

## **TOWN PLANNING BOARD**

### **Minutes of 662<sup>nd</sup> Meeting of the Rural and New Town Planning Committee held at 2:30 p.m. on 18.12.2020**

#### **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 L.T. Kwok

Dr Jeanne C.Y. Ng

Mr Ricky W.Y. Yu

Dr Venus Y.H. Lun

Dr Conrad T.C. Wong

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 K.W. Leung

**In Attendance**

Deputy Director of Planning/Territorial  
Mr Ivan M.K. Chung

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

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

Town Planner/Town Planning Board  
Mr Alvin C.H. Kan

**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 661<sup>st</sup> RNTPC Meeting held on 4.12.2020

[Open Meeting]

2. The draft minutes of the 661<sup>st</sup> RNTPC meeting held on 4.12.2020 were confirmed without amendments.

**Agenda Item 2**

Matter Arising

[Open Meeting]

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

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

**Agenda Item 3**

**Section 12A Application**

[Open Meeting (Presentation and Question Sessions only)]

Y/NE-KTS/14      Application for Amendment to the Approved Kwu Tung South Outline Zoning Plan No. S/ NE-KTS/16, To rezone the application site from “Recreation”, “Comprehensive Development Area” and “Agriculture” to “Comprehensive Development Area (2)” and “Comprehensive Development Area (3)”, Lots 958 RP, 959 RP, 961 RP, 962 to 965, 967, 969, 970 to 976, 977 RP, 978 RP, 986 S.B RP, 992 RP, 998 RP (Part), 999 RP, 1000, 1001, 1002 RP, 1003 RP, 1005 RP, 1006 to 1009, 1011, 1012, 1013 RP and 2272 in D.D. 92 and Adjoining Government Land, Kam Hang Road, Kwu Tung South  
(RNTPC Paper No. Y/NE-KTS/14)

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4.            The Secretary reported that the application site was located in Kwu Tung South and in the vicinity of Hong Kong Golf Club (HKGC). Dr Lawrence K.C. Li had declared an interest on the item for being a member of the HKGC. As the interest of Dr Lawrence K.C. Li in relation to HKGC was indirect, the Committee agreed the he could stay in the meeting.

**Presentation and Question Sessions**

5.            The following representatives from the Planning Department (PlanD) and the applicants were invited to the meeting at this point:

**PlanD**

Miss Winnie B.Y. Lau      -      District Planning Officer/Fanling, Sheung Shui  
and Yuen Long East (DPO/FSYLE)

Ms S.H. Lam - Senior Town Planner/Fanling, Sheung Shui and Yuen Long East (STP/FSYLE)

Applicants

*Masterplan Limited*

Mr Ian Thomas Brownlee

*CHIH Design Limited*

Mr M.Y. Chih

} Applicants' representatives

[Miss Winnie W.M. Ng joined the meeting at this point.]

6. The Chairman extended a welcome and explained the procedures of the meeting. He then invited PlanD's representatives to brief Members on the background of the application. With the aid of a PowerPoint presentation, Miss Winnie B.Y. Lau, DPO/FSYLE, presented the application and covered the following aspects as detailed in the Paper:

- (a) background to the application;
- (b) the proposed rezoning of the application site comprising Site A and Site B (the Sites) from "Recreation" ("REC"), "Comprehensive Development Area" ("CDA") and "Agriculture" ("AGR") to "CDA(2)" zone for Site A and to "CDA(3)" zone for Site B on the approved Kwu Tung South Outline Zoning Plan (OZP) No. S/ NE-KTS/16, to facilitate two proposed residential developments;
- (c) departmental comments were set out in paragraph 9 of the Paper;
- (d) during the statutory publication periods, 34 public comments were received, with 33 objecting comments from Kadoorie Farm & Botanic Garden Corporation, Hong Kong Bird Watching Society, World Wide Fund for Nature Hong Kong, Designing Hong Kong Limited, the Indigenous

Inhabitant Representative of Yin Kong Village, villagers/nearby residents (one with 57 signatures and one with 32 signatures) and individuals, and the remaining one providing views from Towngas. Major views were set out in paragraph 10 of the Paper; and

- (e) the PlanD's views – PlanD had no in-principle objection to the application based on the assessments set out in paragraph 11 of the Paper. The proposed residential use was not incompatible with the surrounding land uses. The proposed plot ratio (PR) of 3 and building height (BH) of 75mPD were not entirely incompatible with the developments in Kwu Tung North New Development Area (KTN NDA) on the other side of Fanling Highway. To the east of Site A was the site of a s.12A application (No. Y/NE-KTS/12) with the same PR and BH as the current application, which was approved in 2019. The Chief Town Planner/Urban Design and Landscape of PlanD considered that the proposed rezoning would bring some changes to the existing low-rise low-density character of Kwu Tung South (KTS) to the south of Fanling Highway. The potential visual impact of the proposed development at a BH of 75mPD was considered not substantial in the wider context. Although the Agriculture, Fisheries and Conservation Department (AFCD) did not support the application due to the potential for agricultural rehabilitation in Site B, rezoning of the “Agriculture” (“AGR”) site would unlikely have significant impact on the agricultural activities in KTS area because the Agricultural Park of about 80ha in KTS was being implemented by the Government and a total of 83ha of land in KTN covering Long Valley and adjoining areas had been retained for agricultural use. The Social Welfare Department (SWD) requested the applicants to provide a Residential Care Home for the Elderly (RCHE) cum Day Care Unit (DCU) in the proposed development and the applicants agreed to provide such facility in Site B while suggesting that the facility should be exempted from gross floor area calculation. The facility would be included in the future s.16 planning application. Other concerned government departments had no objection to or no adverse comment on the application. The proposed rezoning with a development intensity lower than that of the rejected proposal in 2016 was considered

acceptable. Regarding the public comments, the comments of government departments and planning assessments above were relevant.

7. The Chairman then invited the applicants' representatives to elaborate on the application. With the aid of a PowerPoint Presentation, Mr Ian Thomas Brownlee, the applicants' representative, made the following main points:

- (a) background of the applicants in relation to their intention of the rezoning application to increase housing supply and meet the needs of the community;
- (b) the applicants agreed with the consideration and assessment made by PlanD on the subject application;
- (c) reference was made to a "CDA" site to the immediate east of Site A where a s.12A application (No. Y/NE-KTS/12) was approved in 2019 for increasing the PR to 3 and BH to 75mPD. The development intensity of the said application was the same as that sought by the applicants for the Sites. The circumstances of the current application were similar to those of application No. Y/NE-KTS/12 in that the potential traffic, environmental, sewerage, drainage and other impacts assessed by the applicants in the current application were acceptable to the concerned government departments, and both applications were subject to evolving planning context;
- (d) two "CDA" zones were proposed so that the planning conditions (to be imposed under the subsequent s.16 approval) to be incorporated under lease would be site-specific and self-contained in respect of the particular site; and
- (e) the applicants were willing to incorporate a RCHE cum DCU in Site B. Moreover, the applicants owned another piece of land to the east of Site A which could be an alternative site to accommodate standalone social welfare facilities. The Government might further consider to rezone the

alternative site and the nearby area to “Government, Institution or Community”.

8. As the presentations of PlanD’s representative and the applicants’ representative were completed, the Chairman invited questions from Members. He also remarked that the subject application was a s.12A application for rezoning the Sites to “CDA(2)” and “CDA(3)”. If the rezoning application was approved, the detailed design of the proposed development at the Sites could be dealt with in the future Master Layout Plan submissions in the subsequent s.16 application stage.

9. Some Members raised the following questions:

- (a) progress of the planning study of KTS;
- (b) whether the Sites were subject to any planning enforcement action against unauthorised development (UD);
- (c) details of the previous and similar applications;
- (d) right-of-way and land use in the vicinity of Site B; and
- (e) the proposed site(s) for RCHE cum DCU.

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

- (a) the Planning and Engineering (P&E) Study for KTS - Feasibility Study jointly commissioned by PlanD and Civil Engineering and Development Department (CEDD) was completed in 2017. The Government considered it more efficient from land utilisation point of view to assign the limited transport capacity in the district to support the development of the Kwu Tung North / Fanling North New Development Area (KTN/FLN NDA) Remaining Phase and partial development at Fanling Golf Course. Hence, the proposals formulated under the P&E Study for KTS were held in



abeyance pending review when appropriate. Rezoning applications of other sites in KTS would be considered based on individual merits and technical assessments undertaken by individual developer;

- (b) parts of Site A were subject to three on-going planning enforcement actions under the Town Planning Ordinance involving storage use and parking of vehicles;
- (c) the previous application No. Y/NE-KTS/9 was submitted by the current applicants for proposed rezoning of Site A from “REC” and “CDA” to “Other Specified Uses” (“OU”) annotated “Integrated Development with Residential, Farming and Community Facilities” with a maximum PR of 3.6, BH of 16 storeys above ground (63.5mPD) and 538 flats to facilitate a proposed integrated development with residential, farming and community facilities, which was not agreed by the Committee in 2016. Regarding the similar application No. Y/NE-KTS/12 to the immediate east of Site A, it was for the rezoning of the “CDA” site to “CDA(1)” for increasing the PR from 0.4 to 3 and the BH from 3 storeys to 75mPD (19 storeys) to facilitate a proposed residential development, which was agreed by the Committee in 2019. There were two other similar rezoning applications concerning the same site at Hang Tau Tai Po to the further southeast of the Sites. Application No. Y/NE-KTS/5 for rezoning the site from “REC” to “CDA” with a maximum PR of 0.4 and a maximum BH of 3 storeys to facilitate a proposed residential development (30 houses) was agreed by the Committee in 2012. Application No. Y/NE-KTS/13 for intensifying the development potential of the “CDA” site by increasing the PR from 0.4 to 1.645 and BH from 3 storeys to 12 storeys to facilitate a proposed residential development (400 flats) was under processing; and
- (d) regarding the existing vehicular access and footpath to the south of Site B, they were partly government land and partly private land. According to the record of the District Lands Officer/North of Lands Department, there was no requirement for provision of right-of-way stipulated under the lease. The land to the south of Site B was zoned “REC” and there were a number

of domestic structures and storages. The applicants were willing to maintain the access for the nearby residents.

11. In response, Mr Ian Thomas Brownlee and Mr M.Y. Chin, the applicants' representatives, made the following main points:

- (a) the enforcement notices were in relation to illegal structures involving three tenants in Site A. All illegal structures had been removed and the concerned lots were fenced off to prevent unauthorised access. Two of the tenants were in the process of restoring the concerned lots to grassland;
- (b) the right-of-way to the land adjacent to Site B would not be affected and the applicants would maintain the existing vehicular access and footpath being used by the nearby residents; and
- (c) the applicants were willing to incorporate a RCHE cum DCU in the proposed development at Site B in response to SWD's comment received during the application process. Moreover, the applicants had proposed an alternative site to the east of Site A which could be a better location to accommodate standalone social welfare facilities.

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

#### Deliberation Session

13. Members generally had no objection to the proposed rezoning of Site A as it was located directly fronting Fanling Highway and just opposite to KTN NDA, and the proposed development parameters of the proposed development were the same as those of an approved similar application to its immediate east.

14. However, most Members had reservation on the proposed rezoning of Site B and expressed the following views:

- (a) whilst the proposed residential use was considered not entirely incompatible with the surrounding uses, the proposed development intensity (with a PR of 3 and a BH of 75mPD) might not be compatible with the immediate surrounding area to the south of Kam Hang Road which was predominantly rural in nature with low-rise and low-density domestic structures and might cause potential visual impact; and
- (b) having noted that there was another similar application with a PR of 1.645 and a BH of 12 storeys to the southeast of the Sites under processing, any piecemeal rezoning in the area might lead to adverse impacts on the environment, the cumulative effect of which should be properly assessed. In that connection, a review on the development parameters of Site B and its adjoining area having regard to the existing and potential developments in the larger area covering the site would be necessary before proposing any suitable amendments to Site B.

15. A Member had reservation on rezoning Site B for residential use as AFCDD considered that Site B, which was mainly zoned “AGR”, possessed potential for agricultural rehabilitation and did not support the application.

16. The Chairman concluded that Members generally had no objection to the proposed rezoning of Site A with the development parameters as proposed and PlanD should proceed to propose OZP amendments covering Site A for the Committee’s consideration. However, Members had reservation on the proposed development parameters of Site B and considered that a review on the development parameters of Site B and its adjoining area having regard to the existing and potential development in the larger area covering the site would be necessary before submitting the proposed OZP amendments to Site B to the Committee for consideration. For the social welfare facilities originally proposed in Site B, Members considered that PlanD should explore with the relevant parties with a view to incorporating these facilities in Site A.

17. After deliberation, the Committee decided to partially agree to the application by rezoning Site A to a sub-zone of “Comprehensive Development Area” (“CDA”) with the development parameters as proposed, subject to incorporation of the requirement for provision of social welfare facilities, and that the proposed amendments to the approved Kwu Tung South OZP No. S/NE-KTS/16 would be submitted to the Committee for agreement prior to gazetting under Section 5 of the Town Planning Ordinance. The Committee decided not to agree to the proposed rezoning of Site B to “CDA(3)” for the reason that suitable development parameters for the site should be further reviewed.

#### **Agenda Item 4**

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

[Open Meeting]

Y/YL-NSW/5                      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”, Lot 1347 RP in D.D. 115, Nam Sang Wai, Yuen Long  
(RNTPC Paper No. Y/YL-NSW/5A)

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18. The Secretary reported that the application was submitted by the Hong Kong School of Motoring Yuen Long Driving School Limited which was a subsidiary of Hong Kong School of Motoring Limited (HKSM). Mott MacDonald Hong Kong Limited (MMHK) 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 HKSM and MMHK.

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

20. The Committee noted that the applicant’s representative requested on 11.12.2020 deferment of consideration of the application for two months so as to allow time to prepare

further information to address departmental comments. It was the second time that the applicant requested deferment of the application. Since the last deferment, the applicant had submitted further information to address departmental comments.

21. 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 three months had been allowed for preparation of submission of further information, no further deferment would be granted unless under very special circumstances.

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

#### **Agenda Item 5**

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

[Open Meeting]

Y/TM-LTY Y/9

Application for Amendment to the Approved Lam Tei and Yick Yuen Outline Zoning Plan No. S/TM-LTY Y/10, To rezone the application site from "Residential (Group B) 1" to "Residential (Group B) 4", To Amend the Notes of the Zone applicable to the site, Lots 523 RP, 714 RP, 718 RP, 719 RP, 721 RP, 722 RP, 723 RP, 724 RP and 725 in D.D. 130 and adjoining Government Land, Lam Tei, Tuen Mun  
(RNTPC Paper No. Y/TM-LTY Y/9A)

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22. The Committee noted that the applicant's representative requested on 23.11.2020 deferment of consideration of the application for two months so as to allow time to prepare further information to address departmental comments. It was the second time that the

applicant requested deferment of the application. Since the last deferment, the applicant had submitted further information including revised technical assessments and responses to departmental comments.

23. 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.

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

[Ms Donna Y.P. Tam, District Planning Officer/Sai Kung and Islands (DPO/SKIs), and Mr Richard Y.L. Siu, Senior Town Planner/Sai Kung and Islands (STP/SKIs), were invited to the meeting at this point.]

#### **Agenda Item 6**

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

[Open Meeting (Presentation and Question Sessions only)]

A/I-LI/31                      Proposed House (Redevelopment) with Minor Relaxation of Existing Building Height and Filling of Land/Excavation of Land in "Coastal Protection Area" Zone, Lot 215 in D.D. 5 LM, Luk Chau, Lamma Island  
  
(RNTPC Paper No. A/I-LI/31)

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24. The Secretary reported that Archiplus International (HK) Limited (Archiplus)

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 Archiplus.

25. 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

26. With the aid of a PowerPoint presentation, Mr Richard Y.L. Siu, STP/SKIs, presented the application and covered the following aspects as detailed in the Paper:

- (a) background to the application;
- (b) the proposed house (redevelopment) with minor relaxation of existing building height (BH) and filling of land/excavation of land;
- (c) departmental comments were set out in paragraph 8 of the Paper;
- (d) during the statutory publication period, one public comment from an individual raising concerns on the application was 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. Although the proposed redevelopment for a village type house was not in line with the planning intention of the “Coastal Protection Area” (“CPA”) zone, the Lands Department advised that the application site was a building lot held under NG No. 6768. Given that the existing house had been in existence since 1980 and the proposed redevelopment generally complied with the lease concerned, sympathetic consideration could be given to the application. The proposed two-storey house was considered not incompatible with the existing one to three storeys houses within the same “CPA” zone and the village houses within the “Village Type Development” zone in the area. The Chief Town Planner/Urban Design and Landscape of PlanD considered that the proposed minor relaxation of BH would not

have any significant visual impact. Since the proposed land filling/excavation was relatively small in scale, no adverse geotechnical impact on the surrounding area was anticipated and the Head of Geotechnical Office of Civil Engineering and Development Department had no comment on the application. Other concerned government departments had no objection to or no adverse comment on the application. Regarding the public comment, the comments of government departments and planning assessments above were relevant.

27. In response to a Member's question on the development parameters of the proposed development, Mr Richard Y.L. Siu, STP/SKIs, said that the existing house on the application site was built before the gazette of the first statutory plan covering Lamma Island (i.e. the draft Lamma Island Outline Zoning Plan (OZP) No. S/I-LI/1) on 25.8.2000. The existing house had a plot ratio (PR) of 0.749 and a site coverage (SC) of 39.68%, while the proposed house would have a PR of 0.747 and a SC of 39.55%, which did not exceed the relevant restrictions under the OZP. As for the proposed BH of 7.5m, since it exceeded the existing BH of 5.88m, application for minor relaxation of the BH restriction, together with that for filling/excavation of land, was hence required.

#### Deliberation Session

28. 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 18.12.2024, and after the said date, the permission should cease to have effect unless before the said date, the development permitted was commenced or the permission was renewed. The permission was subject to the following condition:

“the provision of fire service installations and water supplies for firefighting to the satisfaction of the Director of Fire Services or of the TPB.”

29. 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]

A/I-TCV/17                      Temporary Shop and Services (Vegetable and Grocery Store) with Ancillary Office and Storage Uses for a Period of 3 Years in “Village Type Development” and “Residential (Group C) 2” Zones, Lots 1304 S.A and 1304 RP in D.D.1 TC, Tung Chung Valley, Lantau Island  
(RNTPC Paper No. A/I-TCV/17)

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30.                      The Committee noted that the applicants’ representative requested on 1.12.2020 deferment of consideration of the application for two months so as to allow time to prepare further information to address departmental comments. It was the first time that the applicants requested deferment of the application.

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

**Agenda Item 8**

**Section 16 Application**

[Open Meeting]

A/SK-CWBN/59 Proposed Temporary Private Vehicle Park (Private Cars, Light and Medium Goods Vehicles Only) for a Period of 3 Years in “Village Type Development” Zone, Various Lots in D.D. 227 and adjoining government land, Tai Po Tsai, Clear Water Bay, Sai Kung  
(RNTPC Paper No. A/SK-CWBN/59)

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

**Agenda Item 9**

**Section 16 Application**

[Open Meeting]

A/SK-HC/318 Proposed Houses in “Residential (Group E)” Zone and an area shown as ‘Road’, Lot 503 (Part) in D.D. 210, Ho Chung, Sai Kung  
(RNTPC Paper No. A/SK-HC/318A)

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33. The Committee noted that the applicant’s representative requested on 3.12.2020 deferment of consideration of the application for two months so as to allow time to prepare further information to address departmental comments. It was the second time that the applicant requested deferment of the application. Since the last deferment, the applicant had submitted further information to address departmental comments.

34. 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 10**

**Section 16 Application**

[Open Meeting]

A/SK-HC/321 Proposed Public Utility Installation (Underground Cables) and Excavation and Filling of Land in “Conservation Area” Zone, Government Land in D.D. 247, Tai Lam Wu, Sai Kung  
(RNTPC Paper No. A/SK-HC/321A)

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35. The Secretary reported that the application was submitted by CLP Power Hong Kong Limited (CLP) and Kum Shing (K.F.) Construction Company Limited (KF) was the consultant of the applicant. The following Members had declared interests on the item:

Dr Jeanne C.Y. Ng - being the Director of the CLP Research Institute of CLP;

Mr K.K. Cheung - his firm having current business dealings with CLP and KF; and

Dr Conrad T.C. Wong - having current business dealings with CLP.

36. The Committee noted that the applicant had requested deferment of consideration of the application. As the interests of Dr Jeanne C.Y. Ng and Dr Conrad T.C. Wong were direct, the Committee agreed that they could stay in the meeting but should refrain from participating in the discussion. As Mr K.K. Cheung had no involvement in the application, the Committee agreed that he could stay in the meeting.

37. The Committee noted that the applicant’s representative requested on 2.12.2020 deferment of consideration of the application for two months so as to allow time to prepare further information to address departmental comments. It was the second time that the

applicant requested deferment of the application. Since the last deferment, the applicant had submitted further information including a new tree survey and a new vegetation survey.

38. 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 Items 11 to 15**

#### **Section 16 Applications**

[Open Meeting (Presentation and Question Sessions only)]

A/SK-SKT/23 Proposed Social Welfare Facility (Residential Care Home for the Elderly) and Flat with Minor Relaxation of Plot Ratio Restriction in "Residential (Group E)1" Zone, 1 Hong Ting Road, Sai Kung  
(RNTPC Paper No. A/SK-SKT/23 to 27B)

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A/SK-SKT/24 Proposed Social Welfare Facility (Residential Care Home for the Elderly) with Minor Relaxation of Plot Ratio Restriction in "Residential (Group E)1" Zone and an area shown as 'Road', 2 Hong Ting Road, Sai Kung  
(RNTPC Paper No. A/SK-SKT/23 to 27B)

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A/SK-SKT/25 Proposed Social Welfare Facility (Residential Care Home for the Elderly) and Flat with Minor Relaxation of Plot Ratio Restriction in “Residential (Group E)1” Zone and an area shown as ‘Road’, 6 Hong Ting Road, Sai Kung  
(RNTPC Paper No. A/SK-SKT/23 to 27B)

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A/SK-SKT/26 Proposed Social Welfare Facility (Residential Care Home for the Elderly) with Minor Relaxation of Plot Ratio Restriction in “Residential (Group E)1” Zone and an area shown as ‘Road’, 7 Hong Ting Road, Sai Kung  
(RNTPC Paper No. A/SK-SKT/23 to 27B)

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A/SK-SKT/27 Proposed Social Welfare Facility (Residential Care Home for the Elderly) with Minor Relaxation of Plot Ratio Restriction in “Residential (Group E)1” Zone, 7 (Part) and 9 Hong Ting Road, Sai Kung  
(RNTPC Paper No. A/SK-SKT/23 to 27B)

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39. The Secretary reported that the applicants’ representative submitted a letter on 18.12.2020 (i.e. the same day of the subject meeting). The applicants noted the departmental concerns on the minor relaxation of plot ratio (PR) under application and proposed to lower the plot ratio (PR) of the proposed Residential Care Home for the Elderly (RCHE) from about 2.8 to 2, which complied with the PR restriction of the “Residential (Group E)1” (“R(E)1”) zone. In other words, the applications were now solely for the proposed RCHE without proposed minor relaxation of PR restriction. The Committee agreed that as the further information would result in a material change of the nature of the application, it should not be accepted in accordance with the Town Planning Board Guidelines No. 32. The Chairman remarked that the late submission of further information just before the meeting should not be encouraged.

#### Presentation and Question Sessions

40. Ms Donna Y.P. Tam, DPO/SKIs, presented the applications and covered the following aspects as detailed in the Paper:

- (a) background to the applications;
- (b) the proposed social welfare facility (RCHE) and Flat / RCHE only with minor relaxation of PR restriction in “R(E)1” zone (and area shown as ‘Road’);
- (c) departmental comments were set out in paragraph 8 of the Paper;
- (d) during the statutory publication periods, a total of 389 objecting public comments (including 123 comments in three types of standard letters) for the five applications were received. Amongst all the comments, 40 submissions were made for all the five applications while some commenters made similar submissions for each of the applications separately. The commenters included Sai Kung District Council (SKDC) members, a former Legislative Council member, the former SKDC Chairman, the Sai Kung Rural Committee, Sai Kung Planning Concern Front, a “Village Chief” of Nam Wai, Hong Kong and China Gas Co. Ltd. and individuals. Major views were set out in paragraph 9 of the Paper; and
- (e) the Planning Department (PlanD)’s views – PlanD did not support the applications based on the assessments set out in paragraph 10 of the Paper. The proposed redevelopments were in line with the planning intention of the “R(E)1” zone for phasing out existing industrial use. Although the proposed developments were in general not entirely in line with the planning intention of redevelopment of the sites for residential use, RCHE was a kind of residential use provided in the form of social welfare facility. They were considered not incompatible with the surrounding area. The applications were for five individual developments at the respective sites and the applicants proposed to maximise the development potential of the sites which was merely for the benefit of the individual proposed developments. There was no justification to include the areas occupied by the existing roads and sitting-out area for the purpose of PR calculation and to transfer the gross floor area (GFA) into the proposed developments through minor relaxation of PR for individual development sites under

application. The applicants failed to provide strong justification and design merits to support the proposed relaxation of PR of the sites. The Chief Town Planner/Urban Design and Landscape of PlanD advised that the sites were not located at landscape sensitive area and significant adverse landscape impact was not anticipated. The Director of Social Welfare advised that there was a keen demand for subsidised residential care service over the territory. The Commissioner for Transport advised that should the applications be approved, occupation of the proposed developments should be subject to the completion of the Hiram's Highway Improvement Stage 2 project, so as to address any potential traffic impact arising from the proposed developments. Other concerned government departments had no objection to or no adverse comment on the application. Regarding the public comments, the comments of government departments and planning assessments above were relevant.

41. Two Members raised the following questions:

- (a) development intensity of the nearby developments; and
- (b) building height (BH) restriction of the application sites.

42. In response, Ms Donna Y.P. Tam, DPO/SKIs, made the following points:

- (a) to the immediate southwest of the sites was a "Residential (Group B) 4" ("R(B)4") site occupied by three 8-storey residential blocks of Park Mediterranean, subject to a maximum PR of 2. To the south across Hong Tsuen Road was a "Government, Institution or Community (2)" ("G/IC(2)") site currently occupied by some temporary vehicle repair workshops and an open car park. The "G/IC(2)" site was subject to a maximum BH restriction of 3 storeys under the OZP. To the southeast across Chui Tong Road was the existing 8 to 13-storey residential development of Lakeside Garden, which was zoned "R(B)1" on the OZP. The proposed developments were considered not incompatible with the surrounding developments; and

- (b) the application sites, which were zoned “R(E)1”, were subject to a maximum PR of 2, a maximum BH of 8 storeys and a maximum site coverage of 40%.

43. In response to a Member’s question, the Chairman said that should the application be rejected, the applicant might apply for a s.17 review of the Committee’s decision or submit a fresh s.16 application.

### Deliberation Session

44. The Chairman remarked that the application sites were currently occupied by five industrial buildings. The “R(E)1” zone was intended primarily to phase out the existing industrial uses through redevelopment (or conversion) for residential use. Planning application was required to ensure any potential industrial/residential interface problem could be properly dealt with. The proposed redevelopment of all the five industrial buildings to flat/RCHE uses were considered compatible with the surrounding residential and government/institution/community developments. The applicant explained that his intention of submitting five separate planning applications covering each of the five sites zoned “R(E)1” was to avoid lengthy procedure involved in the land exchange. However, as the lease conditions of all five sites were restricted to industrial and/or godown purposes, lease modification would in any case be required if the planning applications were approved by the Committee. As all five sites were owned by the same group of companies, there appeared to be scope for amalgamating the five sites together with the adjacent government land for a more integrated comprehensive redevelopment scheme. Members might wish to take this into account in considering whether the applicant had provided sufficient justifications for minor relaxation of the PR restriction.

45. Members noted that the applications were for five separate developments at the respective sites. The applicants proposed to maximise the development potential by including the government land occupied by existing roads and sitting-out area within the “R(E)1” zone for the purpose of PR calculation and to distribute the increased GFA to the proposed developments at the five respective sites resulting in PRs ranging from 2.74 to 2.8. Members considered that inclusion of government land purely for the purpose of PR



calculation might not be a strong planning justification in terms of providing sufficient design merits to warrant a minor relaxation of the PR restriction. On the other hand, it would be desirable if the applicants could explore a more integrated comprehensive scheme covering the whole “R(E)1” zone for better utilisation of land resources and optimising its development potential. Regarding the applicant’s concern that a comprehensive scheme would involve lengthy procedure in land exchange, Members were not convinced as lease modification would be required irrespective of whether the five sites were to be developed comprehensively or separately. In addition, the Transport Department had advised that population intake of the proposed developments should only be after the completion of the Hiram’s Highway Improvement Project Phase 2, the implementation programme of which was not certain at the present stage. There was ample time for the applicants to prepare a more integrated comprehensive scheme and deal with the necessary land administration procedures. In general, Members opined that the applicant failed to provide strong planning justifications and design merits for the proposed minor relaxation of the PR restriction.

46. The Chairman concluded that whilst Members had no in-principle objection to the proposed use of RCHE at the Sites in view of its compatibility with surrounding land uses and keen territorial demand for such facility, Members generally considered that there was no strong planning justification and design merit for the proposed minor relaxation of PR restriction, there was opportunity to amalgamate the five sites to provide a more integrated and comprehensive redevelopment scheme for better utilisation of land.

47. After deliberation, the Committee decided to reject the applications. The reason for each of the applications was:

“the applicant fails to provide strong planning justifications and design merits for the proposed minor relaxation of plot ratio restriction and to demonstrate that a comprehensive redevelopment together with the adjacent sites within the same “R(E)1” zone could not be achieved.”

**Agenda Item 16**

**Section 16 Application**

[Open Meeting]

A/SK-TMT/69                      Proposed House and the associated Filling and Excavation of Land in “Green Belt”, “Village Type Development” Zones and area shown as ‘Road’, Lots 65, 96 and 98 RP in D.D. 252 and Adjoining Government Land, Tai Mong Tsai, Sai Kung  
(RNTPC Paper No. A/SK-TMT/69)

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48.                      The Committee noted that the applicant’s representative requested on 7.12.2020 deferment of consideration of the application for two months so as to allow time to prepare further information to address departmental comments. It was the first time that the applicant requested deferment of the application.

49.                      After deliberation, the Committee decided to defer a decision on the application as requested by the applicant pending the submission of further information from the applicant. The Committee agreed that the application should be submitted for its consideration within 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 Donna Y.P. Tam, DPO/SKIs, and Mr Richard Y.L. Siu, STP/SKIs, for their attendance to answer Members’ enquiries. They left the meeting at this point.]

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

[Ms Hannah H.N. Yick 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 17**

**Section 16 Application**

[Open Meeting]

A/NE-TK/687            Proposed Temporary Place of Recreation, Sports or Culture (Hobby Farm) for a Period of 5 Years and Filling of Land in “Agriculture” Zone and an area shown as ‘Road’, Lots 222 RP (Part), 223 RP, 224, 225, 226, 227 RP (Part), 228 (Part), 245 S.A, 251, 252, 253 RP, 254 RP in D.D. 17, Ting Kok, Tai Po  
(RNTPC Paper No. A/NE-TK/687A)

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50.            The Committee noted that the applicant’s representative requested on 30.11.2020 deferment of consideration of the application for two months so as to allow time to prepare further information to address departmental comments. It was the second time that the applicant requested deferment of the application. Since the last deferment, the applicant had submitted further information to address departmental comments.

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

**Agenda Item 18**

**Section 16 Application**

[Open Meeting]

A/NE-LT/692                      Proposed House (New Territories Exempted House - Small House) in  
“Agriculture” Zone, Lot 892 S.B RP in D.D. 8, Ma Po Mei Village,  
Lam Tsuen, Tai Po  
(RNTPC Paper No. A/NE-LT/692)

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52.                      The Committee noted that the applicant’s representative requested on 9.12.2020 deferment of consideration of the application for two months so as to allow time to prepare further information to address departmental comments. It was the first time that the applicant requested deferment of the application.

53.                      After deliberation, the Committee decided to defer a decision on the application as requested by the applicant pending the submission of further information from the applicant. The Committee agreed that the application should be submitted for its consideration within 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 19**

**Section 16 Application**

[Open Meeting (Presentation and Question Sessions Only)]

A/ST/992                      Shop and Services (Retail Shop for Motorcycle, Helmet and Related  
Products) in “Industrial” Zone, Unit F1-F2, G/F, On Wah Industrial  
Building, 41-43 Au Pui Wan Street, Fo Tan  
(RNTPC Paper No. A/ST/992)

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Presentation and Question Sessions

54. Ms Hannah H.N. Yick, STP/STN, presented the application and covered the following aspects as detailed in the Paper:

- (a) background to the application;
- (b) the shop and services (retail shop for motorcycle, helmet and related products);
- (c) departmental comments were set out in paragraph 9 of the Paper;
- (d) during the statutory publication period, three 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 based on the assessments set out in paragraph 11 of the Paper. The 'shop and services' use was small in scale and considered not incompatible with other uses in the subject industrial building and the surroundings. A temporary approval of five years would not jeopardise the long-term planning intention of the industrial use. The applied use generally complied with the Town Planning Board Guidelines No. 25D. The Director of Fire Services had no in-principle objection to the application subject to the provision of fire service installations and equipment to his satisfaction. Other concerned government departments had no objection to or no adverse comment on the application. Similar applications had been approved on the ground floor of the subject industrial building. Regarding the public comments, the comments of government departments and planning assessments above were relevant.

55. Members had no question on the application.

Deliberation Session

56. After deliberation, the Committee decided to approve the application on a temporary basis for a period of 5 years until 18.12.2025, on the terms of the application as submitted to the Town Planning Board (TPB) and subject to the following conditions:

- “(a) the submission and implementation of the fire safety measures within 6 months from the date of planning approval to the satisfaction of the Director of Fire Services or of the TPB by 18.6.2021; and
- (b) if the above planning condition 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.”

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

## **Agenda Item 20**

### **Section 16 Application**

[Open Meeting]

A/ST-KYS/11            Proposed Religious Institution (Kwun Yum Pavilion) and Land Filling  
in “Agriculture” Zone, Lot 994 in D.D. 193, Fa Sam Hang, Sha Tin  
(RNTPC Paper No. A/ST-KYS/11)

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58. The Committee noted that the applicant’s representative requested on 8.12.2020 deferment of consideration of the application for two months so as to allow time to prepare further information to address departmental comments. It was the first time that the applicant requested deferment of the application.

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

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

## **Agenda Item 21**

### **Section 16 Application**

[Open Meeting (Presentation and Question Sessions Only)]

A/NE-FTA/198      Proposed Temporary Place of Recreation, Sports or Culture (Hobby Farm) for a Period of 3 Years in "Agriculture" Zone, Lots 481 S.A RP (Part), 558 RP (Part), 559 RP (Part), 561 RP (Part), 562 S.F (Part), 563 (Part) and 564 S.B (Part) in D.D. 89 and Adjoining Government Land, Sha Ling, Sheung Shui  
(RNTPC Paper No. A/NE-FTA/198A)

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### **Presentation and Question Sessions**

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

- (a) background to the application;
- (b) the proposed temporary place of recreation, sports or culture (hobby farm) for a period of three years;
- (c) departmental comments were set out in paragraph 9 of the Paper;
- (d) during the statutory publication period, four public comments from the Chairman of Ta Kwu Ling Sha Ling Villagers Welfare Association (打鼓嶺沙嶺村居民福利會) (with 76 signatures from the villagers), 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 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 use was considered generally in line 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. Approval of the application on a temporary basis of three years would not frustrate the long-term planning intention of the “AGR” zone. The proposed use was considered not incompatible with the surrounding environment. No significant adverse impact on the existing landscape resources was anticipated. The Chief Town Planner/Urban Design and Landscape of PlanD had no objection to the application from landscape planning point of view. Other concerned government departments had no objection to or no adverse comment on the application. Regarding the public comments, the comments of government departments and planning assessments above were relevant.

61. In response to a Member's question, Mr Tim T.Y. Fung, STP/STN, said that the site was formed by the applicants of the previous applications.

#### Deliberation Session

62. After deliberation, the Committee decided to approve the application on a temporary basis for a period of 3 years until 18.12.2023, 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 10:00 a.m., as proposed by the applicant, is allowed on the site during the planning approval period;
- (b) no public announcement system and loud speaker, as proposed by the applicant, is allowed to be used on the site 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 18.6.2021;
- (d) in relation to (c) above, the provision of the drainage facilities within 9 months from the date of planning approval to the satisfaction of the Director of Drainage Services or of the TPB by 18.9.2021;
- (e) the submission of proposals for fire service installations and water supplies for firefighting within 6 months from the date of planning approval to the satisfaction of the Director of Fire Services or of the TPB by 18.6.2021;
- (f) in relation to (e) above, the implementation of the proposals for fire service installations and water supplies for firefighting within 9 months from the date of planning approval to the satisfaction of the Director of Fire Services or of the TPB by 18.9.2021;
- (g) if any of the above planning conditions (a) or (b) is not complied with during the planning approval period, the approval hereby given shall cease to have effect and shall be revoked immediately without further notice;
- (h) if any of the above planning conditions (c), (d), (e) or (f) is not complied with by the specified date, the approval hereby given shall cease to have effect and shall on the same date be revoked without further notice; and
- (i) upon the expiry of the planning permission, the reinstatement of the site to an amenity area to the satisfaction of Director of Planning or of the TPB.”

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 22**

**Section 16 Application**

[Open Meeting (Presentation and Question Sessions Only)]

A/NE-HLH/48            Temporary Open Storage of Construction Materials and Machinery, Office, Staff Rest Room and Store Room for a Period of 3 Years in “Agriculture” Zone, Lot 327 in D.D. 87, Ta Kwu Ling  
(RNTPC Paper No. A/NE-HLH/48)

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**Presentation and Question Sessions**

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

- (a) background to the application;
- (b) the temporary open storage of construction materials and machinery, office, staff rest room and store room for a period of three years;
- (c) departmental comments were set out in paragraph 10 of the Paper;
- (d) during the statutory publication period, six public comments, with five objecting comments from a member of North District Council (NDC), World Wide Fund for Nature Hong Kong, Hong Kong Bird Watching Society, Designing Hong Kong Limited and an individual and the remaining one from another member of NDC indicating no comment, 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 applied use was not in line with the planning intention of the “Agriculture” zone. The Director of Agriculture, Fisheries and Conservation did not support the application as the application site possessed potential for agricultural rehabilitation and could be used as greenhouse or plant nurseries. There was no strong planning justification

in the submission to justify a departure from the planning intention, even on a temporary basis. The applied use was considered not entirely compatible with the landscape character of the area. The Chief Town Planner/Urban Design and Landscape of PlanD had reservation on the application from landscape planning perspective. The application did not comply with the Town Planning Board Guidelines No. 13F in that the application site fell within Category 3 area where application would normally not be favourably considered. Approval of the application would set an undesirable precedent for similar applications involving landscape character alteration by vegetation clearance and site formation. The cumulative impact of approving such similar applications would further degrade the landscape quality of the surrounding environment. The Director of Environmental Protection and Commissioner for Transport did not support the application. Other concerned government departments had no objection to or no adverse comment on the application. Regarding the public comments, the comments of government departments and planning assessments above were relevant.

65. Members had no question on the application.

#### Deliberation Session

66. Noting that an unauthorised development at the application site had not been discontinued upon expiry of an enforcement notice issued in 2019, a Member remarked that the case should be closely monitored for prosecution action, as appropriate.

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

- “(a) the applied use 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 justification in the

submission for a departure from such planning intention, even on a temporary basis;

- (b) the application does not comply with the Town Planning Board No. 13F for Application for Open Storage and Port Back-up Uses in that there is no previous approval for open storage granted for the site; and there are adverse departmental comments and local objections; and
- (c) the applicant fails to demonstrate that the applied use would not cause adverse traffic impact on the surrounding areas.”

### **Agenda Item 23**

#### **Section 16 Application**

[Open Meeting]

A/NE-HLH/49      Proposed Temporary Place of Recreation, Sports or Culture (Hobby Farm) for a Period of 3 Years in “Agriculture” Zone, Lot 629 in D.D. 84, Hung Lung Hang  
(RNTPC Paper No. A/NE-HLH/49)

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68.            The Committee noted that the applicant’s representative requested on 3.12.2020 deferment of consideration of the application for two months so as to allow time to prepare further information to address departmental comments. It was the first time that the applicant requested deferment of the application.

69.            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 24**

### **Section 16 Application**

[Open Meeting (Presentation and Question Sessions Only)]

A/NE-LK/134          Proposed House (New Territories Exempted House - Small House) in  
“Agriculture” Zone, Lot 1367 (Part) in D.D. 39 in Ma Tseuk Leng San  
Uk Ha, Sha Tau Kok  
(RNTPC Paper No. A/NE-LK/134)

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### **Presentation and Question Sessions**

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

- (a) background to the application;
- (b) the proposed house (New Territories Exempted House (NTEH) – Small House);
- (c) departmental comments were set out in paragraph 9 of the Paper;
- (d) during the statutory publication period, five public comments, with four from the Hong Kong Bird Watching Society, Kadoorie Farm and Botanic Garden and two individuals objecting to the application, and one from the Chairman of Sheung Shui District Rural Committee indicating no comment, were received. The District Officer (North) of Home Affairs Department advised that the Resident Representative of Ma Tseuk Leng Ha objected to the application. Major views were set out in paragraphs 9 and 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 Small House development was not in line with the planning intention of the “Agriculture” zone. The Director of Agriculture, Fisheries and Conservation did not support the application from the agricultural point of view as the application site possessed potential for agricultural rehabilitation. The proposed Small House development was not entirely incompatible with the surrounding environment. The Commissioner for Transport considered that Small House development should be confined within the “Village Type Development” (“V”) zone as far as possible but given that the proposed development involved one Small House only, the application could be tolerated. Other concerned government departments had no objection to or no adverse comment on the application. While land available within the “V” zone of Ma Tseuk Leng, Ma Tseuk Leng San Uk Ha and Shek Kiu Tau village cluster was insufficient to fully meet the future Small House demand of 574 Small Houses, such available land (about 2.27 ha or equivalent to 90 Small House sites) was capable to meet the 56 outstanding Small House applications. There were 25 similar applications for Small House development in the vicinity of the application site. The planning circumstances of the current application were similar to the rejected applications. Regarding the public comments and local objection, the comments of government departments and planning assessments above were relevant.

71. Members had no question on the application.

#### Deliberation Session

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

- “(a) the proposed development is not in line with the planning intention of the “Agriculture” zone which is primarily to retain and safeguard good quality agricultural land/farm/fish ponds for agricultural purposes and to retain fallow arable land with good potential for rehabilitation for cultivation and other agricultural purposes. There is no strong planning justification in the

submission for a departure from the planning intention; and

- (b) land is still available within the “Village Type Development” (“V”) zone of Ma Tseuk Leng, Ma Tseuk Leng San Uk Ha and Shek Kiu Tau village cluster where land is primarily intended for Small House development. It is considered more appropriate to concentrate the proposed Small House development within the “V” zone for more orderly development pattern, efficient use of land and provision of infrastructures and services.”

## **Agenda Item 25**

### **Section 16 Application**

[Open Meeting (Presentation and Question Sessions Only)]

A/NE-LYT/730      Proposed Temporary Recyclable Collection Centre with Ancillary Office for a Period of 3 Years in “Residential (Group C)” Zone, Lots 870 RP (Part), 871 (Part) and 2141 RP (Part ) in D.D. 83, Ma Liu Shui San Tsuen, Fanling  
(RNTPC Paper No. A/NE-LYT/730A)

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### **Presentation and Question Sessions**

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

- (a) background to the application;
- (b) the proposed temporary recyclable collection centre with ancillary office for a period of three years;
- (c) departmental comments were set out in paragraph 9 of the Paper;
- (d) during the statutory publication period, four public comments, with three from the Chairman, the First Vice-Chairman and the Vice-Chairman of Fanling District Rural Committee objecting to the application, and one from

a North District Council member indicating no comment, were received. The District Officer (North) of Home Affairs Department advised that the Indigenous Inhabitant Representative and Resident Representative of Ma Liu Shui San Tsuen and the North District Council member of the subject consistency objected to the application. Major views were set out in paragraphs 9 and 10 of the Paper; and

- (e) the Planning Department (PlanD)'s views – PlanD had no objection to the application based on the assessments set out in paragraph 11 of the Paper. Whilst the proposed use was not entirely in line with the planning intention of the “Residential (Group C)” (“R(C)”) zone, there was no known programme for the long-term residential development on the application site. Approval of the application on a temporary basis would not jeopardise the long-term planning intention of the “R(C)”) zone. The proposed use was considered not entirely incompatible with the immediate surrounding area. No significant adverse traffic, environmental and drainage impacts on the surrounding area was anticipated. To address any potential environmental nuisance, appropriate approval conditions were recommended. Concerned government departments had no objection to or no adverse comment the application. Regarding the public comments and local objections, the comments of government departments and planning assessments above were relevant.

74. Members had no question on the application.

#### Deliberation Session

75. After deliberation, the Committee decided to approve the application on a temporary basis for a period of 3 years until 18.12.2023, on the terms of the application as submitted to the Town Planning Board (TPB) and subject to the following conditions:

- “(a) no operation between 4:00 p.m. and 10:00 a.m., as proposed by the applicant, is allowed on the site during the planning approval period;



- (b) no operation on Sundays and public holidays is allowed on the site during the planning approval period;
- (c) only private car and light goods vehicle as defined in the Road Traffic Ordinance are allowed to enter/exit the site at any time during the planning approval period;
- (d) the provision of a 2.5m high solid boundary wall along the site boundary within 6 months from the date of planning approval to the satisfaction of the Director of Environmental Protection or of the TPB by 18.6.2021;
- (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 18.6.2021;
- (f) in relation to (e) above, the provision of drainage facilities within 9 months from the date of planning approval to the satisfaction of the Director of Drainage Services or of the TPB by 18.9.2021;
- (g) the submission of proposals for fire service installations and water supplies for firefighting within 6 months from the date of planning approval to the satisfaction of the Director of Fire Services or of the TPB by 18.6.2021;
- (h) in relation to (g) above, the implementation of proposals for fire service installations and water supplies for firefighting within 9 months from the date of planning approval to the satisfaction of the Director of Fire Services or of the TPB by 18.9.2021;
- (i) if any of the above planning conditions (a), (b) or (c) is not complied with during the planning approval period, the approval hereby given shall cease to have effect and shall be revoked immediately without further notice; and
- (j) if any of the above planning conditions (d), (e), (f), (g) or (h) is not complied with by the specified date, the approval hereby given shall cease

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

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

## **Agenda Item 26**

### **Section 16 Application**

[Open Meeting (Presentation and Question Sessions Only)]

A/NE-MUP/156 Proposed House (New Territories Exempted House) in “Government, Institution or Community” Zone, Lot 661 S.C ss.1 in D.D.37, Man Uk Pin Village, Sha Tau Kok  
(RNTPC Paper No. A/NE-MUP/156)

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### **Presentation and Question Sessions**

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

- (a) background to the application;
- (b) the proposed house (New Territories Exempted House (NTEH));
- (c) 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, with two from a North District Council member and an individual objecting to the application and one from the Chairman of Sheung Shui Rural Committee indicating no comment, 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.

While the proposed NETH development was not entirely in line with the planning intention of the “Government, Institution or Community” (“G/IC”) zone, it was considered small in scale on private land located close to the eastern boundary of the “G/IC” zone. Approval of the application would not jeopardise the future provision of government, institution or community facilities. The Chief Town Planner/Urban Design and Landscape (CTP/UD&L) of PlanD had no comment on the application from landscape point of view as the application site (the Site) was within a non-landscape sensitive area. The proposed NTEH was not incompatible with the surrounding area. The Site had building status and it had been the existing practice of the Town Planning Board to take into account building status under lease in considering planning application for house development. Approval of the application based on such exceptional circumstances would unlikely set an undesirable precedent for similar applications. The Commissioner for Transport had reservation on the application but considered that the application involving a NTEH only could be tolerated on traffic grounds. Other concerned government departments had no objection to or no adverse comment on the application. Regarding the public comments, the comments of government departments and planning assessments above were relevant.

78. Some Members raised the following questions:
- (a) whether the application would involve tree felling within/outside the Site during the construction stage; and
  - (b) ownership of land in the vicinity of the Site and whether any private land in the same “G/IC” zone had building status under the lease.
79. In response, Mr Tim T.Y. Fung, STP/STN, made the following points:
- (a) the Site and its immediate surroundings were mainly covered by herbaceous plants and some trees of common species. There was no vehicular access to the Site. Since the Site was within a non-landscape

sensitive area, the CTP/UD&L of PlanD had no comment on the application from landscape point of view; and

- (b) about 85% of the land within the same “G/IC” zone was government land, while the remaining 15% was private land. Three private lots i.e. Lots 547, 611 and 663 in D.D. 37 within the same zone had building status under the lease.

80. In response to a Member’s question, Mr Alan K.L. Lo, Assistant Director/Regional 3, Lands Department (LandsD) said that if the provision of an access road on government land was required, the applicant should ensure that such access road (including any tree felling proposal) should comply with the relevant legislation before commencement of the road works. In some cases, the construction of NETH would not involve large machineries and hence a vehicular access might not be required. In this regard, Members considered that an advisory clause should be included reminding the applicant not to fell trees within government land unless with prior approval of LandsD, should the application be approved by the Committee.

#### Deliberation Session

81. Members generally had no objection to the application and noted the ‘Interim Criteria for Consideration of Application for NTEH/Small House in New Territories’ that the proposed development should not cause adverse environmental and landscape impacts on the surrounding areas. Any such potential impacts should be mitigated to the satisfaction of relevant government departments.

82. 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 18.12.2024, 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 septic tank, as proposed by the applicant, at a location to the satisfaction of the Director of Lands or of the TPB; and

- (b) the submission and implementation of a drainage proposal to the satisfaction of the Director of Drainage Services or of the TPB.”

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

“no tree felling on government land should be undertaken. If required, prior approval should be obtained from the Lands Department.”

### **Agenda Item 27**

#### **Section 16 Application**

[Open Meeting (Presentation and Question Sessions Only)]

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

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84. The Secretary reported that the application site was located in Ta Kwu Ling. Dr Conrad T.C. Wong had declared an interest on the item for his firm owning a piece of land in Ta Kwu Ling.

85. As the piece of land owned by Dr Conrad T.C. Wong’s firm had no direct view of the application site, the Committee agreed that he could stay in the meeting.

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

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

- (a) background to the application;
- (b) the proposed temporary wholesale trade with ancillary storage for a period

of five years;

- (c) departmental comments were set out in paragraph 8 of the Paper;
- (d) during the statutory publication period, one public comment from the Chairman of Sheung Shui District Rural Committee indicating no comment on the application was received. The District Officer (North) of Home Affairs Department advised that the First Vice-chairman of Ta Kwu Ling District Rural Committee, the Indigenous Inhabitant Representative (IIR) of Wo Keng Shan, three out of four IIRs of Ping Yeung and the Resident Representative (RR) of Ping Yeung objected to the application while the incumbent North District Council member of the subject constituency, the IIR and RR of Ping Che, the RR of Wo Keng Shan and the remaining IIR of Ping Yeung had no comment. Major views were set out in paragraphs 8.1.11 and 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 the proposed use was not in line with the planning intention of the “Open Storage” (“OS”) zone, approval of the application on a temporary basis would not jeopardise the long-term planning intention of the “OS” zone. The proposed use was not incompatible with the surrounding area. The Chief Town Planner/Urban Design and Landscape of PlanD had no comment on the application as the site was within a non-landscape sensitive area. The Commissioner for Transport considered that the traffic impact induced by the proposed use was tolerable from traffic engineering point of view. The Director of Environmental Protection did not support the application as there were sensitive receivers of residential use in the vicinity and environmental nuisance was expected. To address the concerns on the possible environmental nuisances, appropriate approval conditions were recommended. Other concerned departments had no objection to or no adverse comment on the application. Regarding the public comments and local objections, the comments of government departments and planning assessments above were relevant.

87. In response to the Chairman's question, Mr Tim T.Y. Fung, STP/STN, said that the current use at the application site would be discontinued to make room for the applied use, should the application be approved.

Deliberation Session

88. After deliberation, the Committee decided to approve the application on a temporary basis for a period of 5 years until 18.12.2025, on the terms of the application as submitted to the Town Planning Board (TPB) and subject to the following conditions:

- “(a) no operation between 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 heavy goods vehicles exceeding 24 tonnes, including container tractor/trailer, as defined in the Road Traffic Ordinance, is allowed for the operation of the site at any time during the planning approval period;
- (d) no vehicle is allowed to queue back to or reverse onto/from public road, as proposed by the applicant, at any time during the planning approval period;
- (e) no excavation is allowed without the permission of the Executive Secretary (Antiquities & Monuments) of the Antiquities and Monuments Office of the Development Bureau, at any time during the planning approval period;
- (f) the maintenance of the existing boundary fencing on the site at all times during the planning approval period;
- (g) the submission of a drainage proposal within 6 months from the date of planning approval to the satisfaction of the Director of Drainage Services or of the TPB by 18.6.2021;

- (h) in relation to (g) above, the provision of the drainage facilities within 9 months from the date of planning approval to the satisfaction of the Director of Drainage Services or of the TPB by 18.9.2021;
- (i) the submission of proposals for fire service installations and water supplies for firefighting within 6 months from the date of planning approval to the satisfaction of the Director of Fire Services or of the TPB by 18.6.2021;
- (j) in relation to (i) above, the implementation of the proposals for fire service installations and water supplies for firefighting within 9 months from the date of planning approval to the satisfaction of the Director of Fire Services or of the TPB by 18.9.2021;
- (k) the implementation of the traffic management proposals, as proposed by the applicant, within 9 months from the date of planning approval to the satisfaction of the Commissioner for Transport or of the TPB by 18.9.2021;
- (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.”

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



**Agenda Item 28**

**Section 16 Application**

[Open Meeting]

A/NE-TKLN/36 Proposed Temporary Shop and Services (Convenience Store) with Ancillary Site Office and Public Vehicle Park (Private Car) for a Period of 3 Years in “Village Type Development” and “Recreation” Zones, Lots 377, 380 S.A, 380 S.B, 380 S.C and 380 RP in D.D. 78 and Lot 61 S.B RP in D.D. 80, Lin Ma Hang Road, Ta Kwu Ling North  
(RNTPC Paper No. A/NE-TKLN/36A)

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90. The Committee noted that the applicant’s representative requested on 9.12.2020 deferment of consideration of the application for two months so as to allow time to prepare further information to address departmental comments. It was the second time that the applicant requested deferment of the application. Since the last deferment, the applicant had submitted further information to address departmental comments.

91. 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 29**

**Section 16 Application**

[Open Meeting]

A/NE-TKLN/37      Proposed Temporary Public Vehicle Park (Excluding Container Vehicle) for a Period of 3 Years in “Village Type Development” and “Recreation” Zones, Lots 388 S.A, 388 S.B, 388 RP (Part) and 390 RP (Part) in D.D. 78 and Adjoining Government Land, Tsung Yuen Ha, Ta Kwu Ling North  
(RNTPC Paper No. A/NE-TKLN/37)

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92.            The Committee noted that the applicant’s representative requested on 4.12.2020 deferment of consideration of the application for two months so as to allow time to prepare further information to address departmental comments. It was the first time that the applicant requested deferment of the application.

93.            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 30**

**Section 16 Application**

[Open Meeting]

A/NE-WKS/14 Proposed Public Utility Installation (Telecommunications Radio Base Station and Antenna) and Excavation of Land in “Green Belt” Zone, Government Land in D.D. 79, Lung Mei Teng, Ta Kwu Ling  
(RNTPC Paper No. A/NE-WKS/14A)

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94. The Secretary reported that the application was submitted by China Mobile Hong Kong Company Limited (CMHK). Mr K.K. Cheung had declared an interest on the item for his firm having current business dealings with CMHK.

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

96. The Committee noted that the applicant’s representative requested on 9.12.2020 deferment of consideration of the application for two months so as to allow time to prepare further information to address departmental comments. It was the second time that the applicant requested deferment of the application. Since the last deferment, the applicant had submitted further information to address departmental comments.

97. 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.

[The Chairman thanked Ms Hannah H.N. Yick and Mr Tim T.Y. Fung, STPs/STN, for their attendance to answer Members' enquiries. They left the meeting at this point.]

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

[Ms Ivy C.W. Wong and Ms Irene W.S. Lai, Senior Town Planners/Fanling, Sheung Shui and Yuen Long East (STPs/FSYLE), were invited to the meeting at this point.]

**Agenda Item 31**

**Section 16 Application**

[Open Meeting]

A/KTN/70                      Proposed Minor Relaxation of Maximum Plot Ratio Restriction for Permitted Residential Development in "Residential (Group B)" Zone, Lots 1009 (Part), 1010 (Part), 1011 (Part), 1012 (Part), 1013 (Part), 1014 (Part) and 1015 (Part) in D.D. 95 and Adjoining Government Land, Kwu Tung North  
(RNTPC Paper No. A/KTN/70B)

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98.            The Secretary reported that the application site was located in Kwu Tung North. The application was submitted by Hilder Company Limited which was a subsidiary of CK Hutchison Holdings Limited (CKHH). Mott MacDonald Hong Kong Limited (Mott) was one of the consultants of the applicant. The following Members had declared interests on the item:

- |                |   |                                                                   |
|----------------|---|-------------------------------------------------------------------|
| Mr K.K. Cheung | - | his firm having current business dealings with CKHH and Mott; and |
| Dr C.H. Hau    | - | owning a property in Kwu Tung North area.                         |

99.            The Committee noted that the applicant had requested deferment of consideration of the application. As Mr K.K. Cheung had no involvement in the application and the property of Dr C.H. Hau had no direct view of the application site, the Committee agreed that

they could stay in the meeting.

100. The Committee noted that the applicant's representative requested on 9.12.2020 deferment of consideration of the application for a period of two months so as to allow time to prepare further information to address departmental comments. It was the third time that the applicant requested deferment of the application. Since the last deferment, the applicant had submitted further information to address departmental comments.

101. After deliberation, the Committee decided to defer a decision on the application as requested by the applicant pending the submission of further information from the applicant. The Committee agreed that the application should be submitted for its consideration within two months from the date of receipt of further information from the applicant. If the further information submitted by the applicant was not substantial and could be processed within a shorter time, the application could be submitted to an earlier meeting for the Committee's consideration. The Committee also agreed to advise the applicant that two months were allowed for preparation of the submission of the further information. 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 31A**

Additional Item

Section 16 Application

[Open Meeting]

A/FLN/22

Proposed Temporary Shop and Services, Place of Entertainment, Place of Recreation, Sports or Culture (Barbecue Site) and Public Vehicle Park (excluding container vehicle) for a Period of 3 Years in “Agriculture”, “Government, Institution or Community”, “Open Space”, “Other Specified Uses” annotated “Sewage Pumping Station”, “Other Specified Uses” annotated “Amenity Area” Zones and area shown as ‘Road’, Lots 517 RP, 518 RP, 521 RP, 522, 523 RP, 524 RP, 525, 526, 527 RP, 532 RP (Part), 533 RP (Part), 534 RP (Part), 539 (Part), 540 (Part), 541 (Part), 542 (Part), 543 (Part), 544, 545, 547 (Part), 548 (Part), 551 (Part), 552 and 553 in D.D. 51 and Adjoining Government Land, Sheung Shui  
(RNTPC Paper No. A/FLN/22B)

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102. The Committee noted that the applicants’ representative requested on 11.12.2020 deferment of consideration of the application for a period of two months so as to allow time to prepare further information to address departmental comments. It was the third time that the applicants requested deferment of the application. Since the last deferment, the applicants had submitted further information to address departmental comments.

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

**Agenda Item 32**

**Section 16 Application**

[Open Meeting (Presentation and Question Sessions Only)]

A/YL-KTN/717 Proposed Temporary Eating Place and Public Vehicle Park (excluding Container Vehicle) for a Period of 3 Years in “Village Type Development” Zone, Lots 594 RP and 595 RP in D.D. 109, Chi Ho Road, Kam Tin, Yuen Long  
(RNTPC Paper No. A/YL-KTN/717A)

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**Presentation and Question Sessions**

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

- (a) background to the application;
- (b) the proposed temporary eating place and public vehicle park (excluding container vehicle) for a period of three years;
- (c) departmental comments were set out in paragraph 10 of the Paper;
- (d) during the statutory publication period, one public comment from an individual objecting to the application was received. Major views were set out in paragraph 11 of the Paper; and
- (e) the Planning Department (PlanD)’s views – PlanD had no objection to the application based on the assessments set out in paragraph 12 of the Paper, Whilst the proposed use was not entirely in line with the planning intention of the “Village Type Development” (“V”) zone, it was considered not incompatible with the surrounding area. The District Lands Officer/Yuen Long of Lands Department advised that there was no Small House application approved or under processing at the application site. Approval of the application on a temporary basis of three years would not jeopardise the long-term planning intention of the “V” zone. Other concerned

government departments had no objection to or no adverse comment on the application. To minimise any possible environmental nuisance, appropriate approval conditions were recommended. Regarding the public comment, the comments of government departments and planning assessments above were relevant.

105. Members had no question on the application.

#### Deliberation Session

106. After deliberation, the Committee decided to approve the application on a temporary basis for a period of 3 years until 18.12.2023, on the terms of the application as submitted to the Town Planning Board (TPB) and subject to the following conditions:

- “(a) no operation between 10:00 p.m. and 8:00 a.m. for the eating place, as proposed by the applicant, is allowed on the site during the planning approval period;
- (b) no medium or heavy goods vehicles exceeding 5.5 tonnes, including container tractor/trailer, as defined in the Road Traffic Ordinance are allowed to be parked/stored on or enter/exit the site at any time during the planning approval period;
- (c) 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;
- (d) 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;
- (e) no vehicle is allowed to queue back to or reverse onto/from public road at



any time during the planning approval period;

- (f) the submission of a 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 18.6.2021;
- (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 18.9.2021;
- (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 18.6.2021;
- (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 18.9.2021;
- (k) if any of the above planning conditions (a), (b), (c), (d), (e) or (h) is not complied with during the planning approval period, the approval hereby given shall cease to have effect and shall be revoked immediately without further notice; and
- (l) if any of the above planning conditions (f), (g), (i) or (j) is not complied with by the specified date, the approval hereby given shall cease to have effect and shall on the same date be revoked without further notice.”

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

**Agenda Item 33**

**Section 16 Application**

[Open Meeting]

A/YL-KTN/721      Proposed Temporary Animal Boarding Establishment (Dog Kennel) for a Period of 3 Years in “Agriculture” Zone, Lots 207 S.B (Part) and 207 RP (Part) in D.D. 110, Tai Kong Po, Kam Tin, Yuen Long  
(RNTPC Paper No. A/YL-KTN/721A)

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108.            The Committee noted that the applicant’s representative requested on 8.12.2020 deferment of consideration of the application for two months so as to allow time to prepare further information to address departmental comments. It was the second time that the applicant requested deferment of the application. Since the last deferment, the applicant had submitted further information to address departmental comments.

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. 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 34**

**Section 16 Application**

[Open Meeting (Presentation and Question Sessions Only)]

A/YL-KTN/736 Temporary Shop and Services and Eating Place (Outside Seating Accommodation) with Ancillary Parking Spaces for a Period of 3 Years in “Village Type Development” and “Residential (Group B)” Zones, Lots 216 S.S ss.2 RP, 216 S.S RP, 237 S.B RP, 237 S.B ss.3 RP, 237 S.B ss.3 S.A, 237 S.B ss.4 S.A, 237 S.B ss.4 S.B, 237 S.B ss.4 RP, 237 S.B ss.5 RP (Part), 237 S.B ss.11 RP, 237 S.B ss.12 RP, 237 S.B ss.13 RP and 237 S.B ss.14 RP in D.D.103 and Adjoining Government Land, Ko Po Tsuen, Kam Tin, Yuen Long  
(RNTPC Paper No. A/YL-KTN/736)

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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) the temporary shop and services, eating places (with outside seating accommodation) and ancillary parking spaces for a period of three years;
- (c) departmental comments were set out in paragraph 10 of the Paper;
- (d) during the statutory publication period, two public comments from individuals objecting to the application were received. Major views were set out in paragraph 11 of the Paper; and
- (e) the Planning Department (PlanD)’s views – PlanD had no objection to the application based on the assessments set out in paragraph 12 of the Paper. The applied use was not entirely in line with the planning intention of the “Village Type Development” (“V”) zone. The District Lands Officer/Yuen Long of Lands Department advised that there was no Small House application approved or under processing at the application site. Approval of the application on a temporary basis for a period of three years

would not jeopardise the long-term planning intention of the “V” zone. For the area falling within “R(B)” zone, it was a local track. The applied use was considered not incompatible with the surrounding environment. The application was generally in line with the Town Planning Board Guidelines No. 15A in that the applied use was located at the fringe of the “V” zone and residential cluster of Ko Po Tsuen. To minimise any possible environmental nuisance and to address the technical requirements of the relevant government departments, appropriate approval conditions were recommended. Other concerned government departments had no objection to or no adverse comment on the application. Approval of the application was in line with the Committee’s previous decisions. Regarding the public comments, the comments of government departments and planning assessments above were relevant.

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 18.12.2023, on the terms of the application as submitted to the Town Planning Board (TPB) and subject to the following conditions:

- “(a) no operation between 11:00 p.m. and 7:00 a.m., as proposed by the applicant, is allowed on the site during the planning approval period;
- (b) no medium or heavy goods vehicles exceeding 5.5 tonnes, including container tractor/trailer, as defined in the Road Traffic Ordinance are allowed to be parked/stored on or enter/exit the site at any time during the planning approval period;
- (c) no vehicle is allowed to queue back to or reverse onto/from public road at any time during the planning approval period;
- (d) the existing drainage facilities on the site shall be maintained at all times

during the planning approval period;

- (e) the submission of a record of the existing drainage facilities on the site within 3 months from the date of planning approval to the satisfaction of the Director of Drainage Services or of the TPB by 18.3.2021;
- (f) the submission of a fire service installations proposal within 6 months from the date of planning approval to the satisfaction of Director of Fire Services or of the TPB by 18.6.2021;
- (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 Director of Fire Services or of the TPB by 18.9.2021;
- (h) if any of the above planning conditions (a), (b), (c) or (d) is not complied with during the planning approval period, the approval hereby given shall cease to have effect and shall be revoked immediately without further notice; and
- (i) if any of the above planning conditions (e), (f) or (g) is not complied with by the specified date, the approval hereby given shall cease to have effect and shall on the same date be revoked without further notice.”

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

**Agenda Item 35**

**Section 16 Application**

[Open Meeting (Presentation and Question Sessions Only)]

A/YL-KTN/737 Proposed Temporary Public Vehicle Park (excluding Container Vehicle) for a Period of 5 Years in “Village Type Development” Zone, Lots 171 S.A RP (Part) and 171 S.B (Part) in D.D.109, Kam Hing Wai, Kam Tin, Yuen Long  
(RNTPC Paper No. A/YL-KTN/737)

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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) the proposed temporary public vehicle park (excluding container vehicle) for a period of five years;
- (c) departmental comments were set out in paragraph 9 of the Paper;
- (d) during 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 based on the assessments set out in paragraph 11 of the Paper. While the proposed use was not entirely in line with the planning intention of the “Village Type Development” (“V”) zone, it was considered not incompatible with the surrounding area. Approval of the application on a temporary basis for 5 years would not jeopardise the long-term planning intention of the “V” zone. The District Lands Officer/Yuen Long of Lands Department advised that there was no Small House application approved or under processing at the application site. To minimise any

potential nuisance and to address the technical requirements of the relevant government departments, appropriate approval conditions were recommended. Other concerned government departments had no objection to or no adverse comment on the application. Approval of the application was in line with the Committee's previous decision. Regarding the public comments, the comments of government departments and planning assessments above were relevant.

115. Members had no question on the application.

### Deliberation Session

116. After deliberation, the Committee decided to approve the application on a temporary basis for a period of 5 years until 18.12.2025, 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) 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;
- (c) 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;
- (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 18.6.2021;
- (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 18.9.2021;
- (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 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 18.6.2021;
- (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 18.9.2021;
- (j) if any of the above planning conditions (a), (b), (c), (d) or (g) is not complied with during the planning approval period, the approval hereby given shall cease to have effect and shall be revoked immediately without further notice; and
- (k) if any of the above planning conditions (e), (f), (h) or (i) is not complied with by the specified date, the approval hereby given shall cease to have effect and shall on the same date be revoked without further notice.”

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 36**

**Section 16 Application**

[Open Meeting (Presentation and Question Sessions Only)]

A/YL-KTN/738      Proposed Temporary Shop and Services with Ancillary Office for a Period of 5 years in “Village Type Development” Zone, Lots 1613 S.C, 1613 S.D and 1613 S.F (Part) in D.D. 107, Sha Po Tsuen, Kam Tin, Yuen Long  
(RNTPC Paper No. A/YL-KTN/738)

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**Presentation and Question Sessions**

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

- (a) background to the application;
- (b) the proposed temporary shop and services with ancillary office for a period of five years;
- (c) departmental comments were set out in paragraph 9 of the Paper;
- (d) during the statutory publication period, one public comment from an individual objecting to the application was 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. While the proposed use was not entirely in line with the planning intention of the “Village Type Development” (“V”) zone, it was considered not incompatible with the surrounding area. Temporary approval of the application would not jeopardise the long-term planning intention of the “V” zone. The District Lands Officer/Yuen Long of Lands Department advised that there was no Small House application approved or under processing at the application site. The proposed use would unlikely

generate significant adverse traffic and drainage impacts on and environmental nuisance to the surrounding area. To minimise the possible environmental nuisance and to address the technical requirement of the relevant government departments, appropriate approval conditions were recommended. Other concerned government departments had no objection to or no adverse comment on the application. Regarding the public comment, the comments of government departments and planning assessments above were relevant.

119. Members had no question on the application.

### Deliberation Session

120. After deliberation, the Committee decided to approve the application on a temporary basis for a period of 5 years until 18.12.2025, on the terms of the application as submitted to the Town Planning Board (TPB) and subject to the following conditions:

- “(a) no operation between 7:00 p.m. and 9:00 a.m., as proposed by the applicant, is allowed on the site during the planning approval period;
- (b) no medium or heavy goods vehicles exceeding 5.5 tonnes, including container tractors/trailers, as defined in the Road Traffic Ordinance are allowed to be parked/stored on or enter/exit the site at any time during the planning approval period;
- (c) no vehicle 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 6 months from the date of planning approval to the satisfaction of the Director of Drainage Services or of the TPB by 18.6.2021;
- (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 18.9.2021;

- (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 18.6.2021;
- (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 18.9.2021;
- (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.”

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

**Agenda Item 37**

**Section 16 Application**

[Open Meeting]

A/YL-KTS/855 Proposed Temporary Public Vehicle Park (excluding Container Vehicle) for a Period of 5 Years in “Residential (Group C)” Zone, Lot 350 in D.D. 109, Kam Tin, Yuen Long  
(RNTPC Paper No. A/YL-KTS/855A)

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122. The Committee noted that the applicant's representative requested on 3.12.2020 deferment of consideration of the application for two months so as to allow time to prepare further information to address departmental comments. It was the second time that the applicant requested deferment of the application. Since the last deferment, the applicant had submitted further information to address departmental comments.

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

### **Agenda Item 38**

#### **Section 16 Application**

[Open Meeting]

A/YL-KTS/864 Proposed Temporary Shop and Services for a Period of 3 Years in "Residential (Group D)" Zone, Lots 455 S.B (Part) and 475 (Part) in D.D. 106, Kam Sheung Road, Kam Tin, Yuen Long  
(RNTPC Paper No. A/YL-KTS/864)

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124. The Committee noted that the applicant's representative requested on 9.12.2020 deferment of consideration of the application for two months so as to allow time to prepare 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 39**

#### **Section 16 Application**

[Open Meeting]

A/YL-KTS/865      Temporary Open Storage of Construction Machinery, Construction Material, Vehicle and Vehicle Parts for a Period of 3 Years in "Other Specified Uses" annotated "Rural Use" Zone, Lots 447 RP (Part) and 448 (Part) in D.D. 106 and Adjoining Government Land, Kam Sheung Road, Kam Tin, Yuen Long  
(RNTPC Paper No. A/YL-KTS/865)

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126.      The Committee noted that the applicant's representative requested on 9.12.2020 deferment of consideration of the application for two months so as to allow time to prepare further information to address departmental comments. It was the first time that the applicant requested deferment of the application.

127.      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 40**

**Section 16 Application**

[Open Meeting (Presentation and Question Sessions Only)]

A/YL-KTS/866 Proposed Temporary Place of Recreation, Sports or Culture (Hobby Farm) and ancillary cooperative society for a period of 5 years in “Agriculture” Zone, Lots 44RP, 56 RP and 57 RP and Adjoining Government Land in D.D. 113, Pat Heung, Yuen Long  
(RNTPC Paper No. A/YL-KTS/866)

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**Presentation and Question Sessions**

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

- (a) background to the application;
- (b) the proposed temporary place of recreation, sports or culture (hobby farm) and ancillary cooperative society for a period of five years;
- (c) departmental comments were set out in paragraph 9 of the Paper;
- (d) during the statutory publication period, two public comments, with one from the Hong Kong Bird Watching Society objecting to the application and the other one from Kadoorie Farm and Botanic Garden providing views, 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 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 the

agricultural point of view. Approval of the application on a temporary basis of five years would not jeopardise the long-term planning intention of the “AGR” zone. The proposed use was considered not incompatible with the surrounding area and would unlikely cause significant adverse environmental, traffic and drainage impacts on the surrounding area. Concerned government departments had no objection to or no adverse comment on the application. To minimise any possible environmental nuisance and to address the technical requirements of the relevant government departments, appropriate approval conditions were recommended. Regarding the public comments, the comments of government departments and planning assessments above were relevant.

129. Members had no question on the application.

#### Deliberation Session

130. After deliberation, the Committee decided to approve the application on a temporary basis for a period of 5 years until 18.12.2025, on the terms of the application as submitted to the Town Planning Board (TPB) and subject to the following conditions:

- “(a) no public announcement system, portable loudspeaker or any form of audio amplification system, as proposed by the applicants, is allowed to be used on the site at any time during the planning approval period;
- (b) 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 18.6.2021;
- (c) in relation to (b) 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 18.9.2021;
- (d) in relation to (c) above, the implemented drainage facilities on the site shall be maintained at all times during the planning approval period;

- (e) the submission of a fire service installations proposal within 6 months from the date of planning approval to the satisfaction of the Director of Fire Services or of the TPB by 18.6.2021;
- (f) in relation to (e) above, the implementation of the fire service installations proposal within 9 months from the date of planning approval to the satisfaction of the Director of Fire Services or of the TPB by 18.9.2021;
- (g) if any of the above planning conditions (a) or (d) is not complied with during the planning approval period, the approval hereby given shall cease to have effect and shall be revoked immediately without further notice; and
- (h) if any of the above planning conditions (b), (c), (e) or (f) is not complied with by the specified date, the approval hereby given shall cease to have effect and shall on the same date be revoked without further notice.”

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

#### **Agenda Item 41**

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

[Open Meeting (Presentation and Question Sessions Only)]

A/YL-KTS/867      Proposed Temporary Animal Boarding Establishment for a period of 5 years and filling of land in “Agriculture” Zone, Government Land in D.D.103, Ko Po San Tsuen, Kam Tin, Yuen Long  
(RNTPC Paper No. A/YL-KTS/867)

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

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



- (a) background to the application;
- (b) the proposed temporary animal boarding establishment for a period of five years and filling of land;
- (c) departmental comments were set out in paragraph 9 of the Paper;
- (d) no public comment was received during the statutory publication period; and
- (e) the Planning Department (PlanD)'s views – PlanD had no objection to the application based on the assessments set out in paragraph 11 of the Paper. While the proposed use was not entirely in line with the planning intention of the “Agriculture” zone, it was considered not incompatible with the surrounding area. Although the Director of Agriculture, Fisheries and Conversation did not support the application as the site possessed potential for agricultural rehabilitation, approval of the application on a temporary basis of five years would not jeopardise the long-term planning intention of the area. The Secretary for Development supported the application as it was in line with government’s policy initiatives on land utilisation, as well as providing stray animals a place to live in prior to being homed or adopted. To minimise any possible environmental nuisance and to address the technical requirement of the relevant government departments, appropriate approval conditions were recommended. Other concerned government departments had no objection to or no adverse comment on the application. Approval of the application was in line with the Committee’s previous decision.

133. Members had no question on the application.

#### Deliberation Session

134. After deliberation, the Committee decided to approve the application on a temporary basis for a period of 5 years until 18.12.2025, on the terms of the application as

submitted to the Town Planning Board (TPB) and subject to the following conditions:

- “(a) no operation between 9:00 p.m. and 9:00 a.m. (except for 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 structure between 9:00 p.m. and 9:00 a.m, as proposed by the applicant, at all times during the planning approval period;
- (c) no public announcement system, portable loudspeaker, any form of amplification system, or whistle blowing is allowed to be used on 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 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 18.6.2021;
- (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 18.9.2021;
- (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 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 18.6.2021;
- (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 18.9.2021;

- (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 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.”

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

## **Agenda Item 42**

### **Section 16 Application**

[Open Meeting (Presentation and Question Sessions Only)]

A/YL-PH/862            Proposed Temporary Public Vehicle Park and Office for a Period of 3 Years in “Residential (Group D)” Zone, Lots 78 S.A (Part), 93 (Part) and 94 (Part) in D.D. 108, Fan Kam Road, Pat Heung, Yuen Long  
(RNTPC Paper No. A/YL-PH/862)

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### **Presentation and Question Sessions**

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

- (a) background to the application;

- (b) the proposed temporary vehicle park and office for a period of three years;
- (c) departmental comments were set out in paragraph 9 of the Paper;
- (d) during 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 considered that the proposed use could be tolerated for a period of three years based on the assessments set out in paragraph 11 of the Paper. While the proposed use was not in line with the planning intention of the “Residential Group D” (“R(D)”) zone, there was no known programme for permanent development at the concerned part of the “R(D)”) zone. Approval of the application on a temporary basis would not jeopardise the long-term planning intention of the “R(D)”) zone. The proposed use was considered not incompatible with the surrounding area. To minimise the possible environmental nuisance and to address the technical requirements of the relevant government departments, appropriate approval conditions were recommended. Other concerned government departments had no objection to or no adverse comment on the application. Approval of the application was in line with the Committee's previous decisions. Regarding the public comments, the comments of government departments and planning assessments above were relevant.

137. Members had no question on the application.

#### Deliberation Session

138. After deliberation, the Committee decided to approve the application on a temporary basis for a period of 3 years until 18.12.2023, 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 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 18.6.2021;
- (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 18.9.2021;
- (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 18.6.2021;
- (i) if any of the above planning conditions (a), (b), (c), (d) or (g) is not

complied with during the planning approval period, the approval hereby given shall cease to have effect and shall be revoked immediately without further notice; and

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

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

### **Agenda Item 43**

#### **Section 16 Application**

[Open Meeting (Presentation and Question Sessions Only)]

A/YL-MP/300 Temporary Shop and Services (Real Estate Agency and Retail Store) with Ancillary Staff Canteen and Site Office for a Period of 3 Years in “Open Space” Zone, Lot 2905 S.C RP (Part) in D.D.104 and Adjoining Government Land, Mai Po, Yuen Long  
(RNTPC Paper No. A/YL-MP/300)

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140. The Secretary reported that the application site was in Mai Po. Mr K.W. Leung had declared an interest on the item for owning a property in Mai Po.

141. The Committee noted that Mr K.W. Leung had tendered an apology for being unable to attend the meeting.

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

142. Ms Irene W.S. Lai, STP/FSYLE, presented the application and covered the following aspects as detailed in the Paper:

- (a) background to the application;

- (b) the temporary shop and services (real estate agency and retail store) with ancillary staff canteen and site office for a period of three years;
- (c) departmental comments were set out in paragraph 10 of the Paper;
- (d) during the statutory publication period, four public comments from a Yuen Long District Council member, the San Tin Rural Committee and two individuals objecting to/raising concern 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 had no objection to the application based on the assessments set out in paragraph 12 of the Paper. Although the applied use was not in line with the planning intention of the “Open Space” (“O”) zone, approval of the application on a temporary basis of three years would not frustrate the long-term planning intention of the “O” zone. There was no development programme for implementing the planned open space at the present stage, and the Director of Leisure and Cultural Services had no objection to the application. The applied use was considered not incompatible with the surrounding area. Whilst the site was within the Wetland Buffer Area of the Town Planning Board Guidelines No. 12C, the guidelines specified that planning applications for temporary uses were exempted from the requirement of Ecological Impact Assessment (EcoIA). The Director of Agriculture, Fisheries and Conservation had no comment on the application from nature conservation point of view. To mitigate any potential environmental impacts and to address the technical requirements of the relevant government departments, appropriate approval conditions were recommended. Other concerned government departments had no objection to or no adverse comment on the application. Approval of the application was in line with the Committee's previous decisions. Regarding the public comments, the comments of government departments and planning assessments above were relevant.

143. Members had no question on the application.

Deliberation Session

144. After deliberation, the Committee decided to approve the application on a temporary basis for a period of 3 years until 18.12.2023, on the terms of the application as submitted to the Town Planning Board (TPB) and subject to the following conditions:

- “(a) no operation between 7:30 p.m. and 9:30 a.m., as proposed by the applicant, is allowed on the site during the planning approval period;
- (b) only private car is allowed to enter/park at the site at all times during the planning approval period;
- (c) no vehicle is allowed to queue back to or reverse onto/from the site at any time during the planning approval period;
- (d) the maintenance of paving and boundary fencing on the site at all times during the planning approval period;
- (e) the maintenance of all existing trees on the site at all times during the planning approval period;
- (f) the maintenance of the existing drainage facilities on the site at all times during the planning approval period;
- (g) in relation to (f) above, the submission of records of the existing drainage facilities on the site within 3 months from the date of planning approval to the satisfaction of the Director of Drainage Services or of the TPB by 18.3.2021;
- (h) 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 18.3.2021;
- (i) in relation to (h) 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 18.6.2021;

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

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

#### **Agenda Item 44**

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

[Open Meeting (Presentation and Question Sessions Only)]

A/YL-NSW/282      Proposed Residential Development and Minor Relaxation of Plot Ratio and Building Height Restrictions with Filling of Land and Excavation of Land in “Residential (Group D)1” Zone, Government Land in D.D. 115 at Chung Yip Road, Nam Sang Wai, Yuen Long  
(RNTPC Paper No. A/YL-NSW/282)

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146. The Secretary reported that the application was submitted by the Lands Department (LandsD). The following Members had declared interests on the item:

Mr Alan K. L. Lo      -      being the Assistant Director of LandsD; and

Mr K.K. Cheung - his firm having current business dealings with LandsD.

147. As the interest of Mr Alan K. L. Lo was direct, the Committee agreed that he should be invited to 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 Alan K.L. Lo left the meeting temporarily at this point.]

#### Presentation and Question Sessions

148. Ms Irene W.S. Lai, STP/FSYLE, presented the application and covered the following aspects as detailed in the Paper:

- (a) background to the application;
- (b) the proposed residential development and minor relaxation of plot ratio (PR) and building height (BH) restrictions with filling of land and excavation of land;
- (c) departmental comments were set out in paragraph 10 of the Paper;
- (d) during the statutory publication period, a total of 28 public comments were received from a Yuen Long District Council member, Hong Kong Bird Watching Society, The Conservancy Association, Designing Hong Kong Limited, Hong Kong Wild Bird Conservation Concern Group, representatives of Shan Pui Chung Hau Tsuen, Indigenous Inhabitant Representative of Shan Pui Tsuen and individuals objecting to the application were received. Major views were set out in paragraph 11 of the Paper; and
- (e) the Planning Department (PlanD)'s views – PlanD had no objection to the application based on the assessments set out in paragraph 12 of the Paper. The proposed development was in line with the planning intention of the “Residential (Group D) 1” (“R(D)1”) zone. The proposed residential

development would prevent further environmental degradation and achieve the “R(D)1” zoning intention of upgrading the rural areas. The proposed minor relaxation of PR restriction which produced an additional 19 flats was in line with the government policy to boost housing supply. The low-rise (three storeys) and low-density built form of the proposed development was considered not incompatible with the surrounding urban fringe setting. The Chief Town Planner/Urban Design and Landscape of PlanD considered that the proposed development would unlikely induce significant visual impact on the surrounding areas. The Agriculture, Fisheries and Conservation Department (AFCD) considered that the proposal was in line with the principle of “no-net-loss in wetland” under the Town Planning Board Guidelines No. 12C, and concurred with the findings of the EcoIA. To ensure that the technical requirements of the relevant government departments would be incorporated in the lease conditions of the site, appropriate approval conditions were recommended. Other concerned government departments had no objection to or no adverse comment on the application. Regarding the public comments, the comments of government departments and planning assessments above were relevant.

149. Members had no question on the application.

#### Deliberation Session

150. Members noted that the application concerned a land sale site, and generally considered that the application could be supported as the relevant technical assessments had been conducted and the technical concerns could be addressed through the lease conditions, as appropriate. A Member noted from some public comments that the proposed PR and flat number were too conservative in meeting housing need and considered that the relevant government departments should better utilise land resources by optimising the development intensity in view that the surrounding developments were of medium intensity. Another Member raised concern on the potential ecological impact such as light pollution that might be generated by the proposed development on the surrounding environment. In that regard, the meeting noted that the precautionary measures identified in the EcoIA would be further

considered by AFCD under the lease condition, where appropriate.

151. 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 18.12.2024, 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 inclusion of the requirements of implementation of the precautionary measures identified in the submitted Ecological Impact Assessment in the lease conditions of the site to the satisfaction of the Director of Agriculture, Fisheries and Conservation or of the TPB;
- (b) the inclusion of the requirements of designation of “non-residential area” in the southern portion of the site in the lease conditions of the site to the satisfaction of the Director of Electrical and Mechanical Services or of the TPB;
- (c) the inclusion of the requirements of designation of non-air sensitive uses at the northern tip of the site in the lease conditions of the site to the satisfaction of the Director of Environmental Protection or of the TPB;
- (d) the inclusion of the requirements of submission of Noise Impact Assessment and implementation of mitigation measures identified therein in the lease conditions of the site to the satisfaction of the Director of Environmental Protection or of the TPB;
- (e) the inclusion of the requirements of submission of Sewerage Impact Assessment and implementation of mitigation measures identified therein in the lease conditions of the site to the satisfaction of the Director of Environmental Protection or of the TPB;
- (f) the inclusion of the requirements of submission of Drainage Impact Assessment, implementation of mitigation measures identified therein and

maintenance of the drainage facilities for the proposed development in the lease conditions of the site to the satisfaction of the Director of Drainage Services or of the TPB;

- (g) the inclusion of the requirements of submission of a traffic review report and implementation of mitigation measures identified therein in the lease conditions of the site to the satisfaction of the Commissioner for Transport or of the TPB;
- (h) the inclusion of the requirements of provision of parking and loading/unloading facilities in the lease conditions of the site to the satisfaction of the Commissioner for Transport or of the TPB; and
- (i) the inclusion of the requirements of the design and provision of road modification for vehicular access in the lease conditions of the site to the satisfaction of the Commissioner for Transport and the Director of Highways or of the TPB.”

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

[Mr Alan K.L. Lo returned to join the meeting at this point.]

**Agenda Item 45**

**Section 16 Application**

[Open Meeting (Presentation and Question Sessions Only)]

A/YL-ST/580            Temporary Open Storage of General Goods, Construction Materials and Machineries and Public Vehicle Park (Excluding Container Vehicles) with Ancillary Site Office and Guard Room for a Period of 3 Years in “Undetermined” Zone, Lots 250 S.B RP (Part), 252 RP (Part), 271, 272, 273, 274, 275 and 276 S.B ss.1 in D.D. 99 and Adjoining Government Land, San Tin, Yuen Long  
(RNTPC Paper No. A/YL-ST/580)

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**Presentation and Question Sessions**

153.            Ms Irene W.S. Lai, STP/FSYLE, presented the application and covered the following aspects as detailed in the Paper:

- (a) background to the application;
- (b) the temporary open storage of general goods, construction materials and machineries and public vehicle park (excluding container vehicles) with ancillary site office and guard room for a period of three years;
- (c) departmental comments were set out in paragraph 10 of the Paper;
- (d) during the statutory publication period, two public comments from individuals objecting to the application were received. Major views were set out in paragraph 11 of the Paper; and
- (e) the Planning Department (PlanD)’s views – PlanD had no objection to the application based on the assessments set out in paragraph 12 of the Paper. The application site (the Site) was currently used for the applied use with valid planning permissions granted under applications No. A/YL-ST/542 and 543 till 17.5.2022 and 31.5.2022. The “Undetermined” (“U”) zoning for the Site was for the planning and development of the Sheung Shui to

Lok Ma Chau Spur Line and the proposed Northern Link (NOL) railway system. The programme and alignment of NOL were still under review. The Chief Engineer/Railway Development of Highways Department had no in-principle objection to the application from railway development viewpoint. The applied use was considered not incompatible with the surrounding area. The Site was within the Wetland Buffer Area of the Town Planning Board Guidelines No.12C which specified that planning applications for temporary uses were exempted from the requirement of an Ecological Impact Assessment. The Site fell within Category 1 area which was considered suitable for open storage and port back up uses. The application was in line with the Town Planning Board Guidelines No. 13F in that adverse traffic, environmental and infrastructure impacts were not anticipated. Concerned government departments had no objection to or no adverse comment on the application. To address the possible environmental nuisances and technical requirements of the relevant government departments, appropriate approval conditions were recommended. Regarding the public comments, the comments of government departments and planning assessments above were relevant.

154. Members had no question on the application.

#### Deliberation Session

155. After deliberation, the Committee decided to approve the application on a temporary basis for a period of 3 years until 18.12.2023, on the terms of the application as submitted to the Town Planning Board (TPB) and subject to the following conditions:

- “(a) no operation for the open storage use 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 vehicle other than private car and light goods vehicle is allowed to access the site at any time during the planning approval period;

- (c) no vehicle is allowed to queue back to or reverse onto/from the site at any time during the planning approval period;
- (d) the 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 18.6.2021;
- (e) in relation to (d) 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 18.9.2021;
- (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 provision of fire extinguisher(s) within 6 weeks from the date of planning approval to the satisfaction of the Director of Fire Services or of the TPB by 29.1.2021;
- (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 18.6.2021;
- (i) in relation to (h) above, the provision of the fire service installations within 9 months from the date of planning approval to the satisfaction of the Director of Fire Services or of the TPB by 18.9.2021;
- (j) the maintenance of boundary fencing on the site at all times during the planning approval period;
- (k) if any of the above planning conditions (a), (b), (c), (f) or (j) is not complied with during the planning approval period, the approval hereby given shall cease to have effect and shall be revoked immediately without further notice; and



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

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

[The Chairman thanked Ms Ivy C.W. Wong and Ms Irene W.S. Lai, STPs/FSYLE, for their attendance to answer Members’ enquiries. They left the meeting at this point.]

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

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

### **Agenda Item 46**

#### **Section 16 Application**

[Open Meeting]

A/TM/554 Proposed House Development in “Green Belt” Zone and area shown as ‘Road’, 430 Castle Peak Road, Tuen Mun (Ping Shan Inland Lot No. 6)  
(RNTPC Paper No. A/TM/554)

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157. The Secretary reported that the application was submitted by Deltum Company Limited (Deltum). Mr K.K. Cheung had declared an interest on the item for his firm having current business dealings with Deltum.

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

159. The Committee noted that the applicant's representative requested on 1.12.2020 deferment of consideration of the application for two months so as to allow time to prepare further information to address departmental comments. It was the first time that the applicant requested deferment of the application.

160. 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 47**

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

[Open Meeting (Presentation and Question Sessions Only)]

A/TM/555 Proposed Shop and Services (Real Estate Agency) in "Open Space"  
Zone, Shop C, Tuen Mun Ferry Pier, Tuen Mun  
(RNTPC Paper No. A/TM/555)

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

161. Ms Janet K.K. Cheung, STP/TMYLW, presented the application and covered the following aspects as detailed in the Paper:

- (a) background to the application;
- (b) the proposed shop and services (real estate agency);

- (c) departmental comments were set out in paragraph 8 of the Paper;
- (d) during the statutory publication period, one public comment from an individual objecting to the application was 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 application based on the assessments set out in paragraph 10 of the Paper. While the proposed shop and services use was not in line with the planning intention of the “Open Space” zone, the subject premises was confined within the existing structure of the pier and would not affect the existing public open space at Tuen Mun Promenade. It was considered not unacceptable from open space provision point of view. The proposed use was considered not incompatible with the pier use and would provide convenient services to the customers. The Ferry and Paratransit Division of Transport Department had no adverse comment on the application as it would help generate non-fare box revenue to subsidise the ferry operation. Other concerned government departments had no objection to or no adverse comment on the application. No significant adverse impact on the surrounding area was anticipated. As there were approved previous and similar applications, approval of the 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.

162. In response to a Member's question, Ms Janet K.K. Cheung, STP/TMYLW, said that Tuen Mun Ferry Pier provided local ferry services between Tuen Mun and Tai O (via Tung Chung and Sha Lo Wan) operated by the applicant and cross-boundary ferry services to and from Macau (currently suspended).

#### Deliberation Session

163. 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 18.12.2024, and after the said date, the permission should cease to have effect unless before the said date, the development permitted was commenced or the permission was renewed. The permission was subject to the following condition:

“the provision of fire service installations and equipment to the satisfaction of the Director of Fire Services or of the TPB.”

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

### **Agenda Item 48**

#### **Section 16 Application**

[Open Meeting]

A/TM/556                      Proposed Revitalisation of Watervale House for Eating Place, Place of Recreation, Sports or Culture and School in “Residential (Group B)” Zone, Watervale House, Former Gordon Hard Camp, Castle Peak Road – Castle Peak Bay, Tuen Mun  
(RNTPC Paper No. A/TM/556)

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165. The Secretary reported that Beria Consultants Limited (Beria) was one of the consultants of the applicant. Mr K.K. Cheung had declared an interest on the item for his firm having past business dealings with Beria.

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

167. The Committee noted that the applicant’s representative requested on 2.12.2020 and 3.12.2020 deferment of consideration of the application for one month so as to allow time to prepare further information to address departmental comments. It was the first time that the applicant requested deferment of the application.

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

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

### **Agenda Item 49**

#### **Further Consideration of Section 16 Application**

[Open Meeting (Presentation and Question Sessions Only)]

A/TM-SKW/105      Further Consideration of Section 16 Application  
Proposed Public Utility Installation (Solar Energy System) in “Green Belt” Zone, Lot 37 in D.D. 383, So Kwun Wat Village, Tuen Mun  
(RNTPC Paper No. A/TM-SKW/105A)

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

169.      Ms Janet K.K. Cheung, STP/TMYLW, presented the application and covered the following aspects as detailed in the Paper:

- (a) background to the application – during the consideration of the application on 29.11.2019, the Committee decided to defer a decision on the application pending the formulation of assessment criteria on applications for installation of solar energy system. The assessment criteria was promulgated on 21.7.2020;
- (b) the proposed public utility installation (solar energy system);
- (c) departmental comments were set out in paragraph 4 of the Paper, as well as paragraph 10 of Appendix F-I; and

- (d) the Planning Department (PlanD)'s views – PlanD did not support the application based on the assessments set out in paragraph 5 of the Paper. The proposed development was not in line with the planning intention of “Green Belt” (“GB”) zone and no strong justification had been given in the submission for a departure from the planning intention of the zone. The proposed solar energy system with 616 solar panels and two converted containers covering most of the application site would inevitably alter the rural fringe landscape character of the site. The Chief Town Planner/Urban Design and Landscape of PlanD had reservation on the application from landscape planning perspective while the Director of Agriculture, Fisheries and Conservation's concerns on the proposal had not been addressed. The application did not meet the Town Planning Board Guidelines No. 10 for Application for Development within Green Belt Zone as it would affect the existing landscape and cause adverse visual impact. The proposed development did not fulfil the Assessment Criteria for Considering Applications for Solar Photovoltaic System and the ‘Acknowledgment Letter’ from CLP, as a prerequisite under the Assessment Criteria, had yet to be obtained. The Secretary for Environment supported the development of renewable energy, and the Director of Environmental Protection and Director of Electrical and Mechanical Services had no objection to the application. There was no similar application within the “GB” zone on the same Outline Zoning Plan. Approval of the application would set an undesirable precedent for other similar applications. The cumulative effect of approving such similar applications would result in a general degradation of the rural environment and landscape quality of the area.

170. Members had no question on the application.

#### Deliberation Session

171. 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 intended for defining the limits of urban and sub-urban development areas by natural features and to contain urban sprawl, as well as to provide passive recreational outlets. There is a general presumption against development within this zone. There is no strong planning justification in the submission for a departure from the planning intention;
  
- (b) the proposed development is not in line with the Town Planning Board Guidelines No. 10 for Application for Development within Green Belt Zone in that the applicant fails to demonstrate that the proposed system is essential, no alternative site is available for the proposed system, and there will be no adverse landscape and visual impacts on the surrounding areas and Tai Lam Country Park;
  
- (c) the proposed development does not fulfil the Assessment Criteria for Considering Applications for Solar Photovoltaic System in that the applicant fails to demonstrate that the proposed Solar Photovoltaic system would not adversely affect the landscape character of the “GB” zone; and
  
- (d) the approval of the application would set an undesirable precedent for similar applications in the area. The cumulative effect of approving such similar applications would result in a general degradation of the natural environment and landscape quality of the “GB” zone.”

**Agenda Item 50**

**Section 16 Application**

[Open Meeting (Presentation and Question Sessions Only)]

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

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**Presentation and Question Sessions**

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

- (a) background to the application;
- (b) the proposed temporary public vehicle park (excluding container vehicle) for a period of five years;
- (c) departmental comments were set out in paragraph 10 of the Paper;
- (d) during the statutory publication periods, 17 public comments, with three supporting comments from two groups of individuals (with 36 signatures) and an individual, and 14 objecting comments from Kadoorie Farm and Botanic Garden, World Wide Fund For Nature Hong Kong, the Hong Kong Bird Watching Society, Designing Hong Kong Limited, a Tuen Mun District Council member, two groups of individuals (in two standard letters with a total of 118 signatures) and an individual, 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 use was not in line with the planning intention of the “Green Belt” (“GB”) zone and there was no strong planning justification for a departure of such planning intention, even on a temporary basis. While



the proposed use was considered not entirely incompatible with the surrounding areas, the Director of Agriculture, Fisheries and Conservation did not support the application as the site was currently under active cultivation uses and possessed potential for agricultural rehabilitation. The Chief Town Planner/Urban Design and Landscape of PlanD had reservation on the application from landscape planning perspective. Approval of the application would uproot all the existing agricultural uses altering the landscape character of the area and create an undesirable precedent for other similar applications within the “GB” zone. The cumulative impact of approving such similar applications would result in a general degradation of the natural environment and undermine the planning intention of the “GB” zone. The proposed use was not in line with the Town Planning Board Guidelines No. 10. The Commissioner for Transport could not render support to the application as the applicant had yet to demonstrate the technical feasibility of the application. Other concerned government departments had no objection to or no adverse comment on the application. Regarding the public comments, the comments of government departments and planning assessments above were relevant.

173. Members had no question on the application.

#### Deliberation Session

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

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

- (b) the proposed use is not in line with Town Planning Board Guidelines No.10 for Application for Development within Green Belt Zone in that the proposed use would have adverse impact on the existing landscape character of the area and the applicant fails to demonstrate that the proposed use would not generate adverse traffic impacts on the surrounding areas; and
- (c) approval of the application would set an undesirable precedent for other similar applications in the “GB” zone. The cumulative effect of approving such similar applications would result in a general degradation of the landscape character and affect the integrity of the “GB” zone.”

**Agenda Item 51**

**Section 16 Application**

[Open Meeting (Presentation and Question Sessions Only)]

A/YL-PS/611            Temporary Storage for a Period of 3 Years in “Village Type Development” Zone, Lots 293 S.A ss.1 (Part), 293 S.A ss.2 (Part), 293 S.B ss.1 (Part) and 293 S.B ss.2 (Part) in D.D. 122, Ping Shan, Yuen Long  
(RNTPC Paper No. A/YL-PS/611A)

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**Presentation and Question Sessions**

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

- (a) background to the application;
- (b) the temporary storage use for a period of three years;
- (c) departmental comments were set out in paragraph 9 of the Paper;

- (d) during 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 did not support the application based on the assessments set out in paragraph 11 of the Paper. The applied use was not in line with the planning intention of the “Village Type Development” (“V”) zone. Although there was no Small House application approved or under processing at the application site, the applied use for storage of the applicant’s own items was not serving the needs of the villages or in support of the village development. There was no strong planning justification for a departure from the planning intention, even on a temporary basis. The applied use which comprised five single-storey container structures was considered not entirely compatible with the surrounding rural settlements and the adjoining “Green Belt” zone. Approval of the application would set an undesirable precedent for other similar applications within the “V” zone, causing degradation to the environment of the area. Concerned government departments had no objection to or no adverse comment on the application. Regarding the public comments, the comments of government departments and planning assessments above were relevant.

176. Members had no question on the application.

#### Deliberation Session

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

- “(a) the applied use is not in line with the planning intention of the “Village Type Development” (“V”) zone which is primarily intended for development of Small Houses by indigenous villagers. No strong justification has been given in the submission for a departure from the planning intention, even on a temporary basis; and

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

## **Agenda Item 52**

### **Section 16 Application**

[Open Meeting (Presentation and Question Sessions Only)]

A/HSK/268                      Renewal of Planning Approval for Temporary Public Vehicle Park (Private Cars, Light Goods Vehicles and Coaches) for a Period of 3 Years in “Residential (Group A) 4” Zone, Lot 2429 RP in D.D. 124 and Adjoining Government Land, Hung Shui Kiu, Yuen Long  
(RNTPC Paper No. A/HSK/268)

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### **Presentation and Question Sessions**

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

- (a) background to the application;
- (b) the renewal of planning approval for temporary public vehicle park (private cars, light goods vehicles and coaches) for a period of three years;
- (c) departmental comments were set out in paragraph 10 of the Paper;
- (d) during the statutory publication period, two public comments from individuals raising concern/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 the application based on the assessments set out in paragraph 12 of the Paper.

Approval of the application on a temporary basis would not jeopardise the long-term planning of the area. The application was generally in line with the Town Planning Board Guidelines No. 34C. Regarding the public comments, the comments of government departments and planning assessments above were relevant.

179. Members had no question on the application.

#### Deliberation Session

180. After deliberation, the Committee decided to approve the application on a temporary basis for a period of 3 years and be renewed from 27.1.2021 to 26.1.2024, on the terms of the application as submitted to the Town Planning Board (TPB) and subject to the following conditions:

- “(a) no operation between 11:00 p.m. and 7:00 a.m., as proposed by the applicant, is allowed on the site during the planning approval period;
- (b) no medium and heavy goods vehicles exceeding 5.5 tonnes, including container tractors/trailers, as defined in the Road Traffic Ordinance, are allowed to be parked/stored on or enter/exit the site 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 and heavy goods vehicles exceeding 5.5 tonnes, including container tractors/trailers as defined in the Road Traffic Ordinance, are allowed to be parked/stored on or enter/exit the site at any time during the planning approval period;
- (d) no vehicle without valid 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 washing, vehicle repairing, dismantling, paint spraying or other

workshop activity is allowed on the site, as proposed by the applicant, 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 drainage facilities on the site shall be maintained at all times during the planning approval period;
- (h) the existing boundary fencing on the site shall be maintained at all times during the planning approval period;
- (i) the existing fire service installations implemented shall be maintained in efficient working order at all times during the planning approval period;
- (j) the submission of a condition record of the existing drainage facilities within 3 months from the date of commencement of the renewed planning approval to the satisfaction of the Director of Drainage Services or of the TPB by 27.4.2021;
- (k) the existing planting on the site shall be maintained at all times during the planning approval period;
- (l) if any of the above planning conditions (a), (b), (c), (d), (e), (f), (g), (h), (i) or (k) 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 the above planning condition (j) is not complied with by the specified date, the approval hereby given shall cease to have effect and shall on the same date be revoked without further notice.”

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

**Agenda Item 53**

Section 16 Application

[Open Meeting (Presentation and Question Sessions Only)]

A/HSK/269                      Temporary Public Vehicle Park (Private Cars and Light Goods Vehicles Not Exceeding 5.5 Tonnes) with Ancillary Shroff for a Period of 3 Years in “Other Specified Uses” annotated “Sewage Pumping Station”, “Residential (Group A) 2”, “Open Space” Zones and area shown as ‘Road’, Lot 1768 RP in D.D.130 and adjoining Government Land, Tsing Yick Road, Yick Yuen Tsuen, Hung Shui Kiu  
(RNTPC Paper No. A/HSK/269)

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Presentation and Question Sessions

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

- (a) background to the application;
- (b) the temporary public vehicle park (private cars and light goods vehicles not exceeding 5.5 tonnes) with ancillary shroff for a period of three years;
- (c) departmental comments were set out in paragraph 9 of the Paper;
- (d) during the statutory publication period, four public comments from individuals, with one raising concerns and three 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 considered that the applied use could be tolerated for a period of three years based on the assessments set out in paragraph 11 of the Paper. Whilst the applied use was not entirely in line with the planning intention of the “Other Specified Uses” annotated “Sewage Pumping Station” zone, the implementation

programme of the concerned part of Hung Shui Kiu New Development Area was still being formulated. The Project Manager (West) of Civil Engineering and Development Department had no objection to the application. Approval of the application on a temporary basis would not jeopardise the long-term planning of the area. The applied use was not incompatible with the surrounding land uses. To address the possible environmental nuisances and the technical requirements of the relevant government departments, appropriate approval conditions were recommended. Other concerned government departments had no objection to or no adverse comment on the application. There was one previous application approved for the same use at the site. Approval of the application was in line with the Committee's previous decision. Regarding the public comments, the comments of government departments and 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 18.12.2023, on the terms of the application as submitted to the Town Planning Board (TPB) and subject to the following conditions:

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



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

- (d) the submission of a drainage proposal within 3 months from the date of the planning approval to the satisfaction of the Director of Drainage Services or of the TPB by 18.3.2021;
- (e) in relation to (d) above, the implementation of the drainage proposal within 6 months from the date of the planning approval to the satisfaction of the Director of Drainage Services or of the TPB by 18.6.2021;
- (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 18.3.2021;
- (h) the implementation of the fire service installations proposal within 6 months from the date of the planning approval to the satisfaction of the Director of Fire Services or of the TPB by 18.6.2021;
- (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.”

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 54**

Section 16 Application

[Open Meeting (Presentation and Question Sessions Only)]

A/HSK/270                      Renewal of Planning Approval for Temporary Dangerous Goods Godown (Cat. 5 Dangerous Goods) for a Period of 3 Years in “Government, Institution or Community” Zone, Lots 856 RP, 857 RP, 858 RP, 859 RP and 860 RP in D.D. 124, Lots 238, 239 and 367 in D.D. 127, Hung Tin Road, Ping Shan, Yuen Long  
(RNTPC Paper No. A/HSK/270)

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Presentation and Question Sessions

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

- (a) background to the application;
- (b) the renewal of planning approval for temporary dangerous goods godown (Category 5 dangerous goods) for a period of three years;
- (c) departmental comments were set out in paragraph 10 of the Paper;
- (d) during the statutory publication period, two public comments from individuals raising concerns/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 applied use could be tolerated for a period of three years based on the assessments set out in paragraph 12 of the Paper. Approval of the application on a temporary basis would not jeopardise the long-term planning of the area. The application was generally in line with the Town Planning Board Guidelines No. 34C. Regarding the public comments, the

comments of government departments and planning assessments above were relevant.

187. Members had no question on the application.

#### Deliberation Session

188. After deliberation, the Committee decided to approve the application on a temporary basis for a period of 3 years and be renewed from 27.1.2021 to 26.1.2024, 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 applicant, is allowed on the site during the planning approval period;
- (b) no operation on Sundays or public holidays, as proposed by the applicant, is allowed on the site during the planning approval period;
- (c) no open storage of dangerous goods are allowed on the site at any time during the planning approval period;
- (d) the 100mm thick concrete box to enclose the underground tanks shall be maintained at all times during the planning approval period to the satisfaction of the Director of Environmental Protection or of the TPB;
- (e) the 100mm bund wall around the distribution area of 4mx4m above each of underground tank with a peripheral channel shall be maintained at all times during the planning approval period to the satisfaction of the Director of Environmental Protection or of the TPB;
- (f) the underground sump tank equipped with an oil/grease trap shall be maintained at all times during the planning approval period to the satisfaction of the Director of Environmental Protection or of the TPB;

- (g) all screen plantings within the site shall be maintained at all times during the planning approval period;
- (h) the existing boundary fencing on site shall be maintained at all times during the planning approval period;
- (i) the existing drainage facilities on the site shall be maintained at all times during the planning approval period;
- (j) no vehicle is allowed to queue back to or reverse onto/from public road at any times during the planning approval period;
- (k) all climbing plant on boundary fence shall be maintained in good condition at all times during the planning approval period;
- (l) the existing fire service installations implemented shall be maintained in efficient working order at all times during the planning approval period;
- (m) the submission of a condition record of the existing drainage facilities within 3 months from the date of commencement of the renewed planning approval to the satisfaction of the Director of Drainage Services or of the TPB by 27.4.2021;
- (n) if any of the above planning conditions (a), (b), (c), (d), (e), (f), (g), (h), (i), (j), (k) or (l) is not complied with during the planning approval period, the approval hereby given shall cease to have effect and shall be revoked immediately without further notice; and
- (o) if the above planning condition (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.”

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

**Agenda Item 55**

Section 16 Application

[Open Meeting (Presentation and Question Sessions Only)]

A/TSW/72                      Proposed ‘Flat’ and Permitted Commercial Development with Minor Relaxation of Gross Floor Area Restriction in “Commercial” Zone, Tin Shui Wai Town Lot No.4  
  
(RNTPC Paper No. A/TSW/72C)

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190.            The Secretary reported that the application was submitted by Harbour Plaza Resort City Limited which was a subsidiary of CK Hutchison Holdings Limited (CKHH). Mr K.K. Cheung had declared an interest on the item for his firm having current business dealings with CKHH.

191.            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

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

- (a) background to the application;
- (b) the proposed flat and permitted commercial development with minor relaxation of gross floor area (GFA) restriction;
- (c) departmental comments were set out in paragraph 9 of the Paper;
- (d) during the statutory publication periods, a total of 6,052 public comments, with 19 supporting comments from individuals, 9 indicating no strong view from individuals, 6,022 objecting comments from an ex-Legislative Council member, ex- and current District Council members, Owners Committees,

Tin Shui Wai New Force, Land Justice League and individuals, and 2 irrelevant 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. Since the proposal would retain the existing shopping centres and basements, the proposed development would not undermine the planning intention of the subject “Commercial” (“C”) zone. The subject “C” zone was not specifically intended for hotel development and the Commissioner for Tourism had no comment on the application. The proposed residential development cum existing shopping centres was compatible with the surrounding area. The development intensity of the proposed development (with a proposed plot ratio (PR) of 5 for the residential portion cum an existing PR of 1.718 for the retail/commercial portion resulting in an overall PR of 6.718) was considered commensurate with that of the surrounding residential developments in the context of the town centre of Tin Shui Wai New Town. The proposal was in line with the government policy to encourage maximising use of scarce land resources by increasing the development intensity as appropriate and would not generate adverse impact nor insurmountable problems. The applicant also indicated their willingness to explore the provision of a child care centre in the development at the detailed design stage. Relevant government departments had no objection to or no adverse comment on the application. Regarding the public comments, the comments of government departments and planning assessments above were relevant.

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

- (a) the subject of the application, and whether the proposal involved redevelopment or addition and alteration of the existing development;
- (b) development intensity of the surrounding developments, and whether there was any similar application with comparable proposed minor relaxation in

development intensity;

- (c) domestic and non-domestic PRs of the proposed development;
- (d) occupancy rate of the existing hotel, and the planning justification for changing the hotel use to residential use;
- (e) provision of car parking spaces in the proposed development;
- (f) typical floor plan of the proposed residential towers; and
- (g) public concerns on the loss of employment opportunities, potential impacts on the surroundings and provision of government, institution or community (GIC) facilities.

194. In response, Mr Kepler S.Y. Yuen, DPO/TMYLW and Ms Bonnie K.C. Lee, STP/TMYLW, made the following main points:

- (a) according to the Notes of the Outline Zoning Plan (OZP) for the “C” zone, ‘Flat’ is a Column 2 use which required planning permission from the Town Planning Board (the Board), whilst commercial use was permitted as of right. The applicant also sought planning permission for minor relaxation of GFA restriction. There was no BH restriction on the OZP. The proposed development would have building height (BH) ranging from about 156mPD to 172mPD, as compared with the BH of the existing hotel of 100mPD. The proposal involved redevelopment of two existing 24/25-storey hotel blocks into two 51-storey residential towers while the existing three-storey shopping centres at the podium and 2-level basements would be retained;
- (b) although the extent of the GFA relaxation sought was about 38%, the domestic PR for residential portion of the proposed development was about 5, which was comparable with the development intensity of the surrounding residential developments and the proposed residential developments at Tin

Wing Light Rail Stop and in Hung Shui Kiu New Development Area (HSK NDA);

- (c) the total PR of the proposed development would be about 6.718 including a domestic PR of 5 and the existing non-domestic PR of 1.718 for the commercial podium. The total GFA of the existing commercial podium was comparable to that of the shopping centre of Metro Plaza in Kwai Fong;
- (d) according to the applicant, the occupancy rate of the existing hotel (with 1,102 hotel rooms) was about 90% before the outbreak of COVID-19. However, the subject “C” zone was not specifically intended for hotel development since its incorporation in the draft Tin Shui Wai OZP No. S/TSW/1 gazetted in 1994. According to the Explanatory Statement of the then OZP, the “C” zone was intended to develop as the town centre providing retailing and other commercial facilities for Tin Shui Wai. The Commissioner for Tourism had no comment on the application for redevelopment of the existing hotel into residential use;
- (e) the proposed development would provide a total of 980 car parking spaces at the existing basement levels. The Commissioner for Transport had no adverse comment on the application;
- (f) with reference to the typical floor plan of the proposed residential towers, the average flat size was about 27.9m<sup>2</sup>. A maximum of 5,000 flats would be provided in the proposed development. The internal layout of the residential towers would be scrutinised by the relevant government departments at the building plan submission stage; and
- (g) according to the applicant, job opportunities would be created not only during the construction stage but also upon completion of the proposed development, such as property management and serving/cleaning staff of the residential development. Local employment opportunities associated with the existing commercial podium of the proposed development would



still be available. Meanwhile, having reviewed the technical assessments on traffic, environment, sewerage, drainage, air ventilation and landscape aspects, concerned government departments had no objection to or no adverse comment on the application. The applicant also indicated their willingness to explore the provision of a child care centre in the development at the detailed design stage.

### Deliberation Session

195. A Member expressed concern that the low income group in Tin Shui Wai would more likely be affected by the loss of local employment opportunities due to the closure of the existing hotel. The Member opined that the applicant should consider creating more job opportunities in the proposed development for the local residents. In respect of Members' enquiries concerning the magnitude of the minor relaxation of GFA restriction sought, the Secretary said that the proposed minor relaxation under the current application was comparable to similar applications in other areas, e.g. new developments in Kai Tak.

196. Members generally had no objection to the application as the subject "C" zone was not specifically intended for hotel development, there was land reserved for economic activities in the nearby HSK NDA, Yuen Long and Tuen Mun districts and hence working opportunities for the local residents, the proposed domestic PR of 5 was similar to other residential developments in the area, the proposed minor relaxation of GFA restriction was not unacceptable, and concerned government departments had no objection to or no adverse comment on the application.

197. 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 18.12.2024, and after the said date, the permission should cease to have effect unless before the said date, the development permitted was commenced or the permission was renewed. The permission was subject to the following conditions:

- “(a) the submission and implementation of a revised Landscape Master Plan to the satisfaction of the Director of Planning or of the TPB;

- (b) the submission of a revised Noise Impact Assessment before commencement of the construction works, including site formation works and piling works, and the implementation of the mitigation measures identified therein to the satisfaction of the Director of Environmental Protection or of the TPB;
- (c) the implementation of the drainage facilities identified in the Drainage Impact Assessment Report to the satisfaction of the Director of Drainage Services or of the TPB;
- (d) the submission of a revised Sewerage Impact Assessment to the satisfaction of the Director of Drainage Services and the Director of Environmental Protection or of the TPB;
- (e) in relation to (d) above, the implementation of the mitigation measures identified in the revised Sewerage Impact Assessment to the satisfaction of the Director of Drainage Services or of the TPB;
- (f) the design and provision of junction improvement works to the satisfaction of the Commissioner for Transport or of the TPB;
- (g) the design and provision of ingress/egress point, vehicular access, parking spaces, loading/unloading and lay-by facilities to the satisfaction of the Commissioner for Transport or of the TPB; and
- (h) the provision of water supplies for firefighting and fire service installations to the satisfaction of the Director of Fire Services or of the TPB.”

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

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

**Agenda Item 56**

**Section 16 Application**

[Open Meeting (Presentation and Question Sessions Only)]

A/YL-HTF/1109 Proposed Temporary Recyclable Collection Centre for Metal for a Period of 3 Years in “Residential (Group D)” Zone, Lots 182 S.A ss. 2 (Part) and 182 S.B (Part) in D.D. 128, Ha Tsuen, Yuen Long  
(RNTPC Paper No. A/YL-HTF/1109)

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**Presentation and Question Sessions**

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

- (a) background to the application;
- (b) the proposed temporary recyclable collection centre for metal for a period of three years;
- (c) departmental comments were set out in paragraph 9 of the Paper;
- (d) during the statutory publication period, one public comment from an individual objecting to the application was 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. Whilst the proposed use was not entirely in line with the planning intention of the “Residential (Group D)” (“R(D)”) zone, there was no known development for the application site. Approval of the application on a temporary basis of three years would not jeopardise the long-term development of the site. The proposed use was considered not incompatible with the surrounding area. Concerned government departments had no objection to or no adverse comment on the application. To minimise any potential nuisance and to address the technical

requirements of the relevant government departments, appropriate approval conditions but with shorter compliance periods were recommended in order to closely monitor the progress of compliance with approved conditions. There were one previous application for almost the same use at the application site and three similar applications in the same “R(D)” zone approved by the Committee. Approval of the 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.

200. Members had no question on the application.

#### Deliberation Session

201. After deliberation, the Committee decided to approve the application on a temporary basis for a period of 3 years until 18.12.2023, on the terms of the application as submitted to the Town Planning Board (TPB) and subject to the following conditions:

- “(a) no operation from 7:00 p.m. to 9:00 a.m., as proposed by the applicant, is allowed on the site during the planning approval period;
- (b) no operation on Sundays and public holidays, as proposed by the applicant, is allowed on the site during the planning approval period;
- (c) no medium or heavy goods vehicle exceeding 5.5 tonnes is allowed to enter/exit or to be parked/stored on the site at any time during the planning approval period;
- (d) no vehicle is allowed to queue back to or reverse onto/from public road at any time during the planning approval period;
- (e) the submission of a revised drainage proposal within 3 months from the date of planning approval to the satisfaction of the Director of Drainage Services or of the TPB by 18.3.2021;

- (f) in relation to (e) above, the implementation of the 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 18.6.2021;
- (g) in relation to (f) above, the implemented drainage facilities shall be maintained at all times during the planning approval period;
- (h) the existing trees within the site shall be maintained in good condition at all times during the planning approval period;
- (i) the submission of a revised fire service installations proposal within 3 months from the date of planning approval to the satisfaction of Director of Fire Services or of the TPB by 18.3.2021;
- (j) in relation to (i) above, the implementation of the revised fire service installations proposal within 6 months from the date of planning approval to the satisfaction of Director of Fire Services or of the TPB by 18.6.2021;
- (k) if any of the above planning conditions (a), (b), (c), (d), (g) or (h) is not complied with during the planning approval period, the approval hereby given shall cease to have effect and shall be revoked immediately without further notice; and
- (l) if any of the above planning conditions (e), (f), (i) or (j) is not complied with by the specified date, the approval hereby given shall cease to have effect and shall on the same date be revoked without further notice.”

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

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

**Agenda Item 57**

**Section 16 Application**

[Open Meeting (Presentation and Question Sessions Only)]

A/YL-PS/619            Temporary Warehouse and Open Storage of Plastic and Hardware Materials for a Period of 3 Years in “Recreation” Zone, Lots 206 (Part), 227 (Part), 231 (Part), 232 S.A (Part), 232 S.B (Part), 232 S.C, 232 RP (Part), 234 (Part) and 235 (Part) in D.D. 126, Ping Shan, Yuen Long  
  
(RNTPC Paper No. A/YL-PS/619)

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**Presentation and Question Sessions**

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

- (a) background to the application;
- (b) the temporary warehouse and open storage of plastic and hardware materials for a period of three years;
- (c) departmental comments were set out in paragraph 10 of the Paper;
- (d) during 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 applied use could be tolerated for a period of three years based on the assessments set out in paragraph 12 of the Paper. Although the applied use was not in line with the planning intention of the “Recreation” (“REC”) zone, there was no known development programme for the application site. The Chief Engineer/Housing Projects 2, Civil Engineering and Development Department advised that the proposed housing development covering the application site was still at the feasibility stage. Approval of

the application on a temporary basis of three years would not jeopardise the long-term planning intention of the “REC” zone. The applied use was considered not incompatible with the surrounding area. The application was considered in line with the Town Planning Board Guidelines No. 13F. The applied use would not cause significant adverse traffic, drainage and landscape impacts on the surrounding areas. To address the possible environmental nuisances and the technical requirements of the relevant government departments, appropriate approval conditions were recommended. Other concerned government departments had no objection to or no adverse comment on the application. There were ten previous applications covering the application site and 13 similar applications approved within the same “REC” zone. Approval of the application was in line with the Committee’s previous decisions. Regarding the public comments, the comments of government departments and planning assessments above were relevant.

204. Members had no question on the application.

#### Deliberation Session

205. After deliberation, the Committee decided to approve the application on a temporary basis for a period of 3 years until 18.12.2023, on the terms of the application as submitted to the Town Planning Board (TPB) and subject to the following conditions:

- “(a) no operation from 6:00 p.m. to 9:00 a.m. on Mondays to Fridays and from 6:00 p.m. to 10:00 a.m. on Saturdays, as proposed by the applicant, is allowed on the site during the planning approval period;
- (b) no operation on Sundays and public holidays, as proposed by the applicant, is allowed on the site during the planning approval period;
- (c) 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 6 months from the date of planning approval to the satisfaction of the Director of Drainage Services or of the TPB by 18.6.2021;
- (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 18.9.2021;
- (f) in relation to (e) above, the implemented drainage facilities shall be maintained at all times 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 provision of fire extinguisher(s) within 6 weeks from the date of planning approval to the satisfaction of Director of Fire Services or of the TPB by 29.1.2021;
- (j) the submission of a fire service installations proposal within 6 months from the date of planning approval to the satisfaction of Director of Fire Services or of the TPB by 18.6.2021;
- (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 Director of Fire Services or of the TPB by 18.9.2021;
- (l) if any of the above planning conditions (a), (b), (c), (f), (g) or (h) is not complied with during the planning approval period, the approval hereby given shall cease to have effect and shall be revoked immediately without further notice; and



- (m) if any of the above planning conditions (d), (e), (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.”

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

### **Agenda Item 58**

#### **Section 16 Application**

[Open Meeting]

A/YL/263 Proposed Social Welfare Facility (Residential Care Home for the Elderly) in “Village Type Development” Zone and an area shown as ‘Road’, Lots 1695 S.D RP, 1741 RP (Part) and 1394 S.B RP (Part) in D.D. 120 and adjoining Government Land, Tai Kei Leng, Yuen Long (RNTPC Paper No. A/YL/263A)

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207. The Committee noted that the applicant’s representative requested on 4.12.2020 deferment of consideration of the application for two months so as to allow time to prepare further information to address departmental comments. It was the second time that the applicant requested deferment of the application. Since the last deferment, the applicant had submitted further information to address departmental comments.

208. 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 59**

**Section 16 Application**

[Open Meeting (Presentation and Question Sessions Only)]

A/YL/270                      Temporary Shop and Services for a Period of 5 Years in  
                                         “Comprehensive Development Area” Zone, G/F, 114 Tai Kiu Tsuen,  
                                         Yuen Long  
                                         (RNTPC Paper No. A/YL/270)

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**Presentation and Question Sessions**

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

- (a) background to the application;
- (b) the temporary shop and services for a period of five years;
- (c) departmental comments were set out in paragraph 9 of the Paper;
- (d) during the statutory publication period, four public comments from three villagers of Tai Kiu 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. While the applied ‘shop and services’ use was not in line with the planning intention of the “Comprehensive Development Area” (“CDA”) zone, it was temporary in nature and small in scale. As there was currently no valid planning approval/Master Layout Plan covering the subject “CDA” zone nor any known development/redevelopment proposals for the area, the applied use would not significantly jeopardise the long-term planning intention of the subject “CDA” zone. The applied use was not

incompatible with the surrounding area. Concerned government departments had no objection to or no adverse comment on the application. To address the local concerns and the technical requirements of the relevant government departments, appropriate approval conditions were recommended. Regarding the public comments, the comments of government departments and planning assessments above were relevant.

210. Members had no question on the application.

### Deliberation Session

211. After deliberation, the Committee decided to approve the application on a temporary basis for a period of 5 years until 18.12.2025, 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 the planning approval to the satisfaction of the Director of Drainage Services or of the TPB by 18.6.2021;
- (b) in relation to (a) above, the implementation of the drainage proposal within 9 months from the date of the planning approval to the satisfaction of the Director of Drainage Services or of the TPB by 18.9.2021;
- (c) in relation to (b) above, the implemented drainage facilities on the site shall be maintained at all times during the planning approval period;
- (d) 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 18.6.2021;
- (e) in relation to (d) 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 18.9.2021;

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

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

### **Agenda Item 60**

#### **Section 16 Application**

[Open Meeting]

A/YL-TT/509            Proposed Temporary Private Vehicle Park and Shop and Services for a Period of 3 Years in “Village Type Development” Zone, Lot 3307 in D.D. 120 and Adjoining Government Land, Tai Tong, Yuen Long  
(RNTPC Paper No. A/YL-TT/509)

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

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

215. The Committee noted that the applicant’s representative requested on 9.12.2020 deferment of consideration of the application for two months so as to allow time to prepare further information to address departmental comments. It was the first time that the applicant requested deferment of the application.

216. 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 61**

#### **Section 16 Application**

[Open Meeting (Presentation and Question Sessions Only)]

A/YL-TYST/1058 Temporary Warehouse and Open Storage for Storage of Recyclable Materials (Plastic and Metal) with Ancillary Workshop for a Period of 3 Years in "Residential (Group A) 3" and "Open Space" Zones, Lots 2704 S.A & S.B (Part), 2707, 2708, 2709, 2710 and 2711 in D.D. 120, Lots 1638, 1639 (Part), 1640 (Part), 1668 (Part), 1669 (Part), 1671, 1672, 1673 (Part), 1674 (Part) and 1676 S.A & B (Part) in D.D. 121 and Adjoining Government Land, Shan Ha Tsuen, Yuen Long  
(RNTPC Paper No. A/YL-TYST/1058)

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

- (a) background to the application;
- (b) the temporary warehouse and open storage for storage of recyclable materials (plastic and metal) with ancillary workshop for a period of three years;
- (c) departmental comments were set out in paragraph 10 of the Paper;

- (d) during the statutory publication period, 214 public comments from a village representative of Shan Ha, a Yuen Long District Council member, villagers of Shan Ha and Lam Hau Tsuen and individuals objecting to/providing adverse comment 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 applied use was not in line with the planning intention of the “Residential (Group A)3” (“R(A)3”) zone, though it was generally not incompatible with the surrounding uses. No strong planning justification was given in the submission to justify a departure from the planning intention of the “R(A)3” zone, even on a temporary basis. The Director of Environmental Protection did not support the application as there were sensitive receivers of residential use in the vicinity of the site, the applied use would cause traffic of heavy vehicles and environmental nuisance was expected. Given the history of substantiated environmental nuisances associated with the site, the applicant had not provided any information in the current application to demonstrate that the continued operation of the applied use would not generate adverse environmental impacts on the surrounding areas. The application was not in line with the Town Planning Board Guidelines No. 13F (TPB PG-No. 13F.) Other concerned government departments had no objection to or no adverse comment on the application. There was one previous application rejected by the Committee and the consideration was generally applicable to the current application. Regarding the public comments, the comments of government departments and planning assessments above were relevant.

218. Members had no question on the application.

#### Deliberation Session

219. The Chairman remarked that the application was not in line with TPB PG-No. 13F in that although the application site fell within the Yuen Long South Development Area

and previous planning approvals for the same/similar storage uses had been given under the previous Outline Zoning Plans, the same applicant failed to comply with the approval condition on operation hours of the previous approval which was subsequently revoked. There were also substantiated environmental complaints concerning the application site in the past three years.

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

- “(a) the applied use is not in line with the planning intention of the “Residential (Group A) 3” zone which is primarily for high-density residential developments. No strong planning justification has been given in the submission to justify a departure from the planning intention, even on a temporary basis; and
- (b) the application is not in line with the Town Planning Board Guidelines No. 13F for Application for Open Storage and Port Back-up Uses in that the applicant could not demonstrate that the continued operation of the applied use would not generate adverse environmental impact on the surrounding areas.”

## **Agenda Item 62**

### **Section 16 Application**

[Open Meeting (Presentation and Question Sessions Only)]

A/YL-TYST/1059 Proposed Temporary Warehouse for Storage of Electronic Goods and Open Storage of Building/Recycling Materials, Construction Machinery, Used Electrical/Electronic Appliances and Parts with Ancillary Workshop Activities for a Period of 3 Years in “Undetermined” Zone, Various Lots in D.D. 119 and Adjoining Government Land, Tong Yan San Tsuen, Yuen Long  
(RNTPC Paper No. A/YL-TYST/1059)

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**Presentation and Question Sessions**

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

- (a) background to the application;
- (b) the proposed temporary warehouse for storage of electronic goods and open storage of building/recycling materials, construction machinery, used electrical/electronic appliances and parts with ancillary workshop activities for a period of three years;
- (c) departmental comments were set out in paragraph 10 of the Paper;
- (d) during the statutory publication period, three public comments from individuals, with two objecting to the application and one providing views, 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 proposed use could be tolerated for a period of three years based on the assessments set out in paragraph 12 of the Paper. The proposed use was generally not in conflict with the planning intention of the “Undetermined” zone. Approval of the application on a temporary basis of three years would not jeopardise the long-term development of the area. The proposed use was generally not incompatible with the surrounding area. The application was generally in line with the Town Planning Board Guidelines No. 13F in that the site fell within Category 1 area. The Director of Environmental Protection did not support the application as the proposed use would cause traffic of heavy vehicles and there were sensitive receivers of residential uses nearby, and hence environmental nuisance was expected. To minimise any potential environmental nuisances and to address the technical requirements of the relevant government departments, appropriate approval conditions were recommended. Other concerned government departments had no objection to or no adverse comment on the application. Given that ten previous approvals for open storage uses had



been granted to the site and 98 similar applications within/straddling the “U” zone had been approved, approval of the current application was generally in line with the Committee’s previous decisions. Regarding the public comments, the comments of government departments and planning assessments above were relevant.

222. Members had no question on the application.

### Deliberation Session

223. After deliberation, the Committee decided to approve the application on a temporary basis for a period of 3 years until 18.12.2023, on the terms of the application as submitted to the Town Planning Board (TPB) and subject to the following conditions:

- “(a) no operation between 9:00 p.m. and 8:00 a.m., as proposed by the applicant, is allowed on the site during the planning approval period;
- (b) no operation on Sundays and public holidays, as proposed by the applicant, is allowed on the site during the planning approval period;
- (c) no repairing, spraying, cleansing and storage/handling of cathode-ray tubes and any other types of electronic waste, as proposed by the applicant, are allowed on the site at any time during the planning approval period;
- (d) no vehicle is allowed to queue back to or reverse onto/from public road at any time during the planning approval period;
- (e) all existing trees within the site shall be maintained at all times during the planning approval period;
- (f) free public access to the existing footpath within the site, as proposed by the applicant, shall be allowed at all times during the planning approval period;
- (g) the existing boundary fencing on the site shall be maintained at all times

during the planning approval period;

- (h) the existing drainage facilities on the site shall be maintained at all times during the planning approval period;
- (i) the submission of a condition record of the existing drainage facilities on the site within 3 months from the date of planning approval to the satisfaction of the Director of Drainage Services or of the TPB by 18.3.2021;
- (j) the provision of fire extinguisher(s) within 6 weeks from the date of planning approval to the satisfaction of the Director of Fire Services or of the TPB by 29.1.2021;
- (k) the submission of a fire service installations proposal within 6 months from the date of planning approval to the satisfaction of the Director of Fire Services or of the TPB by 18.6.2021;
- (l) in relation to (k) above, the implementation of the fire service installations proposal within 9 months from the date of planning approval to the satisfaction of the Director of Fire Services or of the TPB by 18.9.2021;
- (m) if any of the above planning conditions (a), (b), (c), (d), (e), (f), (g) or (h) is not complied with during the planning approval period, the approval hereby given shall cease to have effect and shall be revoked immediately without further notice; and
- (n) if any of the above planning conditions (i), (j), (k) or (l) is not complied with by the specified date, the approval hereby given shall cease to have effect and shall on the same date be revoked without further notice.”

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

**Agenda Item 63**

**Section 16 Application**

[Open Meeting (Presentation and Question Sessions Only)]

A/YL-TYST/1060 Proposed Temporary Warehouse for Storage of Electronic Parts, Construction Materials and Vehicle Parts for a Period of 3 Years in “Undetermined” Zone, Lot 774 (Part) in D.D. 119 and Adjoining Government Land, Pak Sha Tsuen, Yuen Long  
(RNTPC Paper No. A/YL-TYST/1060)

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**Presentation and Question Sessions**

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

- (a) background to the application;
- (b) the proposed temporary warehouse for storage of electronic parts, construction materials and vehicle parts for a period of three years;
- (c) departmental comments were set out in paragraph 9 of the Paper;
- (d) during the statutory publication period, one public comment from an individual objecting to the application was received. Major views were set out in paragraph 10 of the Paper; and
- (e) the Planning Department (PlanD)’s views – PlanD considered that the proposed use could be tolerated for a period of three years based on the assessments set out in paragraph 11 of the Paper. The proposed use was generally not in conflict with the planning intention of the “Undetermined” (“U”) zone. Approval of the application on a temporary basis of three years would not jeopardise the long-term development of the area. The proposed use was generally not incompatible with the surrounding area. To minimise any potential environmental nuisances and to address the

technical requirements of the relevant government departments, appropriate approval conditions were recommended. Concerned government departments had no objection to or no adverse comment on the application. Given that eight previous approvals for warehouse uses had been granted to the site and 72 similar applications had been approved in the “U” zone since 2015, approval of the current application was generally in line with the Committee’s previous decisions. Regarding the public comment, the comments of government departments and planning assessments above were relevant.

226. Members had no question on the application.

#### Deliberation Session

227. After deliberation, the Committee decided to approve the application on a temporary basis for a period of 3 years until 18.12.2023, 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 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 medium or heavy goods vehicles exceeding 5.5 tonnes, including container tractor/trailers, as defined in the Road Traffic Ordinance, are allowed to be parked/stored on or enter/exit the site, as proposed by the applicant, at any time during the planning approval period;
- (d) no vehicle is allowed to queue back to or reverse onto/from public road at any time during the planning approval period;
- (e) the implementation of the accepted drainage proposal within 6 months from the date of planning approval to the satisfaction of the Director of Drainage

Services or of the TPB by 18.6.2021;

- (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 18.6.2021;
- (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 18.9.2021;
- (i) if any of the above planning conditions (a), (b), (c), (d) or (f) is not complied with during the planning approval period, the approval hereby given shall cease to have effect and shall be revoked immediately without further notice; and
- (j) if any of the above planning conditions (e), (g) or (h) is not complied with by the specified date, the approval hereby given shall cease to have effect and shall on the same date be revoked without further notice.”

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

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

#### **Agenda Item 64**

##### Any Other Business

[Open Meeting]

229. Since it was the last Rural and New Town Planning Committee meeting chaired by Mr Raymond K.W. Lee, the Director of Planning, before his retirement, the Vice-chairman on behalf of all Members extended a vote of thanks to Mr Lee for his contribution to the Committee and wished him a happy and healthy retirement. Mr Lee thanked Members for their support over the past years and expressed gratitude for their dedication to the Committee's work.

230. There being no other business, the meeting was closed at 6:30 p.m.