

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

**Agenda Item 12**

**Section 16 Application**

[Open Meeting (Presentation and Question Sessions Only)]

A/NE-LK/132            Proposed Temporary Public Utility Installation (Solar Photovoltaic System) for a Period of 5 Years in “Recreation” Zone, Lot 2048 S.B (Part) in D.D. 39, Yim Tso Ha Village, Sha Tau Kok  
(RNTPC Paper No. A/NE-LK/132)

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**Presentation and Question Sessions**

57.            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) proposed temporary public utility installation (solar photovoltaic system) for a period of five 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, a total of eight public comments were received, including seven objecting comments from a member of North District Council, World Wide Fund for Nature Hong Kong, Designing Hong Kong Limited, Kadoorie Farm and Botanic Garden Corporation, the Hong Kong Bird Watching Society, a local villager and an individual, and one comment from the Chairman of Sheung Shui District Rural Committee indicating no comment on 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 on a temporary basis for a period of five years based on the assessments set out in paragraph 12 of the Paper. Although the proposed development was not entirely in line with the planning intention of the

“Recreation” (“REC”) zone, it was only on a temporary basis for a period of five years. Approval of the application would not frustrate the long-term planning intention of the “REC” zone. In view of the small scale of the proposed development, it would not have significant adverse landscape and visual impacts on the surrounding environment. Concerned government departments had no objection to or no adverse comment on the application. The proposed temporary development was in line with the assessment criteria for considering applications for solar photovoltaic system (SPV system) in that the applicant had obtained CLP’s letter to demonstrate technical feasibility of the proposal, the height of the system was in keeping with the surrounding areas and commensurate with the function it performed, and there were no adverse impacts from various technical perspectives. Regarding the local views conveyed by the District Officer (North) of the Home Affairs Department and public comments received, the comments from concerned government departments and the planning assessments above were relevant.

58. Some Members raised the following questions:
- (a) the current condition of the application site;
  - (b) whether the electricity generated would be sold to CLP;
  - (c) the reason for installing the solar panels at a height of 1.5m and whether there would be storage uses underneath;
  - (d) whether enforcement action could be taken if there were unauthorized uses underneath the solar panels; and
  - (e) the planning intention of the “REC” zone and whether the current application was the first application for proposed SPV system within the zone.
59. In response, Mr Tim T.Y. Fung, STP/STN, made the following main points:

- (a) with reference to the site photos on Plan A-4 of the Paper, some solar panels were erected within the application site but they were not yet in operation;
- (b) the electricity generated by the solar panels would be used at the site to meet operational needs and the remaining electricity would be sold to CLP under the Renewable Energy Feed-in Tariff (Fit) Scheme;
- (c) according to the applicant, a 1.5m height was required to facilitate repair and maintenance of solar panels. No uses were proposed underneath the solar panels;
- (d) if there were unauthorised uses underneath the solar panels, which deviated from the approved development proposal, the Planning Authority could take necessary enforcement actions as appropriate against the unauthorised uses; and
- (e) the planning intention of the “REC” zone was primarily for recreational developments for the use of the general public and development of active and/or passive recreation and tourism/eco-tourism. The current application was the first application proposed for SPV system in the subject “REC” zone.

### Deliberation Session

60. Drawing Members’ attention to the assessment criteria for considering applications for SPV system, the Chairman highlighted that if the installation of SPV system was incidental to, directly related and ancillary to and commensurate in scale with the permitted use/development within the same zone, it would be regarded as an ancillary use for supplementing power supply to the use/development and no planning permission for the SPV system was required. However, installation of SPV system as a stand-alone facility on vacant land for the FiT Scheme, depending on the zoning, would require planning permission from the Town Planning Board. Members could consider the current application based on the relevant assessment criteria.

61. Noting that the application was the first proposed SPV system in the subject

‘REC’ zone, a Member had reservation on the proposal as it would frustrate the planning intention of the “REC” zone, which was designated for recreational development for the use of the general public. Nevertheless, some Members considered that the proposed SPV system was acceptable as there was no programme for development at the application site and the application was on a temporary basis.

62. After deliberation, the Committee decided to approve the application on a temporary basis for a period of 5 years until 6.11.2025, on the terms of the application as submitted to the Town Planning Board (TPB) and subject to the following conditions :

- “(a) the submission of a 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 6.5.2021;
- (b) in relation to (a) 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 6.8.2021;
- (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 6.5.2021;
- (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 6.8.2021; and
- (e) if any of the above planning condition (a), (b), (c) or (d) is not complied with by the specified date, the approval hereby given shall cease to have effect and shall on the same date be revoked without further notice.”

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



**Agenda Item 13**

**Section 16 Application**

[Open Meeting]

A/NE-TKL/639      Proposed Temporary Concrete Batching Plant for a Period of 5 Years  
in “Industrial (Group D)” Zone, Lot 153 (Part) in D.D. 77, Ping Che  
(RNTPC Paper No. A/NE-TKL/639A)

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64.            The Secretary reported that AECOM Asia Company Limited (AECOM) was one of the consultants of the applicant. Dr C.H. Hau had declared an interest on the item for having past business dealings with AECOM. As Dr C.H. Hau had no involvement in the application, the Committee agreed that he could stay in the meeting.

65.            The Committee noted that the applicant’s representative requested on 27.10.2020 deferment of consideration of the application for two months in order to allow more time for preparation of further information to address comments of the Transport Department and Environmental Protection Department. It was the second time that the applicant requested deferment of the application. Since the last deferment, the applicant’s representative had provided a response-to-comment table with revised technical reports to address the comments from relevant government departments.

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

**Agenda Item 14**

**Section 16 Application**

[Open Meeting]

A/NE-TKL/645      Proposed Temporary Shop and Services with Ancillary Office and Storage Use for a Period of 5 Years in “Open Storage” Zone and area shown as ‘Road’, Lot 2073 RP (Part) in D.D. 76 and Adjoining Government Land, Ping Che  
(RNTPC Paper No. A/NE-TKL/645)

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67.            The Committee noted that the applicant’s representative requested on 27.10.2020 deferment of consideration of the application for two months in order to allow more time for preparation of further information to address comments of the Transport Department. It was the first time that the applicant requested deferment of the application.

68.            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 (Presentation and Question Sessions Only)]

A/NE-TKL/646      Proposed Temporary Public Vehicle Park for a Period of 3 Years in “Agriculture” Zone, Lots 1831 S.B RP (Part), 1833 and 1834 S.C RP (Part) in D.D. 76, Ma Mei Ha, Fanling  
(RNTPC Paper No. A/NE-TKL/646)

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Presentation and Question Sessions

69. 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) proposed temporary vehicle park for a period of three years;
- (c) departmental comments – departmental comments were set out in paragraph 8 of the Paper;
- (d) during the first three weeks of the statutory publication period, a total of eleven public comments were received, including ten objecting comments from the Vice Chairman and 1<sup>st</sup> Vice Chairman of Fanling Rural Committee, a North District Council (NDC) Member and a NDC Member of the subject constituency, World Wide Fund for Nature Hong Kong, Kadoorie Farm and Botanic Garden Corporation, the Hong Kong Bird Watching Society and three individuals, and one comment from a NDC Member indicating no comment on the application. Major views were set out in paragraph 9 of the Paper; and
- (e) the Planning Department (PlanD)’s views – PlanD did not support the application based on the assessments set out in paragraph 10 of the Paper. The proposed development was not in line with the planning intention of the “Agriculture” (“AGR”) zone and the Director of Agriculture, Fisheries and Conservation did not support the application from agricultural development point of view as the application site had potential for agricultural rehabilitation. There was no strong planning justification in the submission to justify a departure from the planning intention, even on a temporary basis. The Commissioner for Transport did not support the application as the applicant failed to demonstrate in the submission that the temporary vehicle park would not cause adverse traffic impact on the

surrounding areas. The Director of Environmental Protection also did not support the application as there were sensitive receivers in the vicinity of the application site. The application site was the subject of a previous planning application submitted by the same applicant for a proposed temporary open storage of construction material for a period of three years, which was rejected by the Committee mainly on the grounds that the development was not in line with the planning intention of the “AGR” zone, not complying with the relevant Town Planning Board Guidelines and there were adverse traffic, environmental and drainage impacts on the surrounding areas. Regarding the local views conveyed by the District Officer (North) of the Home Affairs Department and adverse public comments received, the comments from concerned government departments and the planning assessments above were relevant.

70. Members had no question on the application.

#### Deliberation Session

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

- “(a) the proposed development is not in line with the planning intention of the “Agriculture” zone, which is primarily to retain and safeguard good quality agricultural land/farm/fish ponds for agricultural purposes and to retain fallow arable land with good potential for rehabilitation for cultivation and other agricultural purposes. There is no strong planning justification in the submission for a departure from such planning intention, even on a temporary basis; and
- (b) the applicant fails to demonstrate that the proposed development would not cause adverse traffic impact on the surrounding areas.”

**Agenda Item 16**

**Section 16 Application**

[Open Meeting (Presentation and Question Sessions Only)]

A/NE-TKL/647      Proposed Eating Place (Restaurant) in “Government, Institution or Community” Zone, G/F, 12 Ping Che New Village, Lot 1636 in D.D. 77, Ta Kwu Ling  
(RNTPC Paper No. A/NE-TKL/647)

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**Presentation and Question Sessions**

72.            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) proposed eating place (restaurant);
- (c) departmental comments – departmental comments were set out in paragraph 8 of the Paper;
- (d) during the first three weeks of the statutory publication period, a total of three public comments were received, including two objecting comments from a North District Council Member and an individual, and one comment from the Chairman of Sheung Shui District Rural Committee indicating no comment on the application. Major views were set out in paragraph 9 of the Paper; and
- (e) the Planning Department (PlanD)’s views – PlanD had no objection to the application based on the assessments set out in paragraph 10 of the Paper. While land within the “Government, Institution or Community” (“G/IC”) zone was intended primarily for the provision of government, institution or community facilities serving the needs of the local residents and/or a wider district, the proposed eating place to provide retail/commercial uses serving the needs of the villagers was considered generally in line with the planning

intention of the “G/IC” zone. The proposed development was considered compatible with the surrounding environment. Concerned government departments had no objection to or no adverse comment on the application. Regarding the adverse public comments received, the comments from concerned government departments and the planning assessments above were relevant.

73. In response to a Member’s enquiry, Mr Tim T.Y. Fung, STP/STN, replied that the proposed eating place was a permanent use. Noting that ‘Eating Place (Canteen, Cooked Food Centre only)’ was a column 1 use in the “G/IC” zone, the Member asked what the difference between canteen and restaurant was. In response, Mr Tim T.Y. Fung said that canteen referred to premises where food or drinks were sold for consumption on the premises exclusively to persons working in the site, or exclusively to members of a particular organization and the premises were located within the compound of the organization, while restaurant referred to premises used for carrying out business for the sale of food or drinks mainly for consumption on the premises.

#### Deliberation Session

74. 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 6.11.2024, 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 provision of fire services installations before the operation of the proposed development to the satisfaction of the Director of Fire Services or of the TPB;
- (b) the submission and implementation of the drainage proposal before the operation of the proposed development to the satisfaction of the Director of Drainage Services or of the TPB; and
- (c) the submission and implementation of the sewerage proposal before the

operation of the proposed development to the satisfaction of the Director of Drainage Services or of the TPB.”

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

### **Agenda Item 17**

#### **Section 16 Application**

[Open Meeting (Presentation and Question Sessions Only)]

A/NE-TKL/648      Proposed House in “Green Belt” Zone, Lot 186 in D.D. 79, Ping Yeung Village, Ta Kwu Ling  
(RNTPC Paper No. A/NE-TKL/648)

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

76. 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) proposed house;
- (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, a total of seven public comments were received, including six objecting comments from the Kadoorie Farm and Botanic Garden Corporation, Hong Kong Bird Watching Society, World Wide Fund for Nature Hong Kong, Designing Hong Kong Limited, a North District Council Member and an individual, and one comment from the Chairman of Sheung Shui District Rural Committee indicating no comment on the application. Major views were set out in paragraph 11 of the Paper; and

- (e) the Planning Department (PlanD)'s views – PlanD did not support the application based on the assessments set out in paragraph 12 of the Paper. The proposed development was not in line with the planning intention of the “Green Belt” (“GB”) zone and the applicant had not provided strong justification in the submission for a departure from the planning intention of the “GB” zone. According to the District Land Officer/North of Lands Department, the application site did not possess any building entitlement under the Lease. The Commissioner for Transport objected to the application as there was no parking space provided in the proposed development and the approval of the application would set an undesirable precedent for similar applications and the resulting cumulative adverse traffic impact could be substantial. The Chief Town Planner/ Urban Design & Landscape, PlanD had some reservations on the application as the approval of the application would set an undesirable precedent and would encourage similar developments within the area, which would affect the existing natural landscape of the area caused by the loss of vegetation. The cumulative impact would further alter the landscape character and degrade the landscape quality of the surrounding environment within the “GB” zone. The proposed development was not in line with the Town Planning Board Guidelines No. 10 in that the proposed development would affect the existing natural landscape of the area and there was a general presumption against development within the “GB” zone. Regarding the public comments received, the comments from concerned government departments and the planning assessments above were relevant.

77. In response to a Member's enquiry, Mr Tim T.Y. Fung, STP/STN, explained that the structures located to the northwest of the application site were Small House developments which were in existence since the gazette of the Interim Development Permission Area Plan and were considered as existing uses. The temporary structures to the south and southeast of the application site were domestic uses which were also existing uses.

#### Deliberation Session



78. 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 sub-urban development areas by natural features and to contain urban sprawl as well as to provide passive recreational outlets. There is no strong 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 there is a general presumption against development in “GB” zone; and the proposed development would affect the existing natural landscape of the area; and
- (c) 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 landscape character of the area.”

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

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

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

**Agenda Item 18**

**Section 16 Application**

[Open Meeting]

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

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79. The Secretary reported that the application site was located in Kwu Tung South and in the vicinity of Hong Kong Jockey Club (HKJC) Beas River Country Club and Hong Kong Golf Club (HKGC). The application was submitted by Hinying Limited, which was a subsidiary of Sun Hung Kai Properties Limited (SHK), and Llewelyn-Davies Hong Kong Limited (LD), Black & Veatch Hong Kong Limited (B&V) and CYS Associates (HK) Limited (CYS) were three of the consultants of the applicant. The following Members had declared interests on the item:

- |   |   |   |
|---|---|---|
| Miss Winnie W.M. Ng                                 | - | being a Director of the Kowloon Motor Bus Company (1933) Limited (KMB) and SHK was one of the shareholders of KMB and being an ordinary member of HKJC; |
| Dr Conrad T.C. Wong                                 | - | having current business dealings with SHK and being an ordinary member of HKJC;   |
| Mr Stephen L.H. Liu<br>( <i>the Vice Chairman</i> ) | ] | being an ordinary member of HKJC;   |
| Mr Philip S.L. Kan                                  | ] |   |
| Dr Lawrence K.C. Li                                 | - | being a voting member of HKJC and a member of the HKGC;   |
| Mr K.K. Cheung                                      | - | his firm having current business dealings with SHK, B&V and CYS and being an ordinary member of HKJC;   |

- Mr Ricky W.Y. Yu - having past business dealings with LD;
- Dr C.H. Hau - having applied for funding from the HKJC Charities Trust for his project;
- Mr L.T. Kwok - having his projects sponsored by HKJC Charities before; and
- Mr Peter K.T. Yuen - being an ordinary member of HKJC and a member of the Board of Governors of the Hong Kong Arts Centre which had received donation from HKJC before.

80. The Committee noted that the applicant had requested deferment of consideration of the application and Dr Conrad T.C. Wong and Messrs Ricky W.Y. Yu and L.T. Kwok had tendered apologies for being unable to attend the meeting. As the interest of Miss Winnie W.M. Ng was direct, the Committee agreed that she could stay in the meeting but should refrain from participating in the discussion. As Mr. K.K. Cheung had no involvement in the application and the interests of Dr C.H. Hau, Dr Lawrence K.C. Li, Messrs Stephen L.H. Liu, Philip S.L. Kan and Peter K.T. Yuen in relation to HKJC and HKGC were indirect, the Committee agreed that they could stay in the meeting.

81. The Committee noted that the applicant's representative requested on 2.11.2020 deferment of consideration of the application for two months in order to allow more time for the applicant to review the development layout and prepare further information to address 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 further information in response to departmental comments and further comments from TD was received on 30.10.2020.

82. 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 19**

**Section 16 Application**

[Open Meeting]

A/NE-KTS/490 Temporary Place of Recreation, Sports or Culture (Hobby Farm and Adventure Centre) with Ancillary Private Car Parking for a Period of 3 Years in “Green Belt” and “Recreation” Zones, Lot 2031 RP in D.D. 92, Kam Tsin Village, Sheung Shui  
(RNTPC Paper No. A/NE-KTS/490)

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83. The Secretary reported that the application site was located in Kwu Tung South and in the vicinity of Hong Kong Jockey Club (HKJC) Beas River Country Club and Hong Kong Golf Club (HKGC). The following Members had declared interests on the item:

- |   |   |   |
|---|---|---|
| Dr Lawrence K.C. Li                                 | - | being a voting member of HKJC and a member of the HKGC;                   |
| Mr Stephen L.H. Liu<br>( <i>the Vice Chairman</i> ) | ] | being an ordinary member of HKJC;   |
| Mr Philip S.L. Kan                                  | ] |   |
| Mr K.K. Cheung                                      | ] |   |
| Miss Winnie W.M. Ng                                 | ] |   |
| Dr Conrad T.C. Wong                                 | ] |   |
| Dr C.H. Hau   | - | having applied for funding from the HKJC Charities Trust for his project; |
| Mr L.T. Kwok  | - | having his projects sponsored by HKJC Charities before; and               |

Mr Peter K.T. Yuen - being an ordinary member of HKJC and a member of the Board of Governors of the Hong Kong Arts Centre which had received donation from HKJC before.

84. The Committee noted that the applicant had requested deferment of consideration of the application and Dr Conrad T.C. Wong and Mr L.T. Kwok had tendered apologies for being unable to attend the meeting. As the interest of Miss Winnie W.M. Ng, Dr Lawrence K.C. Li, Dr C.H. Hau, Messrs Stephen L.H. Liu, Philip S.L. Kan, K.K. Cheung and Peter K.T. Yuen in relation to HKJC and HKGC were indirect, the Committee agreed that they could stay in the meeting.

85. The Committee noted that the applicant's representative requested on 3.11.2020 deferment of consideration of the application for two months in order to allow more time for preparation of further information to address comments from the Transport Department. It was the first time that the applicant requested deferment of the application.

86. 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/491 Temporary Warehouse with Ancillary Office for a Period of 3 Years in  
“Recreation” Zone, Lot 2220 (Part) in D.D. 92, Kwu Tung South,  
Sheung Shui  
(RNTPC Paper No. A/NE-KTS/491)

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87. The Secretary reported that the application site was located in Kwu Tung South and in the vicinity of Hong Kong Jockey Club (HKJC) Beas River Country Club and Hong Kong Golf Club (HKGC). The following Members had declared interests on the item:

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

88. The Committee noted that Dr Conrad T.C. Wong and Mr L.T. Kwok had tendered apologies for being unable to attend the meeting. As the interest of Miss Winnie

W.M. Ng, Dr Lawrence K.C. Li, Dr C.H. Hau, Messrs Stephen L.H. Liu, Philip S.L. Kan, K.K. Cheung and Peter K.T. Yuen in relation to HKJC and HKGC were indirect, the Committee agreed that they could stay in the meeting.

#### Presentation and Question Sessions

89. 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) temporary warehouse with ancillary office for a period of three years;
- (c) departmental comments – departmental comments were set out in paragraph 9 of the Paper;
- (d) during the first three weeks of the statutory publication period, a total of four public comments were received, including three objecting comments from World Wide Fund for Nature Hong Kong, a North District Council Member and an individual, and one comment from an individual indicating no comment on the application. Major views were set out in paragraph 10 of the Paper; and
- (e) the Planning Department (PlanD)’s views – PlanD did not support the application based on the assessments set out in paragraph 11 of the Paper. The proposed development was not in line with the planning intention of the “Recreation” (“REC”) zone and there was no strong planning justification in the submission for a departure from the planning intention, even on a temporary basis. The Director of Environmental Protection did not support the application as there were sensitive receivers in the vicinity and the proposed use involved the use of heavy vehicles, and environmental nuisance was expected. The Commissioner for Transport could not lend support to the application as the applicant failed to justify the adequacy of the parking spaces, demonstrate the satisfactory manoeuvring of vehicles

entering to/exiting from/within the application site, ensure no queuing of vehicles outside the application site and pedestrian safety. Regarding the local views conveyed by the District Officer (North) of the Home Affairs Department and public comments received, the comments from concerned government departments and the planning assessments above were relevant.

90. Members had no question on the application.

### Deliberation Session

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

- “(a) the proposed development is not in line with the planning intention of the “Recreation” zone in the Kwu Tung South area which is primarily for recreational developments for the use of the general public and to encourage the development of active and/or passive recreation and tourism/eco-tourism. There is no strong planning justification in the submission for a departure from the planning intention, even on a temporary basis; and
- (b) the applicant fails to demonstrate that the proposed development would not generate adverse traffic impact on the surrounding areas.”

### Agenda Item 21

#### Section 16 Application

[Open Meeting (Presentation and Question Sessions Only)]

A/FSS/276	Proposed House and Social Welfare Facility (Residential Care Home for the Elderly) and Minor Relaxation of Building Height Restriction in “Village Type Development” Zone, Various Lots in D.D. 51, Fanling (RNTPC Paper No. A/FSS/276B)
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Presentation and Question Sessions



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

- (a) background to the application;
- (b) proposed house and social welfare facility (residential care home for the elderly) and minor relaxation of building height (BH) restriction;
- (c) departmental comments – departmental comments were set out in paragraph 8 of the Paper;
- (d) during the first three weeks of the statutory publication periods, a total of 321 public comments were received, including 308 supporting comments from individuals, 11 objecting comments from Fanling District Rural Committee and individuals and two indicating no comment on the application. Major views were set out in paragraph 9 of the Paper; and
- (e) the Planning Department (PlanD)’s views – PlanD had no objection to the application based on the assessments set out in paragraph 10 of the Paper. The application sought to amend a scheme (application No.A/FSS/270) approved in 2019. Compared with the approved scheme, the proposed amendments mainly involved a slight increase in site area by incorporating two additional land lots, corresponding increase in the total Gross Floor Area (GFA), increase in number of proposed houses, reduction in the average house unit size and change in layout and disposition of houses while the total plot ratio (PR), site coverage and BH remained the same as the previous planning approval. Although the proposed development was not entirely in line with the planning intention of the “Village Type Development” (“V”) zone, the proposed houses and residential care home of the elderly (RCHE) were in low-rise and low-density character which were not incompatible with the adjacent residential use. The proposed RCHE could help address the shortfall for elderly facilities and meet the demand of ageing population in the community. The application site fell

within “V” zone but not covered by village ‘environ’ of any recognized village. According to the Development Bureau (DEVB), the application site fell within the proposed Ling Hill Village Expansion Area (VEA), and DEVB agreed to follow up with Heung Yee Huk (HYK) separately on the possibility of “unfreezing” private land within Ling Hill VEA and any land exchange application to implement the proposed development would be scrutinized accordingly under the land administrative regime in due course. Various technical assessments had been conducted to demonstrate that the proposed development would not cause insurmountable problems. Concerned government departments had no objection to or no adverse comment on the application. Regarding the local objection conveyed by the District Officer (North) of the Home Affairs Department and the adverse public comments, the comments of government departments and the planning assessments above were relevant.

93. In response to a Member’s question, Mr Patrick M.Y. Fung, STP/FSYLE, explained that although there was an increase in GFA for RCHE (from 781m<sup>2</sup> to 1,040m<sup>2</sup>), the number of beds to be provided in RCHE remained the same (i.e. 60 bed) as the average area for each bed was underestimated in the previous approved scheme.

94. Regarding a Member’s enquiry on calculation of PR, Mr Fung replied that the application site fell within the “V” zone which was subject to a maximum BH of 3 storeys (8.23m). There was no PR restriction in the “V” zone and the floor area of RCHE was included in GFA calculation.

#### Deliberation Session

95. A Member asked whether the floor area of RCHE or other government, institution and community (GIC) facilities could be exempted from GFA calculation. In response, the Chairman said that in general, if the provision of GIC facilities was envisaged at the plan-making stage and the feasibility of such facilities could be ascertained by technical assessments, such facilities could be catered for by either prescribing a higher PR/GFA limit or by imposing a PR/GFA exemption clause in the Notes of relevant zone in the Outline Zoning Plan. Examples could be found in public housing developments or urban renewal

projects. If there was no PR/GFA exemption clause for GIC facilities or no PR restriction in a zone like the current case, PlanD would follow the practice of the Buildings Department in determining whether to include GIC facilities into GFA calculation. Besides, the Committee noted that the clubhouse was excluded from GFA calculation in the submission, but subject to the approval of the Building Authority at the building plan submission stage.

96. A Member asked why a RCHE was included in the proposed development. In response, the Chairman briefly summarized the history of the application site which fell within the proposed Ling Hill VEA. Under the VEA scheme, introduced in 1981, the Government would resume private land and provide necessary infrastructure and facilities for indigenous villagers to build Small Houses in a more orderly manner. However, in 1999, the Government decided to suspend the implementation of designated VEA projects in view of the review of the Small House Policy. In 2018, having considered HYK's proposal, DEVB agreed that private land within two suspended VEA projects would be "unfrozen". As for the Ling Hill VEA project, DEVB had agreed to further follow up with HYK about the possibility of "unfreezing" private land. Mr Alan K.L. Lo, Assistant Director/Regional 3, Lands Department, supplemented that the RCHE might be proposed by the applicant as a planning gain to meet local needs.

97. The Vice-chairman and some Members considered that the proposed development with RCHE could help address the shortfall of housing and elderly facilities amid a growing and ageing population in the community.

98. A Member asked if the BH could be further relaxed to provide more houses to meet housing needs. The Chairman responded that the BH restriction was proposed to be relaxed from 3 storeys to 4 storeys. Further relaxation of BH restriction should be justified by a comprehensive assessment to ascertain technical feasibility and no adverse impacts on the surrounding area.

99. 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 6.11.2024, 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 vehicular access and parking facilities to the satisfaction of the Commissioner for Transport and the Director of Highways or of the TPB;
- (b) the design and provision of traffic measures at junction of Jockey Club Road/Ma Sik Road/So Kwun Po Road and junction of Ma Sik Road/Tin Ping Road and the design and modification/relocation of the general lay-by at Ma Sik Road west bound outside the site to the satisfaction of the Commissioner for Transport or of the TPB;
- (c) the submission of a Noise Impact Assessment and the implementation of the mitigation measures identified therein to the satisfaction of the Director of Environmental Protection or of the TPB;
- (d) the submission and implementation of a drainage proposal to the satisfaction of the Director of Drainage Services or of the TPB;
- (e) the submission and implementation of sewerage connection proposal identified in the revised Sewerage Impact Assessment to the satisfaction of the Director of Drainage Services or of the TPB;
- (f) the provision of fire service installations and water supplies for fire-fighting to the satisfaction of the Director of Fire Services or of the TPB; and
- (g) the submission and implementation of landscape proposal to the satisfaction of the Director of Planning or of the TPB.”

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

[Mr Stephen L.H. Liu left the meeting at this point.]

**Agenda Item 22**

**Section 16 Application**

[Open Meeting (Presentation and Question Sessions Only)]

A/YL-KTN/713      Proposed Temporary Animal Boarding Establishment for a Period of 3 Years in “Agriculture” Zone, Lots 1471 S.A and 1468 in D.D. 107, Shui Mei Tsuen, Kam Tin, Yuen Long  
(RNTPC Paper No. A/YL-KTN/713A)

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**Presentation and Question Sessions**

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

- (a) background to the application;
- (b) proposed temporary animal boarding establishment 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, six public comments from the Hong Kong Bird Watching Society, Kadoore Farm & Botanic Garden Corporation, Designing Hong Kong Limited, a villager of Shui Mei Village and individuals objecting to the application were received. Major views were set out in paragraph 10 of the Paper; and
- (e) the Planning Department (PlanD)’s views – PlanD had no objection to the application on a temporary basis for a period of three years based on the assessments set out in paragraph 11 of the Paper. Although the proposed use was not entirely in line with the planning intention of the “Agriculture” (“AGR”) zone and the Director of Agriculture, Fisheries and Conservation did not support the application from agricultural point of view, the approval of the application on a temporary basis for three years would not frustrate

the long-term planning intention of the “AGR” zone. The proposed development was considered not incompatible with the surrounding area. Concerned government departments had no objection to or no adverse comment on the application. To minimise the possible environmental nuisance and address the technical requirements of concerned government departments, appropriate approval conditions were recommended. There were 33 approved similar applications for temporary animal boarding establishment and only one was rejected. The circumstance of the only rejected application was different from the current application. Regarding the adverse public comments received, the comments from concerned government departments and the planning assessments above were relevant.

102. Members had no question on the application.

#### Deliberation Session

103. Noting that some approved similar applications were revoked, a Member raised concern on whether the approval conditions were difficult to comply with. The Committee noted that in general, the approval conditions with specific time limit were imposed based on the comments of relevant departments to address their technical requirements, and there were 14 revoked applications for failure to comply with approval conditions mainly relating to drainage proposal and/or fire service installations aspects within the time limit. The Committee also noted that the planning permissions for 15 similar applications were still valid and the approval conditions had been/were being complied with. No animal boarding establishment was in operation in sites with revoked applications.

104. After deliberation, the Committee decided to approve the application on a temporary basis for a period of 3 years until 6.11.2023, 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. (except overnight animal boarding), as proposed by the applicant, is allowed on the site during the planning approval period;

- (b) all animals shall be kept inside the enclosed animal boarding establishment on the site between 7:00 p.m. and 9:00 a.m., as proposed by the applicant, during the planning approval period;
- (c) no public announcement system, portable loudspeaker, any form of audio amplification system, or whistle blowing is allowed to be used on the site at any time during the planning approval period;
- (d) the submission of a drainage proposal within 6 months from the date of planning approval to the satisfaction of the Director of Drainage Services or of the TPB by 6.5.2021;
- (e) in relation to (d) above, the implementation of the drainage proposal within 9 months from the date of planning approval to the satisfaction of the Director of Drainage Services or of the TPB by 6.8.2021;
- (f) in relation to (e) above, the implemented drainage facilities on the site shall be maintained at all times during the planning approval period;
- (g) the submission of a fire service installations proposal within 6 months from the date of planning approval to the satisfaction of the Director of Fire Services or of the TPB by 6.5.2021;
- (h) in relation to (g) above, the implementation of the fire service installations proposal within 9 months from the date of planning approval to the satisfaction of the Director of Fire Services or of the TPB by 6.8.2021;
- (i) if any of the above planning condition (a), (b), (c) or (f) is not complied with during the planning approval period, the approval hereby given shall cease to have effect and shall be revoked immediately without further notice;
- (j) if any of the above planning condition (d), (e), (g) or (h) is not complied with by the specified date, the approval hereby given shall cease to have

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

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

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

### **Agenda Item 23**

#### **Section 16 Application**

[Open Meeting]

A/YL-KTN/719 Temporary Public Vehicle Park (Excluding Container Vehicle) for a Period of 5 Years in “Village Type Development” Zone, Lots 554 S.A, 555 S.A ss.1, 1435 S.A and 1451 (Part) in D.D. 109, Kam Tin, Yuen Long  
(RNTPC Paper No. A/YL-KTN/719A)

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106. The Committee noted that the applicant’s representative requested on 2.11.2020 deferment of consideration of the application for two months in order to allow more time for preparation of further information to address departmental comments. It was the second time that the applicant requested deferment of the application. Since the last deferment, the applicant had submitted further information to address departmental comments.

107. 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 24**

**Section 16 Application**

[Open Meeting]

A/YL-KTN/725      Proposed Temporary Animal Boarding Establishment (Dog Kennel cum Dog Recreation Centre) for a Period of 3 Years in “Agriculture” Zone, Lot 1376 RP (Part) in D.D.109, Tai Kong Po, Kam Tin, Yuen Long  
(RNTPC Paper No. A/YL-KTN/725)

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108.      The Committee noted that the applicant’s representative requested on 27.10.2020 deferment of consideration of the application for two months in order to allow more time for preparation of further information to address departmental comments. It was the first time that the applicant requested deferment of the application.

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

**Agenda Item 25**

**Section 16 Application**

[Open Meeting (Presentation and Question Sessions Only)]

A/YL-KTN/726 Proposed Temporary Place of Recreation, Sports or Culture (Hobby Farm) for a Period of 3 Years and Filling of Land in “Agriculture” Zone, Lots 609 and 610 in D.D. 109, Kam Tin North, Yuen Long  
(RNTPC Paper No. A/YL-KTN/726)

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**Presentation and Question Sessions**

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

- (a) background to the application;
- (b) proposed temporary place of recreation, sports or culture (hobby farm) for a period of three years and filling 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, one public comment from an individual objecting to the application was received. Major view was set out in paragraph 10 of the Paper; and
- (e) the Planning Department (PlanD)’s views – PlanD had no objection to the application on a temporary basis for a period of three years based on the assessments set out in paragraph 11 of the Paper. The application was for amendment of a valid planning permission under application No. A/YL-KTN/691 approved in 2020. Compared with the previous approval, the applicant proposed to increase the floor area of the structures (+54.9m<sup>2</sup>) for more spacious changing area for visitors and storage area, while the site area, number of structures and land filling/paving area remained the same. According to the applicant, about 70% of the application site would be used

for farming. The proposed use was generally not in conflict with the planning intention of the “Agriculture” (“AGR”) zone. The Director of Agriculture, Fisheries and Conservation had no strong view on the application from agricultural point of view. It was considered that approval of the application on a temporary basis for a period of three years would not frustrate the long-term planning intention of the “AGR” zone. The development was considered not incompatible with the surrounding land uses. In view of the nature of the proposed hobby farm, it would unlikely cause significant adverse traffic, landscape, environmental or drainage impacts on the surroundings. Concerned government departments had no objection to or no adverse comment on the application. To minimise the possible environmental nuisance and address the technical requirements of the concerned government departments, appropriate approval conditions were recommended. There were 27 similar applications for temporary hobby farm approved by the Committee within the same “AGR” zone. The circumstances of the only rejected similar hobby farm application were different from the current application. Approval of the application was in line with the Committee’s previous decisions on similar applications. Regarding the adverse public comment received, the comments from concerned government departments and the planning assessments above were relevant.

111. Members had no question on the application.

#### Deliberation Session

112. After deliberation, the Committee decided to approve the application on a temporary basis for a period of 3 years until 6.11.2023, on the terms of the application as submitted to the Town Planning Board (TPB) and subject to the following conditions :

- “(a) no operation between 6:00 p.m. and 9:00 a.m., as proposed by the applicant, is allowed on the site during the planning approval period;
- (b) no public announcement system, portable loudspeaker or any form of audio

amplification system is allowed to be used on the site at any time during the planning approval period;

- (c) the submission of a drainage proposal within 6 months from the date of planning approval to the satisfaction of the Director of Drainage Services or of the TPB by 6.5.2021;
- (d) in relation to (c) above, the implementation of the drainage proposal within 9 months from the date of planning approval to the satisfaction of the Director of Drainage Services or of the TPB by 6.8.2021;
- (e) in relation to (d) above, the implemented drainage facilities on the site shall be maintained at all times during the planning approval period;
- (f) the 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 6.5.2021;
- (g) in relation to (f) above, the implementation of the fire service installations proposal within 9 months from the date of planning approval to the satisfaction of the Director of Fire Services or of the TPB by 6.8.2021;
- (h) if any of the above planning conditions (a), (b) or (e) is not complied with during the planning approval period, the approval hereby given shall cease to have effect and shall be revoked immediately without further notice;
- (i) if any of the above planning conditions (c), (d), (f) or (g) is not complied with by the specified date, the approval hereby given shall cease to have effect and shall on the same date be revoked without further notice; and
- (j) upon expiry of the planning permission, the reinstatement of the site to an amenity area to the satisfaction of the Director of Planning or of the TPB.”

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 26**

### **Section 16 Application**

[Open Meeting (Presentation and Question Sessions Only)]

A/YL-KTN/727      Proposed Temporary Shop and Services (Vehicle Parts) with Ancillary Storage and Office for a Period of 3 Years in “Industrial (Group D)” Zone, Lots 565 S.A (Part), 640 (Part), 796 (Part), 797 (Part) and 798 (Part) in D.D. 107 and Adjoining Government Land, Fung Kat Heung, Yuen Long  
(RNTPC Paper No. A/YL-KTN/727)

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### **Presentation and Question Sessions**

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

- (a) background to the application;
- (b) proposed temporary shop and services (vehicle parts) with ancillary storage and office 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 on a temporary basis for a period of three years based on the assessments set out in paragraph 11 of the Paper. Although the proposed use was not entirely in line with the planning intention of the “Industrial (Group D)” (“I(D)”) zone, the temporary approval of the application would

not frustrate the long-term planning intention of the “I(D)” zone. The proposed use was considered not incompatible with the surrounding areas. Concerned government departments had no objection to or no adverse comment on the application. To minimise the possible environmental nuisance and address the technical requirements of concerned government departments, appropriate approval conditions were recommended. The site was the subject of a previous approved application for the same use and submitted by the same applicant but was revoked in 2020 due to non-compliance with approval conditions on the submission and implementation of drainage proposal and provision of fire services installations (FSIs). In the current application, the applicant had submitted drainage and FSIs proposals which were accepted by the Chief Engineer/Mainland North of Drainage Services Department and Director of Fire Services. Shorter compliance periods were recommended to monitor the progress of compliance with the approval conditions. There were five similar applications approved for various temporary shop and services uses within the same “I(D)” zone. The approval of the application was in line with the previous decisions of the Committee.

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 until 6.11.2023, on the terms of the application as submitted to the Town Planning Board (TPB) and subject to the following conditions :

- “(a) no operation between 6:00 p.m. and 9:00 a.m., as proposed by the applicant, is allowed on the site during the planning approval period;
- (b) no operation on Sundays and public holidays, as proposed by the applicant, is allowed on the site during the planning approval period;
- (c) no vehicle is allowed to queue back to or reverse onto/from public road at

any time during the planning approval period;

- (d) the submission of a drainage proposal within 3 months from the date of planning approval to the satisfaction of the Director of Drainage Services or of the TPB by 6.2.2021;
- (e) in relation to (d) above, the implementation of the drainage proposal within 6 months from the date of planning approval to the satisfaction of the Director of Drainage Services or of the TPB by 6.5.2021;
- (f) in relation to (e) above, the implemented drainage facilities on the site shall be maintained at all times during the planning approval period;
- (g) the submission of a fire service installations proposal within 3 months from the date of planning approval to the satisfaction of the Director of Fire Services or of the TPB by 6.2.2021;
- (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 6.5.2021;
- (i) if any of the above planning conditions (a), (b), (c) or (f) is not complied with during the planning approval period, the approval hereby given shall cease to have effect and shall be revoked immediately without further notice; and
- (j) if any of the above planning conditions (d), (e), (g) or (h) is not complied with by the specified date, the approval hereby given shall cease to have effect and shall on the same date be revoked without further notice.”

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

**Agenda Item 27**

**Section 16 Application**

[Open Meeting (Presentation and Question Sessions Only)]

A/YL-KTS/859      Renewal of Planning Approval for Temporary Training Centre for Construction Industry for a Period of 3 Years in “Village Type Development” Zone, Government Land in D.D.106, Yuen Kong Tsuen, Pat Heung, Yuen Long  
  
(RNTPC Paper No. A/YL-KTS/859)

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118.      The Secretary reported that the application was submitted by Construction Industry Council (CIC). The following Members had declared interests on the item:

- |                     |   |   |
|---------------------|---|---|
| Mr Y.S. Wong        | - | being a member of the Working Group on CIC Sustainable Construction Certification Scheme for Green Finance; |
| Dr Conrad T.C. Wong | - | having current business dealings with CIC; and  |
| Mr K.K. Cheung      | - | his firm having current business dealings with CIC.   |

119.      The Committee noted that Dr Conrad T.C. Wong had tendered an apology for being unable to attend the meeting and Mr Y.S. Wong had not yet joined the meeting. As Mr. K.K. Cheung had no involvement in the application, the Committee agreed that he could stay in the meeting.

**Presentation and Question Sessions**

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

- (a) background to the application;
- (b) renewal of planning approval for temporary training centre for construction industry 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 an individual providing view was received. Major view was set out in paragraph 11 of the Paper; and
- (e) the Planning Department (PlanD)’s views – PlanD considered that the temporary use could be tolerated for a further period of three years based on the assessments set out in paragraph 12 of the Paper. Whilst the development was not in line with the planning intention of the “Village Type Development” (“V”) zone, the District Land Officer/Yuen Long of Lands Department advised that there was no Small House application approved or currently under processing at the application site. Hence, the approval of the application on a temporary basis for three years would not frustrate the long-term planning intention of the “V” zone. The development was in line with the Town Planning Board Guidelines No. 34C. To address the possible environmental nuisances, appropriate approval conditions were recommended. The application site was subject of five previous applications submitted by the same applicant for the same use. Approval of the application was in line with the decision of the Committee on the previous applications. Regarding the public comment received, the comments from concerned government departments and the planning assessments above were relevant.

121. Members had no question on the application.

#### Deliberation Session

122. After deliberation, the Committee decided to approve the application on a temporary basis for a period of 3 years and be renewed from 23.12.2020 to 22.12.2023, 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 on Saturdays, Sundays and public holidays, as proposed by the applicant, is allowed on the site during the planning approval period;
- (c) no noisy activities such as drilling or ground breaking, as proposed by the applicant, should be carried out on the site at any time during the planning approval period;
- (d) the existing drainage facilities on the site shall be maintained at all times during the planning approval period;
- (e) the existing fire service installations implemented on the site shall be maintained in efficient working order at all times during the planning approval period; and
- (f) 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.”

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

**Agenda Item 28**

**Section 16 Application**

[Open Meeting]

A/YL-PH/854            Proposed Temporary Place of Recreation, Sports or Culture (Hobby Farm) for a Period of 3 Years in “Agriculture” and “Village Type Development” Zones, Lots 2808 (Part), 2809 (Part), 2810 (Part), 2811 S.A, 2811 RP (Part), 2814 (Part), 2815 (Part) and 2816 (Part) in D.D. 111, Pat Heung, Yuen Long  
(RNTPC Paper No. A/YL-PH/854)

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124.            The Committee noted that the applicant requested on 30.10.2020 deferment of consideration of the application for two months in order to allow more time for preparation of further information to address departmental comments. It was the first time that the applicant requested deferment of the application.

125.            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-PH/855            Renewal of Planning Approval for Temporary Open Storage of Building Materials and Vehicles for Sale for a Period of 3 Years in “Residential (Group D)” Zone, Lots 100 RP, 101 S.A&B RP and 101 S.C RP in D.D. 111, A Kung Tin, Fan Kam Road, Pat Heung, Yuen Long  
  
(RNTPC Paper No. A/YL-PH/855)

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**Presentation and Question Sessions**

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

- (a)    background to the application;
  
- (b)    renewal of planning approval for temporary open storage of building materials and vehicles for sale for a period of three years;
  
- (c)    departmental comments – departmental comments were set out in paragraph 10 of the Paper;
  
- (d)    during the first three weeks of the statutory publication period, two public comments from individuals objecting to the application were received. Major views were set out in paragraph 11 of the Paper; and
  
- (e)    the Planning Department (PlanD)’s views – PlanD considered that the temporary use could be tolerated for a further period of three years based on the assessments set out in paragraph 12 of the Paper. The applied use was generally in line with the Town Planning Board Guidelines No. 13F and No. 34C. To address the possible environmental nuisances or technical requirements of concerned government departments, appropriate approval conditions were recommended. The application site was the subject of

nine approved previous applications for open storage use. Approval of the application was in line with the Committee's previous decisions. Regarding the public comments received, the comments from concerned government departments and the planning assessments above were relevant.

127. Members had no question on the application.

#### Deliberation Session

128. After deliberation, the Committee decided to approve the application on a temporary basis for a period of 3 years, and be renewed from 15.11.2020 to 14.11.2023, on the terms of the application as submitted to the Town Planning Board (TPB) and subject to the following conditions :

- “(a) no operation between 6:00 p.m. and 8:00 a.m., as proposed by the applicants, is allowed on the site during the planning approval period;
- (b) no operation on Sundays and public holidays, as proposed by the applicants, is allowed on the site during the planning approval period;
- (c) no dismantling, maintenance, repairing, cleansing, paint spraying or other workshop activities shall be carried out at the site at any time during the planning approval period;
- (d) the existing boundary fencing at the site shall be maintained at all times 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 and landscape plantings within 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 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 15.2.2021;
- (i) the provision of fire extinguisher(s) with a valid fire certificate (FS 251) within 6 weeks from the date of commencement of the renewed planning approval to the satisfaction of the Director of Fire Services or of the TPB by 27.12.2020;
- (j) the submission of a fire service installations proposal within 6 months from the date of commencement of the renewed planning approval to the satisfaction of the Director of Fire Services or of the TPB by 15.5.2021;
- (k) in relation to (j) above, the implementation of the fire service installations proposal within 9 months from the date of commencement of the renewed planning approval to the satisfaction of the Director of Fire Services or of the TPB by 15.8.2021;
- (l) the submission of a report on the condition of the existing water mains underneath the ingress and egress of the Site within 6 months from the date of commencement of the renewed planning approval to the satisfaction of the Director of Water Supplies or of the TPB by 15.5.2021;
- (m) in relation to (l) above, the implementation of mitigation measures to avoid impact on the existing water mains within 9 months from the date of commencement of the renewed planning approval to the satisfaction of the Director of Water Supplies or of the TPB by 15.8.2021;
- (n) if any of the above planning condition (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

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

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

### **Agenda Item 30**

#### **Section 16 Application**

[Open Meeting (Presentation and Question Sessions Only)]

A/YL-PH/856            Proposed Temporary Public Vehicle Park (Excluding Container Vehicle) for a Period of 3 Years in “Village Type Development” Zone, Lot 1685 (Part) in D.D. 111, Pat Heung, Yuen Long  
(RNTPC Paper No. A/YL-PH/856)

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

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

- (a) background to the application;
- (b) proposed temporary public vehicle park (excluding container vehicle) 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 objecting to the application were received.

Major views were set out in paragraph 10 of the Paper; and

- (e) the Planning Department (PlanD)'s views – PlanD had no objection to the application on a temporary basis for a period of three years based on the assessments set out in paragraph 11 of the Paper. The proposed use was not entirely in line with the planning intention of the “Village Type Development” (“V”) zone. Nevertheless, the District Land Officer/Yuen Long of Lands Department advised that there was no Small House application approved or currently under processing at the application site. Hence, the temporary approval of the application would not frustrate the long-term planning intention of the “V” zone. The proposed use was not incompatible with the surrounding area and the proposed car park was to serve the nearby residents and their visitors. The proposed development would unlikely cause significant environmental, traffic and drainage impacts. Concerned government departments had no objection to or no adverse comment on the application. To address the possible environmental nuisances, appropriate approval conditions were recommended. There were nine similar applications approved for vehicle parking uses within the same “V” zone or straddling the same “V” zone and adjoining “Open Storage” zone. Approval of the application was in line with the Committee's previous decisions on the similar applications. Regarding the adverse public comments received, the comments from concerned government departments and the planning assessments above were relevant.

131. Members had no question on the application.

#### Deliberation Session

132. After deliberation, the Committee decided to approve the application on a temporary basis for a period of 3 years until 6.11.2023, on the terms of the application as submitted to the Town Planning Board (TPB) and subject to the following conditions :

- “(a) no medium or heavy goods vehicles exceeding 5.5 tonnes, including



container tractors/trailers, as defined in the Road Traffic Ordinance are allowed to be parked/stored on or enter/exit the site at any time during the planning approval period;

- (b) no vehicles without valid licences issued under the Road Traffic (Registration and Licensing of Vehicles) Regulations are allowed to be parked/stored on the site at any time during the planning approval period;
- (c) a notice should be posted at a prominent location of the site to indicate that no medium or heavy goods vehicles exceeding 5.5 tonnes, including container tractors/trailers, as defined in the Road Traffic Ordinance, are allowed to be parked/stored on or enter/exit the site at all times during the planning approval period;
- (d) no vehicle is allowed to queue back to or reverse onto/from public road at any time during the planning approval period;
- (e) the submission of a drainage proposal within 6 months from the date of planning approval to the satisfaction of the Director of Drainage Services or of the TPB by 6.5.2021;
- (f) in relation to (e) above, the implementation of the drainage proposal within 9 months from the date of planning approval to the satisfaction of the Director of Drainage Services or of the TPB by 6.8.2021;
- (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 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 6.5.2021;
- (i) if any of the above planning condition (a), (b), (c), (d) or (g) is not complied with during the planning approval period, the approval hereby given shall

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

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

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

### **Agenda Item 31**

#### **Section 16 Application**

[Open Meeting]

A/YL-PH/857 Proposed Temporary Public Vehicle Park with Ancillary Site Office for a Period of 3 Years in “Agriculture” Zone, Lots 1869 (Part), 1870 (Part), 1872 (Part), 1873 (Part), 1875 RP (Part), 1876 and 1877 in D.D. 111, Pat Heung, Yuen Long  
(RNTPC Paper No. A/YL-PH/857)

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134. The Committee noted that the applicant’s representative requested on 30.10.2020 deferment of consideration of the application for two months in order to allow more time for preparation of further information to address departmental comments. It was the first time that the applicant requested deferment of the application.

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

circumstances.

**Agenda Item 32**

**Section 16 Application**

[Open Meeting]

A/YL-ST/578            Temporary Container and Goods Vehicle Park and Open Storage of Construction Materials with Ancillary Tyre Repair Area, Site Office, Staff Canteen and Storage Uses for a Period of 18 Months in “Other Specified Uses” annotated “Comprehensive Development to include Wetland Restoration Area” Zone, Lot 769 RP (Part) in D.D. 99, San Tin, Yuen Long  
(RNTPC Paper No. A/YL-ST/578)

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136.            The Secretary reported that after the issuance of the Paper, the applicant’s representative requested on 5.11.2020 deferment of consideration of the application for two months so as to allow more time for preparation of further information to address departmental comments. The Committee noted that the deferment letter had been tabled at the meeting and issued for Members’ reference. It was the first time that the applicant requested deferment of the application.

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

[The Chairman thanked Ms S.H. Lam, Mr Patrick M.Y. Fung and Ms Ivy C.W. Wong, STPs/FSYLE, for their attendance to answer Members’ enquiries. They left the meeting at

this point.]

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

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

#### **Agenda Item 33**

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

[Open Meeting (Presentation and Question Sessions Only)]

A/HSK/252                      Temporary Open Storage of Recyclable Materials (Plastic, Paper and Metal) with Ancillary Workshop for a Period of 3 Years in “Government, Institution or Community”, “Residential (Group A) 4”, “Residential (Group A) 3” Zones and area shown as ‘Road’, Short Term Tenancy No. 1869 (Part), Ha Tsuen, Yuen Long  
(RNTPC Paper No. A/HSK/252)

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

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

- (a) background to the application;
- (b) temporary open storage of recyclable materials (plastic, paper and metal) with ancillary workshop for a period of three years;
- (c) departmental comments – departmental comments were set out in paragraph 10 of the Paper;
- (d) during the first three weeks of the statutory publication period, one public comment from an individual raising concern on the application was

received. Major view was 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 intentions, the implementation programme for that part of New Development Area (NDA) for which the application site fell within was still being formulated and approval of the application on a temporary basis of three years would not jeopardise the long-term development of the application site. The applied use was not incompatible with the surrounding land uses and the application was generally in line with the Town Planning Board Guidelines No. 13F. While the previous planning permission under the last previous application was revoked due to non-compliance with an approval condition on the implementation of fire service installations (FSIs) proposal, a FSIs proposal was submitted under the current application and the Director of Fire Services had no in-principle objection to the application. Shorter compliance periods were recommended to closely monitor the progress on compliance with the associated approval condition. Other concerned departments had no adverse comment on the application. Sympathetic consideration might be given to the application. Relevant approval conditions were recommended to address the concerns on the possible environmental nuisances or technical requirements of the concerned departments. There were seven previously approved planning applications for the same applied use at the application site. Approval of the current application was in line with the Committee's previous decisions. Regarding the public comment, the comments of government departments and planning assessments above were relevant.

139. Members had no question on the application.

#### Deliberation Session

140. After deliberation, the Committee decided to approve the application on a

temporary basis for a period of 3 years until 6.11.2023, on the terms of the application as submitted to the Town Planning Board (TPB) and subject to the following conditions :

- “(a) no operation from 8:00 p.m. to 8:00 a.m., as proposed by the applicant, is allowed on the site during the planning approval period;
- (b) no operation on Sundays and public holidays, as proposed by the applicant, is allowed on the site during the planning approval period;
- (c) no burning, melting, washing or cleaning of recycling materials activities, as proposed by the applicant, is allowed on the site at any time during the planning approval period;
- (d) no vehicle is allowed to queue back to or reverse onto/from the public road at any time during the planning approval period;
- (e) the existing fencing on the site shall be maintained at all times during the planning approval period;
- (f) the existing trees and landscape planting on the site shall be maintained at all times during the planning approval period;
- (g) the existing drainage facilities shall be maintained at all times during the planning approval period;
- (h) the submission of a condition record of the existing drainage facilities within 3 months from the date of planning approval to the satisfaction of the Director of Drainage Services or of the TPB by 6.2.2021;
- (i) the provision of fire extinguisher(s) and the submission of a valid fire certificate (FS251) within 6 weeks from the date of planning approval to the satisfaction of the Director of Fire Services or of the TPB by 18.12.2020;
- (j) the submission of a fire service installations proposal within 3 months from

the date of planning approval to the satisfaction of the Director of Fire Services or of the TPB by 6.2.2021;

- (k) in relation to (j) above, the implementation of the fire service installations proposal within 6 months from the date of planning approval to the satisfaction of the Director of Fire Services or of the TPB by 6.5.2021;
- (l) if any of the above planning conditions (a), (b), (c), (d), (e), (f) or (g) is not complied with during the approval period, the approval hereby given shall cease to have effect and shall be revoked immediately without further notice; and
- (m) if any of the above planning conditions (h), (i), (j) or (k) is not complied with by the above specified date, the approval hereby given shall cease to have effect and shall on the same date be revoked without further notice.”

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

### **Agenda Item 34**

#### **Section 16 Application**

[Open Meeting (Presentation and Question Sessions Only)]

A/HSK/253                      Proposed Minor Relaxation of Plot Ratio Restriction for Permitted Public Housing Development (Dedicated Rehousing Estate) in “Residential (Group A) 2” and “Residential (Group A) 3” Zones, Hung Shui Kiu and Ha Tsuen Planning Areas 8 (Part) and 10 (Various Lots in D.D. 124 and Adjoining Government Land, Hung Shui Kiu)  
(RNTPC Paper No. A/HSK/253)

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142. The Secretary reported that the application was submitted by the Civil Engineering and Development Department (CEDD) for a public housing project to be developed and managed by the Hong Kong Housing Society (HKHS). Dennis Lau & Ng Chun Man Architects & Engineers (HK) Limited (DLN), Mott MacDonald Hong Kong

Limited (Mott) and Ronald Lu & Partners Limited (RLP) were three of the consultants of the applicant. The following Members had declared interests on the item:

- Mr Raymond K.W. Lee (the Chairman) as the Director of Planning - being an ex-officio member of the Supervisory Board of HKHS;
- Dr Lawrence K.C. Li - being a member of HKHS;
- Dr C.H. Hau - conducting contract research projects with CEDD; and
- Mr K.K. Cheung - his firm having current business dealings with HKHS, DLN, Mott and RLP.

143. As the interest of Dr C.H. Hau was direct, the Committee agreed that he should leave the meeting temporarily for the item. As Mr K.K. Cheung had no involvement in the application, the Committee agreed that he could stay in the meeting. Noting that the application was submitted by CEDD for a project to be developed and managed by HKHS at a later stage, the Committee considered that the interests of the Chairman and Dr Lawrence K.C. Li were indirect and hence agreed that they could stay in the meeting and the Chairman could continue to chair the meeting for the item.

[Dr C.H. Hau left the meeting temporarily at this point.]

#### Presentation and Question Sessions

144. With the aid of a PowerPoint presentation, Mr Simon P.H. Chan, STP/TMYLW, presented the application and covered the following aspects as detailed in the Paper :

- (a) background to the application;
- (b) proposed minor relaxation of plot ratio (PR) restriction for permitted public housing development (dedicated rehousing estate for Hung Shui Kiu/Ha Tsuen New Development Area (NDA));



- (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, a total of eleven public comments were received, including ten objecting comments from Yuen Long District Council Members, Hung Shui Kiu Concern Group, local residents and individuals, and one comment from Kung Um Road Concern Group offering views on the application. Major views were set out in paragraph 10 of the Paper; and
- (e) the Planning Department (PlanD)'s views – PlanD had no objection to the application based on the assessments set out in paragraph 11 of the Paper. The proposed minor relaxation of PR restriction for the permitted public housing development was in line with the government's policy on enhancing development intensity of public housing sites to increase housing supply. With minor increase in PR of less than 20% for the application site, there would not be substantial change to the character of the locality and it was demonstrated in the indicative scheme that compatibility with the surrounding areas was generally maintained. The proposed increase in PR would have no significant adverse impacts on the air ventilation and visual aspects. Various technical assessments were conducted to demonstrate that minor relaxation of PR restriction was technically feasible in terms of traffic, sewerage, drainage, water supply and environmental aspects. Concerned departments had no adverse comment on the application. Relevant approval conditions were recommended to address the concerns on the possible environmental nuisances or technical requirements of concerned departments. Regarding the adverse public comments, the comments of government departments and planning assessments above were relevant.

[Mr Y.S. Wong joined the meeting and Mr Philip S.L. Kan left the meeting during the presentation session.]

145. In response to a Member's enquiry, Mr Simon P.H. Chan, STP/TMYLW, replied that the traffic concerns and suggestions (i.e. higher frequency for MTR trains and new Public Transport Interchange) raised in the public comments could be addressed by the applicant and relevant departments at the detailed design stage.

146. A Member asked whether it would be technically feasible to further increase the PR for provision of more residential units and government, institution or community facilities. Mr Chan explained that the application had applied for minor relaxation of domestic PR to 6.5 for both the "Residential (Group A)2" ("R(A)2") and "Residential (Group A)3" ("R(A)3") zones, which was the maximum limit in accordance with the government's policy on enhancing development intensity of public housing sites to increase housing supply.

#### Deliberation Session

147. A Member said that while an increase in PR could increase housing supply, it was necessary to strike a balance as there were other constraints in terms of infrastructural capacity and potential adverse impacts caused by further increase in PR. The Committee generally considered that the proposed minor relaxation of the domestic PR to 6.5 for both "R(A)2" and "R(A)3" zones with a non-domestic PR of 0.5 for the "R(A)2" zone was appropriate based on the technical feasibility assessments conducted. Noting a Member's suggestion to further increase the development intensity of the proposed public housing project subject to technical feasibility, the Chairman suggested and the Committee agreed that such suggestion would be conveyed to the applicant and relevant government departments for consideration at the detailed design stage.

148. After deliberation, the Committee decided to approve the application, on the terms of the application as submitted to the Town Planning Board (TPB). To cater for a longer development timeframe for the sites, the permission should be valid for a longer validity period until 6.11.2026, 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 vehicular access, parking facilities, loading/unloading spaces and lay-bys for the proposed development to the satisfaction of the Commissioner for Transport or of the TPB; and

- (b) the implementation of drainage proposals as recommended in the Drainage Impact Assessment and Sewerage Impact Assessment to the satisfaction of the Director of Drainage Services or of the TPB.”

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

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

### **Agenda Item 35**

#### **Section 16 Application**

[Open Meeting (Presentation and Question Sessions Only)]

A/HSK/254 Proposed Temporary Logistics Centre, Warehouse and Anti-epidemic Equipment Production Workshop for a Period of 3 Years in “Open Space”, “Other Specified Uses” annotated “Port Back-up, Storage and Workshop Uses”, “Other Specified Uses” annotated “Parking and Operational Facilities for Environmentally Friendly Transport Services” Zones and area shown as ‘Road’, Various Lots in D.D. 125, Ha Tsuen, Yuen Long  
(RNTPC Paper No. A/HSK/254)

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

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

- (a) background to the application;
- (b) proposed temporary logistic centre, warehouse and anti-epidemic equipment production workshop for a period of three years;
- (c) departmental comments – departmental comments were set out in paragraph 10 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 that the proposed use could be tolerated for a period of three years based on the assessments set out in paragraph 12 of the Paper. Whilst the proposed use was not in line with the planning intentions, approval of the application on a temporary basis of three years would not jeopardise the long-term development of the application site. The proposed use was not incompatible with the surrounding land uses and the application was generally in line with the Town Planning Board Guidelines No. 13F. There were two approved previous applications for open storage and port back up uses at the application site. The planning permission under the last application was still valid with the time-limited approval conditions including submission and/or implementation of landscape proposal and fire service installations (FSIs) proposal yet to be complied with. The applicant submitted relevant FSIs proposal in the current application and the Director of Fire Services had no in-principle objection to the application. Although the Director of Environmental Protection did not support the application since there were sensitive uses in the vicinity and environmental nuisance was expected, there were no environmental complaints pertaining to the application site in the past three years. Other concerned departments had no adverse comment on the application. Sympathetic consideration might be given to the application. Relevant approval conditions were recommended to address the concerns on the possible environmental nuisances or technical requirements of concerned departments. There were two previously approved planning applications at the application site and approval of the subject application was in line with the Committee's previous decisions.

151. Members had no question on the application.

152. After deliberation, the Committee decided to approve the application on a temporary basis for a period of 3 years until 6.11.2023, 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 manufacturing of raw materials and no cutting, disassembly, cleaning, repairing, melting or compression activity, as proposed by the applicant, are allowed on the site at any time during the planning approval period;
- (d) no vehicle is allowed queue back to or reverse onto/from the public road at any time during the planning approval period;
- (e) the existing fencing within the site shall be maintained at all times during the planning approval period;
- (f) the existing drainage facilities shall be maintained at all times during the planning approval period;
- (g) the submission of a condition record of the existing drainage facilities on site within 3 months from the date of the planning approval to the satisfaction of the Director of Drainage Services or of the TPB by 6.2.2021;
- (h) the implementation of the approved landscape proposal within 9 months from the date of planning approval to the satisfaction of the Director of Planning or of the TPB by 6.8.2021;
- (i) the submission of a fire service installations proposal within 6 months from the date of planning approval to the satisfaction of the Director of Fire

Services or of the TPB by 6.5.2021;

- (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 6.8.2021;
- (k) if any of the above planning conditions (a), (b), (c), (d), (e) or (f) is not complied with during the approval period, the approval hereby given shall cease to have effect and shall be revoked immediately without further notice; and
- (l) if any of the above planning conditions (g), (h), (i) or (j) is not complied with by the above specified date, the approval hereby given shall cease to have effect and shall on the same date be revoked without further notice.”

153. 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]

A/TM-LTY Y/384 Temporary Workshop of Construction Machinery and Storage of Parts for a Period of 3 Years in “Green Belt” Zone, Short Term Tenancy No. 563, Lam Tei, Tuen Mun  
(RNTPC Paper No. A/TM-LTY Y/384C)

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154. The Committee noted that the applicant requested on 19.10.2020 deferment of consideration of the application for two months in order to allow more time for preparation of further information to address departmental comments. It was the fourth time that the applicant requested deferment of the application. Since the last deferment, the applicant had submitted further information with responses to departmental comments.

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

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

### **Agenda Item 37**

#### **Section 16 Application**

[Open Meeting]

A/TM-LTY Y/405 Proposed Temporary Barbecue Site with Ancillary Site Office and Shroff for a Period of 3 Years in "Green Belt" Zone, Lots 3857 RP (Part) and 3858 S.B RP (Part) in D.D. 124, Shun Tat Street, Tuen Mun  
(RNTPC Paper No. A/TM-LTY Y/405)

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156. The Committee noted that the applicant's representative requested on 15.10.2020 deferment of consideration of the application for two months in order to allow more time for preparation of further information to address departmental comments. It was the first time that the applicant requested deferment of the application.

157. 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 38**

Section 16 Application

[Open Meeting (Presentation and Question Sessions Only)]

A/YL-LFS/366      Proposed Temporary Place of Recreation, Sports or Culture (Hobby Farm) for a Period of 3 Years in “Green Belt” Zone, Lots 626, 710 and 712 in D.D. 129 and adjoining Government Land, Lau Fau Shan, Yuen Long  
(RNTPC Paper No. A/YL-LFS/366A)

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158.      The Committee noted that two replacement pages (p.9 of the Main Paper and p.12 of Appendix VI) adding additional comments from Director of Environmental Protection had been dispatched to Members before the meeting.

Presentation and Question Sessions

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

- (a) background to the application;
- (b) proposed temporary place of recreation, sports or culture (hobby farm) 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, three public comments from World Wide Fund for Nature Hong Kong, Designing Hong Kong Limited and an individual objecting to the application were received. Major views were set out in paragraph 11 of the Paper; and
- (e) the Planning Department (PlanD)’s views – PlanD had no objection to the



application on a temporary basis for a period of three years based on the assessments set out in paragraph 12 of the Paper. According to the applicant, about 56% of the application site was proposed for farming purpose including three greenhouses and farming area while about 18% of the application site was proposed for vehicle parking and manoeuvring area surfaced by grass paving. The remaining area was mainly proposed for erecting temporary structures for ancillary uses of storage of agricultural tools, site office, shroff and toilet. In view of the above, the proposed development as a passive recreational use was considered not in conflict with the planning intention of the “Green Belt” zone. The proposed development was not entirely incompatible with the surrounding environment and was in line with the Town Planning Board Guidelines No. 10. Concerned government departments had no objection to or no adverse comment on the application. One previous application and ten similar applications within the same “GB” zone for hobby farm use had been approved. Approval of the application was in line with the Committee’s previous decisions. Regarding the adverse public comments received, the comments from concerned government departments and the planning assessments above were relevant.

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 6.11.2023, on the terms of the application as submitted to the Town Planning Board (TPB) and subject to the following conditions :

- “(a) no land filling or site formation, as proposed by the applicant, is allowed on the site during the planning approval period;
- (b) no operation between 7:30 pm and 9:00 am, as proposed by the applicant, is allowed on the site during the planning approval period;

- (c) no use of public announcement system, as proposed by the applicant, is allowed on the site during the planning approval period;
- (d) no vehicle is allowed to queue back to or reverse onto/from the public road at any time during the planning approval period;
- (e) the submission of a revised drainage proposal within 6 months from the date of planning approval to the satisfaction of the Director of Drainage Services or of the TPB by 6.5.2021;
- (f) in relation to (e) above, the implementation of the revised drainage proposal within 9 months from the date of planning approval to the satisfaction of the Director of Drainage Services or of the TPB by 6.8.2021;
- (g) 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 6.5.2021;
- (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 6.8.2021;
- (j) if any of the above planning conditions (a), (b), (c), (d) or (g) is not complied with during the planning approval period, the approval hereby given shall cease to have effect and shall be revoked immediately without further notice;
- (k) if any of the above planning conditions (e), (f), (h) or (i), is not complied with by the specified date, the approval hereby given shall cease to have effect and shall on the same date be revoked without further notice; and

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

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

### **Agenda Item 39**

#### **Section 16 Application**

[Open Meeting]

A/YL-LFS/367 Temporary Private Vehicle Park (Private Cars) for a Period of 3 Years in “Village Type Development” Zone, Lots 1210 S.B ss.1, 1210 S.B ss.2, 1210 S.B ss.3, 1210 S.B ss.4, 1210 S.B ss.5, 1210 S.B ss.6, 1210 S.B ss.7 and 1210 S.B RP in D.D. 129 and adjoining Government Land, Lau Fau Shan, Yuen Long  
(RNTPC Paper No. A/YL-LFS/367A)

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163. The Committee noted that the applicant’s representative requested on 29.10.2020 deferment of consideration of the application for two months in order to allow more time for preparation of further information to address comments from the Drainage Services 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.

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 the submission of further information, no further deferment would be

granted unless under very special circumstances.

[Dr C.H. Hau returned to join the meeting at this point.]

#### **Agenda Item 40**

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

[Open Meeting (Presentation and Question Sessions Only)]

A/YL-LFS/372      Proposed Temporary Public Vehicle Park (Medium Goods Vehicle) for a Period of 3 Years in “Green Belt” Zone, Lots 1620 (Part), 1621 (Part), 1622 (Part), 1623 (Part), 1624, 2698, 2699, 2700 (Part), 2703, 2704 (Part), 2705 (Part), 2706, 2707, 2708 (Part), 2709 (Part) and 2710 in D.D. 129, Lau Fau Shan, Yuen Long  
(RNTPC Paper No. A/YL-LFS/372)

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

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

- (a) background to the application;
- (b) proposed temporary public vehicle park (medium 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, a total of 148 public comments were received, including 126 supporting comments from individuals and drivers and 22 objecting comments from a district councillor, Kadoorie Farm and Botanic Garden Corporation, World Wide Fund for Nature Hong Kong, Designing Hong Kong Limited, villagers of Sha Kong Wai and individuals. 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 on a temporary basis for a period of three years 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 jeopardize the long-term planning intention of the “GB” zone. The proposed use was not entirely incompatible with the surrounding land uses and was in line with the Town Planning Board Guidelines No. 10. The Chief Town Planner/Urban Design & Landscape Section of Plan D had no objection to the application in view that a similar planning application No. A/YL-LFS/364 for proposed temporary public vehicle park (private car and light goods vehicle) to the immediate south of the application site had been approved by the Town Planning Board in June 2020 and significant adverse landscape impact arising from the proposed development was not envisaged. The proposed development would unlikely cause significant adverse environmental, traffic, drainage and fire safety impacts on the surrounding areas. Concerned government departments had no objection to or no adverse comment on the application. To address the possible environmental impacts and nuisances, appropriate approval conditions were recommended. Given that two previous approvals for recreational development with ancillary car/coach parking spaces and two similar applications for public vehicle park (private cars/light goods vehicle) to the immediate and further south of the application site had been granted, approval of the application was considered in line with the Committee's previous decisions. Regarding the adverse public comments received, the comments from concerned government departments and the planning assessments above were relevant.

166. Members had no question on the application.

Deliberation Session

167. After deliberation, the Committee decided to approve the application on a temporary basis for a period of 3 years until 6.11.2023, on the terms of the application as submitted to the Town Planning Board (TPB) and subject to the following conditions :

- “(a) no operation from 7:00 p.m. to 7:00 a.m., as proposed by the applicant, is allowed on the site during the planning approval period;
- (b) no heavy goods vehicles exceeding 24 tonnes, including container tractors/trailers, as defined in the Road Traffic Ordinance, are allowed to be parked/stored on 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 heavy goods vehicles exceeding 24 tonnes, including container tractors/trailers, as defined in the Road Traffic Ordinance are allowed to be parked/stored on or enter/exit the site 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 existing trees within the site shall be maintained in good condition at all times during the planning approval period;
- (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 6.5.2021;
- (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 6.8.2021;

- (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 6.5.2021;
- (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 6.8.2021;
- (l) 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 6.5.2021;
- (m) if any of the above planning conditions (a), (b), (c), (d), (e), (f) 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;
- (n) if any of the above planning conditions (g), (h), (j), (k) or (l) 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
- (o) 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.”

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

**Agenda Item 41**

**Section 16 Application**

[Open Meeting]

A/YL-PS/615 Proposed Temporary Open Storage of Unlicensed New Vehicles (Private Cars and Container Tractors Only) for a Period of 3 Years in “Recreation” and “Village Type Development” Zones, Lots 280 (Part), 282 (Part), 284, 285, 286, 287 (Part), 320 (Part), 321 and 323 RP (Part) in D.D. 126, Fung Ka Wai, Yuen Long  
(RNTPC Paper No. A/YL-PS/615)

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

**Agenda Item 42**

**Section 16 Application**

[Open Meeting (Presentation and Question Sessions Only)]

A/YL-PS/616 Renewal of Planning Approval for Temporary Open Storage of Building Materials and Machinery for a Period of 3 Years in “Recreation” Zone, Lots 114 (Part), 115 RP (Part) and 203 (Part) in D.D.126, Ping Shan, Yuen Long  
(RNTPC Paper No. A/YL-PS/616)

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**Presentation and Question Sessions**

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

- (a) background to the application;
- (b) renewal of planning approval for temporary open storage of building materials and machinery 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 an individual objecting to the application was received. Major view was set out in paragraph 11 of the Paper; and
- (e) the Planning Department (PlanD)'s views – PlanD considered that the temporary use could be tolerated for a further period of three years based on the assessments set out in paragraph 12 of the Paper. The applied use was in line with the Town Planning Board Guidelines No. 13F and 34C. To address the possible environmental nuisances and technical concerns of other concerned government departments, appropriate approval conditions were recommended. The application site was the subject of eight previous applications approved for temporary open storage of new vehicles or building materials and machinery and temporary car park. Approval of the application was in line with the previous decisions of the Committee. Regarding the adverse public comment received, the comments from concerned government departments and the planning assessments above were relevant.

171. Members had no question on the application.

#### Deliberation Session

172. After deliberation, the Committee decided to approve the application on a temporary basis for a period of 3 years and be renewed from 17.12.2020 to 16.12.2023, on the terms of the application as submitted to the Town Planning Board (TPB) and subject to the following conditions :

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

- (c) only light and medium goods vehicles as defined under the Road Traffic Ordinance are allowed to enter/be parked at the site at all times during the planning approval period;
- (d) no dismantling, repairing or other workshop activity is allowed on the site at all times during the planning approval period;
- (e) no storage of electrical appliances including computer parts and television sets is allowed on the site at any time during the planning approval period;
- (f) no vehicle is allowed to queue back to or reverse onto/from public road at any time during the planning approval period;
- (g) the existing trees within the site shall be maintained in good condition at all times during the planning approval period;
- (h) the existing boundary fencing should be maintained at all times during the planning approval period;
- (i) the maintenance of existing drainage facilities on the site at all times during the planning approval period;
- (j) the submission of 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 17.3.2021;
- (k) the provision of fire extinguisher(s) and the submission of a valid fire certificate (FS251) within 6 weeks from the date of commencement of the renewed planning approval to the satisfaction of Director of Fire Services or of the TPB by 28.1.2021;
- (l) the submission of a fire service installations proposal within 6 months from

the date of commencement of the renewed planning approval to the satisfaction of the Director of Fire Services or of the TPB by 17.6.2021;

- (m) in relation to (l) above, the implementation of the fire service installations proposal within 9 months from the date of commencement of the renewed planning approval to the satisfaction of the Director of Fire Services or of the TPB by 17.9.2021;
- (n) if any of the above planning conditions (a), (b), (c), (d), (e), (f), (g), (h) or (i) is not complied with during the planning approval period, the approval hereby given shall cease to have effect and shall be revoked immediately without further notice; and
- (o) if any of the above planning conditions (j), (k), (l) or (m) is not complied with by the specified date, the approval hereby given shall cease to have effect and shall on the same date be revoked without further notice.”

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

### **Agenda Item 43**

#### **Section 16 Application**

[Open Meeting (Presentation and Question Sessions Only)]

A/YL-TT/506            Renewal of Planning Approval for Temporary Forklift Training Centre with Ancillary Facilities for a Period of 3 Years in “Agriculture” Zone, Lots 2269 S.B ss.1 (Part), 2270 S.A (Part), 2270 S.B (Part), 2271 (Part), 2272 and 2273 (Part) in D.D. 118 and Adjoining Government Land, Sung Shan New Village, Tai Tong, Yuen Long  
(RNTPC Paper No. A/YL-TT/506)

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

174. Mr Steven Y.H. Siu, STP/TMYLW, presented the application and covered the

following aspects as detailed in the Paper :

- (a) background to the application;
- (b) renewal of planning approval for temporary forklift training centre with ancillary facilities 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 an individual making suggestion was received. Major view was set out in paragraph 11 of the Paper; and
- (e) the Planning Department (PlanD)'s views – PlanD considered that the temporary use could be tolerated for a further period of three years based on the assessments set out in paragraph 12 of the Paper. The development was generally in line with the Town Planning Board Guidelines No. 34C. To address the technical requirements of concerned government departments, appropriate approval conditions were recommended. Given that seven previous approvals for the same use had been granted to the application site, approval of the application was generally in line with the Committee's previous decisions. Regarding the public comment received, the comments from concerned government departments and the planning assessments above were relevant.

175. Members had no question on the application.

#### Deliberation Session

176. After deliberation, the Committee decided to approve the application on a temporary basis for a period of 3 years and be renewed from 13.12.2020 to 12.12.2023, on the terms of the application as submitted to the Town Planning Board (TPB) and subject to the following conditions :

- “(a) no operation between 6:00 p.m. and 8:30 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 forklift truck is allowed to be driven into/out from the site, as proposed by the applicant, at any time during the planning approval period;
- (d) no dismantling, maintenance, repairing, cleansing, paint-spraying and other workshop activities, as proposed by the applicant, shall be carried out on the site at any time during the planning approval period;
- (e) no medium or heavy goods vehicles exceeding 5.5 tonnes, including container tractors/trailers, as defined in the Road Traffic Ordinance, as proposed by the applicant, is allowed to be parked/stored on or enter/exit the site at any time during the planning approval period;
- (f) no vehicle is allowed to queue back to or reverse onto/from public road at any time during the planning approval period;
- (g) all existing trees within the site shall be maintained at all times during the planning approval period;
- (h) the existing drainage facilities on the site shall be maintained at all times during the planning approval period;
- (i) the submission of a condition record of the existing drainage facilities on the site within 3 months from the date of commencement of the renewed planning approval to the satisfaction of the Director of Drainage Services or of the TPB by 13.3.2021;
- (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.”

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

#### **Agenda Item 44**

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

[Open Meeting (Presentation and Question Sessions Only)]

A/YL-TYST/1026 Proposed Temporary Place of Recreation, Sports or Culture (Hobby Farm) for a Period of 3 Years in “Green Belt” Zone, Lots 772 (Part), 810 RP (Part) and 811 RP (Part) in D.D. 121, Tong Yan San Tsuen, Yuen Long  
(RNTPC Paper No. A/YL-TYST/1026A)

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

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

- (a) background to the application;
- (b) proposed temporary place of recreation, sports or culture (hobby farm) 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, three public comments from the Hong Kong Bird Watching Society, Designing Hong Kong Limited and an individual objecting to the application were received. Major views were set out in paragraph 11 of the Paper; and
- (e) the Planning Department (PlanD)’s views – PlanD had no objection to the application on a temporary basis for a period of three years based on the assessments set out in paragraph 12 of the Paper. According to the applicant, about 66.5% of the application site was proposed for farm area for hobby farming while the remaining area would be grassed for footpath and parking purposes (30.1%) and occupied by structures (3.4%). Given that the proposal was to provide passive recreational outlets in the area, it was considered not entirely in conflict with the planning intention of the “Green Belt” (“GB”) zone. The proposed development was in line with the Town Planning Board Guidelines No. 10. Whilst the Chief Town Planner/Urban Design & Landscape, PlanD had reservations on the application as vegetation clearance and some site formation works had been taken place over the years, the proposed development was not incompatible with the landscape character of the surrounding area. Other concerned government departments had no objection to or no adverse comment on the application. To address the possible environmental nuisances or technical requirements of concerned government departments, appropriate approval conditions were recommended. Given that six similar applications for similar uses within/straddling the subject “GB” zone had been approved by the Committee, approval of the application was generally in line with the Committee’s previous decisions. Regarding the adverse public comments received, the comments from concerned government departments and the planning assessments above were relevant.

179. In response to a Member’s enquiry, Mr Steven Y.H. Siu, STP/TMYLW, said that

if there were changes in the use at the application site after the application was approved which would constitute an unauthorized development, the Planning Authority would take necessary enforcement actions against the unauthorized development. PlanD would undertake regular patrol for suspected unauthorized development and take enforcement actions according to priorities.

### Deliberation Session

180. After deliberation, the Committee decided to approve the application on a temporary basis for a period of 3 years until 6.11.2023, 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 filling/excavation of land, site formation works, catering services, usage of loudspeakers/audio amplifiers/public announcement systems, barbeque/camping activities and overnight stay of visitors are allowed on the site, as proposed by the applicant, at any time during the planning approval period;
- (c) only private cars as defined in the Road Traffic Ordinance are allowed to be parked/stored on or enter/exit the site, as proposed by the applicant, at any time during the planning approval period;
- (d) no vehicle is allowed to queue back to or reverse onto/from public road at any time during the planning approval period;
- (e) the provision of boundary fence on the site within 6 months from the date of planning approval to the satisfaction of the Director of Planning or of the TPB by 6.5.2021;
- (f) the submission of a revised drainage proposal within 6 months from the date of planning approval to the satisfaction of the Director of Drainage



Services or of the TPB by 6.5.2021;

- (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 6.8.2021;
- (h) in relation to (g) above, the implemented drainage facilities on the site shall be maintained at all times during the planning approval period;
- (i) the submission of a fire service installations proposal within 6 months from the date of planning approval to the satisfaction of the Director of Fire Services or of the TPB by 6.5.2021;
- (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 6.8.2021;
- (k) 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;
- (l) if any of the above planning conditions (e), (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; and
- (m) upon expiry of the planning permission, the reinstatement of the site to an amenity area to the satisfaction of the Director of Planning or of the TPB.”

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

**Agenda Item 45**

**Section 16 Application**

[Open Meeting (Presentation and Question Sessions Only)]

A/YL-TYST/1050 Proposed Temporary Place of Recreation, Sports or Culture (Indoor Recreation Centre) for a Period of 3 Years in “Residential (Group D)”, “Residential (Group B) 1” and “Government, Institution or Community” Zones, Lot 2611 S.A (Part) in D.D. 124 and Adjoining Government Land, Tan Kwai Tsuen, Yuen Long  
(RNTPC Paper No. A/YL-TYST/1050)

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**Presentation and Question Sessions**

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

- (a) background to the application;
- (b) proposed temporary place of recreation, sports or culture (indoor recreation centre) for a period of three years;
- (c) departmental comments – departmental comments were set out in paragraph 9 of the Paper;
- (d) during the first three weeks of the statutory publication period, one public comment from an individual raising questions was received. Major view was set out in paragraph 10 of the Paper; and
- (e) the Planning Department (PlanD)’s views – PlanD had no objection to the application on a temporary basis for a period of three years based on the assessments set out in paragraph 11 of the Paper. Although the proposed development was not entirely in line with the planning intentions of the relevant zones, the proposal was intended to serve the recreation needs of the local residents and there was no known programme for the long-term development of the application site. The applicant had also provided

justifications to demonstrate the need for such facilities in the Tan Kwan Tsuen area and the high headroom and large floor space of the proposed structure. Approval of the application on a temporary basis of three years would not jeopardise the long-term development of the area. Given the nature of the proposal, the proposed indoor recreation centre was not entirely incompatible with the surrounding uses in the area. Significant adverse traffic, environmental and drainage impacts on the surrounding area were not envisaged. Concerned government departments had no objection to or no adverse comment on the application. To address the public concerns and technical requirements of concerned government departments, appropriate approval conditions were recommended. Regarding the public comment received, the comments from concerned government departments and the planning assessments above were relevant.

183. Members had no question on the application.

#### Deliberation Session

184. After deliberation, the Committee decided to approve the application on a temporary basis for a period of 3 years until 6.11.2023, on the terms of the application as submitted to the Town Planning Board (TPB) and subject to the following conditions :

- “(a) no operation between 9:00 p.m. and 9:00 a.m., as proposed by the applicant, is allowed on the site during the planning approval period;
- (b) no vehicle is allowed to queue back to or reverse onto/from public road at any time during the planning approval period;
- (c) the submission of a run-in/out proposal within 6 months from the date of planning approval to the satisfaction of the Director of Highways or of the TPB by 6.5.2021;
- (d) in relation to (c) above, the implementation of a run-in/out proposal within 9 months from the date of planning approval to the satisfaction of the

Director of Highways or of the TPB by 6.8.2021;

- (e) the submission of a revised drainage proposal within 6 months from the date of planning approval to the satisfaction of the Director of Drainage Services or of the TPB by 6.5.2021;
- (f) in relation to (e) above, the implementation of the drainage proposal within 9 months from the date of planning approval to the satisfaction of the Director of Drainage Services or of the TPB by 6.8.2021;
- (g) in relation to (f) above, the implemented drainage facilities shall be maintained at all times during the planning approval period;
- (h) the submission of a fire service installations proposal within 6 months from the date of planning approval to the satisfaction of the Director of Fire Services or of the TPB by 6.5.2021;
- (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 6.8.2021;
- (j) if any of the above planning conditions (a), (b) or (g) is not complied with during the planning approval period, the approval hereby given shall cease to have effect and shall be revoked immediately without further notice; and
- (k) if any the above planning conditions (c), (d), (e), (f), (h) or (i) is not complied with by the specified date, the approval hereby given shall cease to have effect and shall on the same date be revoked without further notice.”

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

**Agenda Item 46**

**Section 16 Application**

[Open Meeting (Presentation and Question Sessions Only)]

A/YL-TYST/1051 Temporary Warehouse for a Period of 3 Years in “Residential (Group D)” and “Green Belt” Zones, Lots 736 S.C and 737 RP in D.D. 121, Yuen Long  
(RNTPC Paper No. A/YL-TYST/1051)

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**Presentation and Question Sessions**

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

- (a) background to the application;
- (b) temporary warehouse 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 the Kadoorie Farm and Botanic Garden Corporation and an individual objecting to/raising concerns on the application were received. 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 intentions of both the “Residential (Group D)” (“R(D)”) and “Green Belt” (“GB”) zones. No strong planning justifications had been provided in the submission for a departure from the planning intentions, even on a temporary basis. The proposed 2-storey warehouse, with a height of 12m and plot ratio (PR) of 1.88, far exceeded the prevailing building height and PR restrictions of 6m and 0.2 respectively in the “R(D)” zone and was considered excessive.

The nature and the scale of the proposal was considered not compatible with the intended uses of the “R(D)” and “GB” zones and the rural character of the area. The proposed development was generally not in line with the Town Planning Board Guidelines No. 10 (TPG PG-No.10). There was objection from the Director of Environmental Protection as the proposal with traffic of heavy vehicles would generate environmental nuisance to the sensitive receivers of residential use in the vicinity of the application site. There were six similar applications for similar uses within/straddling the subject “R(D)” and “GB” zones which were all rejected by the Committee or the Town Planning Board on review mainly on the grounds that the proposals were not in line with the planning intentions and the TPB PG-No.10, there were potential adverse environmental/drainage/traffic/landscape impacts, and approval of the applications would set an undesirable precedent, the cumulative impact would result in a general degradation of the rural environment of the area. Such considerations were generally applicable to the current application and rejecting the application was generally in line with the Committee’s previous decisions. Regarding the public comments received, the comments from concerned government departments and the planning assessments above were relevant.

187. Members had no question on the application.

#### Deliberation Session

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

- “(a) the proposal is not in line with the planning intentions of the “Residential (Group D)” (“R(D)”) and “Green Belt” (“GB”) zones. The planning intention of the “R(D)” zone is primarily for improvement and upgrading of existing temporary structures within the rural areas into permanent buildings, while the planning intention of the “GB” zone 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. No strong planning justification has been given in the submission for a departure from the planning intentions, even on a temporary basis;

- (b) the proposal is not in line with the Town Planning Board Guidelines No. 10 for Application for Development within the “Green Belt” Zone in that no strong planning ground has been given in the submission to justify the proposal; the nature and excessive scale of the proposed warehouse is not compatible with the rural character of the area, particularly the agricultural land and shrubland to its east; and the applicant fails to demonstrate that the development would not generate adverse environmental impact on the surrounding areas; and
- (c) the approval of the application would set an undesirable precedent for similar applications within the “R(D)” and “GB” zones. The cumulative effect of approving such similar applications would result in a general degradation of the rural environment of the area.”

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

**Agenda Item 47**

Any Other Business

189. There being no other business, the meeting closed at 5:40 p.m..