

TOWN PLANNING BOARD

Minutes of 740th Meeting of the Rural and New Town Planning Committee held at 2:30 p.m. on 19.4.2024

Present

Director of Planning
Mr Ivan M.K. Chung

Chairman

Mr K.W. Leung

Mrs Vivian K.F. Cheung

Mr Timothy K.W. Ma

Dr C.M. Cheng

Mr Daniel K.W. Chung

Mr Ryan M.K. Ip

Mr Rocky L.K. Poon

Professor B.S. Tang

Mr Simon Y.S. Wong

Chief Traffic Engineer/New Territories East,
Transport Department
Mr K.L. Wong

Chief Engineer (Works),
Home Affairs Department
Mr Paul Y.K. Au

Principal Environmental Protection Officer (Territory North),
Environmental Protection Department
Ms Clara K.W. U

Assistant Director/Regional 3,
Lands Department
Mr Lawrance S.C. Chan

Deputy Director of Planning/District
Ms Donna Y.P. Tam

Secretary

Absent with Apologies

Mr Daniel K.S. Lau

Vice-chairman

Dr Venus Y.H. Lun

Mr Vincent K.Y. Ho

In Attendance

Assistant Director of Planning/Board
Ms Caroline T.Y. Tang

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

Town Planner/Town Planning Board
Mr Tommy T.W. Wong

Agenda Item 1

Confirmation of the Draft Minutes of the 739th RNTPC Meeting held on 5.4.2024

[Open Meeting]

1. The draft minutes of the 739th RNTPC meeting held on 5.4.2024 were confirmed without amendment.

Agenda Item 2

Matters Arising

[Open Meeting]

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

Deferral Cases

Sections 12A and 16 Applications

[Open Meeting (Presentation and Question Sessions only)]

Presentation and Question Sessions

3. The Committee noted that there were 30 cases requesting the Town Planning Board to defer consideration of the applications. Details of those requests for deferral, Members' declaration of interests for individual cases and the Committee's views on the declared interests were in **Annex 1**.

Deliberation Session

4. After deliberation, the Committee decided to defer decisions on the applications as requested by the applicants pending submission of further information or as requested by the Planning Department pending confirmation on whether there was any representation related to the application site before deciding on whether the application should be considered, as recommended in the Papers.

Renewal Cases

Section 16 Applications

[Open Meeting (Presentation and Question Sessions only)]

Presentation and Question Sessions

5. The Committee noted that there were five cases for renewal of temporary planning approval and the Planning Department (PlanD) had no objection to the applications or considered that the temporary uses could be tolerated for the further periods as applied for/recommended. Details of those planning applications were in **Annex 2**.

Deliberation Session

6. After deliberation, the Committee decided to approve the applications on a temporary basis for the applied renewal periods or the period as recommended by PlanD on the terms of the applications as submitted to the Town Planning Board subject to the approval conditions, if any, stated in the Papers. The Committee also agreed to advise the applicants to note the advisory clauses as set out in the appendix of the Papers.

Cases for Streamlining Arrangement

Section 16 Applications

[Open Meeting (Presentation and Question Sessions only)]

Presentation and Question Sessions

7. The Committee noted that there were 22 cases selected for streamlining arrangement and the Planning Department (PlanD) had no objection to the applications for temporary uses or considered that the uses could be tolerated on a temporary basis for the applied/recommended periods. Details of those planning applications, Members' declaration of interests for individual cases and the Committee' views on the declared interests were in **Annex 3**.

Deliberation Session

8. After deliberation, the Committee decided to approve the applications on a temporary basis for the applied periods or the periods as recommended by PlanD on the terms of the applications as submitted to the Town Planning Board subject to the approval conditions stated in the Papers. The Committee also agreed to advise the applicants to note the advisory clauses as set out in the appendix of the Papers.

Sha Tin, Tai Po and North District

Agenda Item 4

Section 12A Application

[Open Meeting]

Y/NE-TKL/5 Application for Amendment to the Approved Ping Che and Ta Kwu Ling Outline Zoning Plan No. S/NE-TKL/14, To rezone the application site from “Open Storage”, “Agriculture” and area shown as ‘Road’ to “Other Specified Uses” annotated “Mixed Use” zone and amend the Notes of the zone applicable to the site, Lots 796 and 1008 RP in D.D. 77 and Adjoining Government Land, Ping Che, Ta Kwu Ling

9. The Secretary reported that consideration of the application had been rescheduled.

Tuen Mun and Yuen Long West District

Agenda Item 5

Section 12A Application

[Open Meeting (Presentation and Question Sessions Only)]

Y/TM/24 Application for Amendment to the Draft Tuen Mun Outline Zoning Plan No. S/TM/38, To rezone the application site from “Green Belt” to “Government, Institution or Community”, Lots 1744 S.D ss.1 (Part) and 1744 S.D RP (Part) in D.D. 132, Hing Fu Street, Tuen Mun (RNTPC Paper No. Y/TM/24D)

Presentation and Question Sessions

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

PlanD

- | | | |
|--------------------|---|---|
| Mr Raymond H.F. Au | - | District Planning Officer/Tuen Mun and Yuen Long West (DPO/TMYLW) |
| Ms Carol K.L. Kan | - | Senior Town Planner/Tuen Mun and Yuen Long West (STP/TMYLW) |
| Mr Aiden S.P. Chu | - | Assistant Town Planner/Tuen Mun and Yuen Long West |

Applicant's Representatives

- | | | |
|------------------------------|---|-----------------|
| Brighspect Limited | - | Mr K.C. Lee |
| | - | Mr Kevin Wong |
| OZZO Technology (HK) Limited | - | Mr Stanley Chan |
| | - | Ms Lily Lin |
| | - | Ms Agnes He |

11. 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.

12. With the aid of a PowerPoint presentation, Ms Carol K.L. Kan, STP/TMYLW, briefed Members on the background of the application, the proposed rezoning of the application site (the Site), departmental and public comments, and the planning considerations and assessments as detailed in the Paper. PlanD had no in-principle objection to the application.

[Mr Rocky L.K. Poon joined the meeting during PlanD's presentation.]

13. The Chairman then invited the applicant's representatives to elaborate on the application. With the aid of PowerPoint presentations, Messrs K.C. Lee and Stanley Chan, the applicant's representatives, made the following main points:

- (a) the application was to rezone the Site, currently occupied by Filial Praise Niches (光孝仙苑), from “Green Belt” (“GB”) to “Government, Institution or Community” (“G/IC”) to facilitate a columbarium development;
- (b) the application involved four existing structures including main building, office, pantry and toilet, with a total gross floor area of about 517.3m², a plot ratio of 0.44 and a maximum building height of 7.93m (one to two storeys); and
- (c) to minimise the potential traffic impact generated by the proposed columbarium, various traffic and crowd management measures would be incorporated into the sales and purchase agreements of the niches. Such measures included closure of the columbarium during Ching Ming and Chung Yeung Festivals and the shadow periods, and implementation of a visit-by-appointment system. Visitors would be encouraged to use public transport, such as light rail and buses, to access the Site. No on-site parking space would be provided, except for the elderly and disabled persons who might access the Site by taxis or private cars. A temporary pick-up/drop-off area would be provided at Hing Fu Street. With the implementation of the traffic and crowd management measures, no adverse traffic impact on the surrounding area was anticipated.

14. As the presentations of PlanD’s representative and the applicant’s representatives had been completed, the Chairman invited questions from Members.

[Mrs Vivian K.F. Cheung joined the meeting at this point.]

Zoning Amendment and Land Use Compatibility

15. Some Members raised the following questions:

- (a) the use of the existing buildings at the Site and whether they contravened the planning intention of the “GB” zone;

- (b) whether columbarium use would be incorporated as a Column 1 use of the proposed “G/IC” zone and whether there was any precedent case;
- (c) noting that three similar rezoning applications had been approved for columbarium use within the same “GB” zone, whether columbarium use at the Site would cause environmental nuisances to the nearby residents; and
- (d) the reason for adding a remark of ‘no change to zoning and restrictions for the Site’ under the “GB” zone in the Paper.

16. In response, Mr Raymond H.F. Au, DPO/TMYLW, with the aid of some PowerPoint slides, made the following main points:

- (a) according to the information provided by the applicant, the existing 2-storey main building at the Site with columbarium setting was built in the 1980s. A structure was observed on the aerial photo taken in 1982 before the publication of the first Tuen Mun Outline Zoning Plan (OZP) in 1983. No action was required to make the existing use of any land or building conform to the OZP until there was a material change of use or the building was redeveloped;
- (b) there were three similar section 12A applications (No. Y/TM/23, 25 and 26) in proximity to the Site, which were approved mainly on the grounds that the proposed columbarium use was not incompatible with the surrounding land uses and there would be insignificant traffic impact with the implementation of the proposed traffic and crowd management measures. The sites were subsequently rezoned to “G/IC” sub-zones with ‘Columbarium’ as a Column 1 use. Should the subject application be approved, similar arrangement might be adopted;
- (c) the three approved similar section 12A applications involved three columbaria (namely Tin Kwong Lun Yee, Citifair Memorial Garden and Able Fortune Memorial Garden) located to the north and southeast of the Site. The nearest residential developments (i.e. Po Tin Estate and Kwong

Shan Tsuen) were situated more than a hundred meters away from the Site, with vegetated slopes, unused land and vehicle parks intermixed in between. Hence, significant environmental nuisances to the nearby residents were not anticipated; and

- (d) the application was received when the approved Tuen Mun OZP No. S/TM/35 was in force. The OZP had subsequently been amended and the OZP currently in force was No. S/TM/38. The remark in the Paper meant to clarify that the “GB” zoning and the restrictions for the Site had remained unchanged since the submission of the subject application.

Traffic and Crowd Management Plan (TCMP)

17. Some Members raised the following questions:

- (a) details on the implementation and monitoring mechanisms of the TCMP including how to ensure the visitors to access the Site via public transport;
- (b) how the restriction on vehicular traffic at the local access road could be enforced; and
- (c) the need of providing a temporary pick-up and drop-off area at Hing Fu Street on festival days as the Site would be closed during Ching Ming and Chung Yeung Festivals and the shadow periods, and whether closure of the columbarium during Ching Ming and Chung Yeung Festivals and the shadow periods would only delay the grave sweeping period without alleviating the traffic disturbances to the surrounding area.

18. In response, Messrs K.C. Lee and Stanley Chan, the applicant’s representatives, with the aid of some PowerPoint slides, made the following main points:

- (a) a set of house rules would be included in the sales and purchase agreements of the niches, which would stipulate that a visit-by-appointment system was adopted, no parking facility would be provided at the Site and the visitors

should use public transport to access the Site unless with special needs. Visitors might be requested to show the record of the Octopus Card to demonstrate their mode of transportation to the Site. Besides, the TCMP would be subject to prior approval by the Transport Department (TD) and the Hong Kong Police Force (HKPF) before Ching Ming and Chung Yeung Festivals each year. If the proposed measures failed to alleviate the traffic impact effectively, more stringent requirements might be imposed in the TCMP in the next round;

- (b) TD and HKPF's approval was required for various temporary traffic control measures including the erection of traffic signs under the Road Traffic Ordinance (Cap. 374). Non-compliance with traffic signs would be subject to law enforcement by HKPF. Besides, sufficient staff would be deployed for traffic and pedestrian control along the local access road; and
- (c) the Site would be closed during Ching Ming and Chung Yeung Festivals and the shadow periods, which included the two weekends (Saturdays and Sundays) before and after the festival days, and other public holidays within that period. However, the Site would still be open on weekdays during the grave sweeping period, and a temporary pick-up and drop-off area at Hing Fu Street would be provided to serve those accessing the Site by taxis or private cars. Such arrangements could facilitate grave sweeping on weekdays near Ching Ming and Chung Yeung Festivals, thereby alleviating the traffic impact on the surrounding area.

19. In response to the Chairman's question regarding the monitoring mechanism on the management plan by the Government, Mr Raymond H.F. Au, DPO/TMYLW, explained that apart from fulfilling the planning-related requirements for application of a licence under the Private Columbarium Ordinance (PCO) (Cap. 630), the applicant was still required to meet other requirements prescribed under the PCO or specified by the Private Columbaria Licensing Board (PCLB), including land-related and building-related requirements, and the submission of a management plan. The management plan should cover aspects such as traffic and public transport arrangement or management, crowd management, manpower deployment on peak grave sweeping days and other days, etc. If a licence application was

approved by PCLB, the licensee would be required to comply with the requirements of the relevant licence conditions, and the Private Columbaria Affairs Office would oversee the monitoring of the licensee's implementation of the approved management plan in coordination with other concerned government departments.

Barrier-free Access

20. Noting that the main building was a 2-storey structure without a lift, a Member enquired how persons using wheelchairs could gain access to the upper floor of the main building. In response, Mr K.C. Lee, the applicant's representative, said that the applicant might seek approval from the Buildings Department (BD) for the installation of an external lift platform upon approval of the current application.

Others

21. Noting that two removal orders issued by BD had not been complied with, a Member asked about details of the orders and what the applicant's follow up action would be. In response, Mr K.C. Lee, the applicant's representative, explained that the removal orders against the unauthorized building works within the existing buildings had been complied with. The two outstanding removal orders were related to unauthorized retaining wall and structures. If the rezoning application was approved, the applicant committed to taking follow-up actions to comply with the removal orders.

22. A Member enquired about details of the two applications rejected by PCLB in 2021. In response, Mr Raymond H.F. Au, DPO/TMYLW, said that the two applications were for Licence and Temporary Suspension of Liabilities for pre-cut-off columbarium respectively under the PCO. The applications were rejected as the applicant failed to demonstrate that the columbarium was in operation before the cut-off-time (i.e. 8 a.m. on 18.6.2014).

23. Noting the applicant's claim that the rezoning application could increase land supply to meet community needs, a Member enquired if any other social service would be provided at the Site. In response, Mr K.C. Lee, the applicant's representative, explained that the proposed columbarium at the Site could help meet the demand for columbaria in the

territory. No other social service would be provided at the Site.

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

Deliberation Session

25. The Chairman remarked that the application sought to rezone the Site from "GB" to "G/IC" as 'Columbarium' was neither a Column 1 nor Column 2 use in the Notes of the "GB" zone. Should the application be approved, it was only the first step among the various statutory plan-making procedures including, inter alia, proposed amendments to the OZP, publication of the draft OZP for a period of two months for representation, consideration of the representations by the Town Planning Board, and submission of the draft OZP to the Chief Executive in Council for approval. Should the application be approved, whether "Columbarium" use should be incorporated as a Column 1 or Column 2 use in the "G/IC" zone could be further discussed when the proposed amendments to the OZP were submitted to the Committee for consideration. In scrutinising applications for columbarium use, the Committee's consideration should focus on land use compatibility with the surrounding area, and technical feasibility especially on traffic and crowd management during Ching Ming and Chung Yeung Festivals. Since there was a licensing mechanism for private columbarium developments under the PCO and the submission and implementation of a management plan was one of the licensing requirements, there was established mechanism to monitor the implementation of the approved management plan by relevant government departments. For the subject application, as per PlanD's assessment, the proposed columbarium was located in an area dominated by vacant/unused land intermixed with parking of vehicles and rural settlements with reasonable separations from residential areas, and the technical assessments including the TCMP were acceptable to relevant government departments. Besides, three similar rezoning applications for columbarium use within the same "GB" zone had previously been approved. The Chairman then invited Members' views on the application.

26. Members generally considered that provision of private columbaria in appropriate locations could help meet the pressing demand for columbaria in the territory. While the TCMP was considered acceptable, there was concern about implementation of the proposed traffic and crowd management measures. Upon the Chairman's invitation, Mr K.L. Wong, the Chief Traffic Engineer/New Territories East, TD, remarked that various aspects of a columbarium development, including traffic arrangement and fire safety requirements, would be scrutinised by relevant government departments. The cumulative traffic impact generated by the subject columbarium, together with the other three approved columbaria in the area within the same "GB" zone, was considered acceptable. During Ching Ming and Chung Yeung Festivals in the past two years, no complaint on the local traffic condition was received. The Chairman supplemented that the implementation of the traffic and crowd management measures could be monitored through the licensing mechanism under the PCO.

27. Members generally supported the application given that three similar applications had been approved in the vicinity of the Site and relevant government departments had no adverse comments on the land use compatibility and technical feasibility of the proposed columbarium. A Member suggested that barrier-free access should be provided within the Site to facilitate easy access for the elderly and wheelchair users. Another Member supported the regularisation of existing columbaria by requiring operators to comply with relevant legislations and regulations.

28. After deliberation, the Committee decided to agree to the application. The relevant proposed amendments to the Tuen Mun Outline Zoning Plan, together with revised Notes and Explanatory Statement, would be submitted to the Committee for consideration prior to gazetting under the Town Planning Ordinance.

Sai Kung and Islands District

[Ms Tammy S.N. Kong, Senior Town Planner/Sai Kung and Islands (STP/SKIs), was invited to the meeting at this point.]

Agenda Items 6 and 7

Section 16 Applications

[Open Meeting (Presentation and Question Sessions only)]

A/SK-HC/350 Temporary Private Garden for a Period of 3 Years in “Village Type Development” Zone and area shown as ‘Road’, Government Land Adjoining Lot 2142 in D.D. 244, Ho Chung New Village, Sai Kung (RNTPC Paper No. A/SK-HC/350)

A/SK-HC/351 Temporary Private Garden for a Period of 3 Years in “Village Type Development” Zone and area shown as ‘Road’, Government Land Adjoining Lot 2072 in D.D. 244, Ho Chung New Village, Sai Kung (RNTPC Paper No. A/SK-HC/351)

29. The Committee agreed that as the two applications for temporary private garden were similar in nature and the application sites (the Sites) were located in close proximity to each other, they could be considered together.

Presentation and Question Sessions

30. With the aid of some plans, Ms Tammy S.N. Kong, STP/SKIs, briefed Members on the background of the applications, the applied use, departmental and public comments, and the planning considerations and assessments as detailed in the Papers. The Planning Department considered that the temporary use on each of the applications could be tolerated for a period of three years.

31. Noting that the Sites had already been enclosed for private garden uses, a Member enquired about the rationale for submission of applications on a temporary basis. In response, Ms Tammy S.N. Kong, STP/SKIs, said that the applications for temporary private garden use were made in accordance with the provision of the relevant Outline Zoning Plan. Besides, as parts of the Sites fell within area shown as ‘Road’ which served as an emergency vehicular access (EVA), allowing any permanent development on the area shown as ‘Road’ was considered not desirable. Upon expiry of the planning permissions, the applicants could submit applications for renewal of planning approval if necessary and the applications would be considered based on the planning circumstances at that time. The

Chairman explained that while relevant government departments advised that there was no plan/programme to implement a road nor any planned road works at the Sites, temporary approval for a period of three years would not frustrate the long-term use of the Sites. While temporary use at the Sites without development programme could enable better use of land resources, approval for any permanent use would impede the implementation of any road works in future.

32. A Member asked if the applications were new applications as the Sites had already been used as private gardens. In response, Ms Tammy S.N. Kong, STP/SKIs, said that application No. A/SK-HC/350 was a new application. For application No. A/SK-HC/351, two previous applications had been approved for private garden use at the site but the approvals had lapsed. The Committee could consider the applications for regularisation of uses on a case-by-case basis. The Chairman supplemented that while applicants were encouraged to submit applications for planning permissions prior to the commencement of the use, there was no statutory restriction for submitting applications to regularise the use on site. Each application would be considered based on its individual merits and the latest planning circumstances. Should the applications be approved, the applicants would still need to apply for short term tenancy (STT) for private garden use which would be considered by the Lands Department (LandsD) in accordance with their established practice.

33. Some Members enquired about the level of rent to be paid by the applicants for private garden use, and whether the rent would be charged from the first occupation of government land before approval was granted. In response, Mr Lawrance S.C. Chan, Assistant Director/Regional 3, LandsD, advised that application for STT was required for such temporary occupation and use of government land, and market rent would normally be charged. The rent charged might cover the whole period of occupation of government land by the applicant, starting from the first occupation depending on individual circumstances of each case, e.g. availability of information.

34. Noting that there were some vehicles parked along the road, some Members asked if car parking spaces were exclusive uses, and whether the width of the road could meet the requirement of EVA upon approval of the applications. In response, Ms Tammy S.N. Kong, STP/SKIs, said that while Director of Fire Services advised that the requirement

for EVA (i.e. a width of not less than 4.5m) should be maintained, he had no objection to the applications. The Chairman supplemented that the applications should be considered based on the information as submitted by the applicants. If there was any use contravening the existing legislations/regulations, relevant government departments could take follow-up actions where appropriate.

35. A Member asked if the structures at the Sites would need to be demolished if the applications were rejected. In response, Ms Tammy S.N. Kong, STP/SKIs, said that as the Sites fell within government land, LandsD would take enforcement action as appropriate.

Deliberation Session

36. The Chairman recapitulated that while part of the Sites fell within an area shown as 'Road', there was no implementation programme for the road works. Relevant government departments, including FSD and LandsD, had no objection to the applications. Upon approval of the subject applications, the applicants would still need to apply for STT from LandsD.

37. After deliberation, the Committee decided to approve the applications on a temporary basis for a period of 3 years until 19.4.2027, on the terms of the applications as submitted to the Town Planning Board. The Committee also agreed to advise the applicants to note the advisory clauses as set out in the appendix of the Papers.

[The Chairman thanked PlanD's representative for attending the meeting. She left the meeting at this point.]

Sha Tin, Tai Po and North District

[Ms Margaret H.Y. Chan, District Planning Officer/Sha Tin, Tai Po and North (DPO/STN), and Ms Jenny S.M. Chan, Town Planner/Sha Tin, Tai Po and North (TP/STN), were invited to the meeting at this point.]

Agenda Items 15 and 16

Section 16 Applications

[Open Meeting (Presentation and Question Sessions Only)]

A/NE-PK/196 Proposed House (New Territories Exempted House - Small House) in
“Agriculture” Zone, Lot 1579 S.D in D.D. 91, Kai Leng, Sheung Shui
(RNTPC Paper No. A/NE-PK/196)

A/NE-PK/197 Proposed House (New Territories Exempted House - Small House) in
“Agriculture” Zone, Lot 1594 S.G in D.D. 91, Kai Leng, Sheung Shui
(RNTPC Paper No. A/NE-PK/197)

38. The Committee agreed that as the two applications for proposed House (New Territories Exempted House (NTEH) – Small House) were similar in nature and the application sites were located in close proximity to each other within the same “Agriculture” zone, they could be considered together.

Presentation and Question Sessions

39. With the aid of some plans, Ms Jenny S.M. Chan, TP/STN, briefed Members on the background of the applications, the proposed developments, departmental and public comments, and the planning considerations and assessments as detailed in the Papers. The Planning Department had no objection to the applications.

40. Some Members raised the following questions:

- (a) whether the “Agriculture” (“AGR”) zone overlapping with the village ‘environs’ (‘VE’) of Kai Leng Village would be fully utilised for Small House developments and the existing conditions of the concerned area;

- (b) as the land within the “Village Type Development” (“V”) zone in Kai Leng was insufficient to meet the outstanding Small House applications, whether there was any plan to enlarge the “V” zone, or if the planning applications for Small House development would be considered on a case-by-case basis; and
- (c) clarification on the difference between the ‘VE’ and the “V” zone in Kai Leng.

41. In response, Ms Margaret H.Y. Chan, DPO/STN, with the aid of some plans, made the following main points:

- (a) each application for Small House development in the subject “AGR” zone would be considered based on its individual merits, taking into account the ‘Interim Criteria for Consideration of Application for NTEH/Small House in the New Territories’ (the Interim Criteria). For the subject applications, the footprint of the proposed Small Houses fell entirely within the ‘VE’ of Kai Leng Village. In addition, there was insufficient land within the “V” zone to meet the outstanding Small House applications. The Small House grant applications being processed/approved by the Lands Department were shown on Plan A-2b of the Papers. As shown on the aerial photos (Plan A-3 of the Papers), the concerned area was partly covered with vegetation and partly formed;
- (b) currently, there was no plan to enlarge the “V” zone, and each planning application would be considered on its individual circumstances; and
- (c) ‘VE’ referred to the area within a 300-foot radius from the edge of the last village type house built in the recognised village before the Small House Policy came into effect on 1.12.1972. On the other hand, the boundary of the “V” zone was drawn up having regard to various factors, including the boundary of ‘VE’, the number of outstanding Small House applications, topography and site constraints, etc. As the boundaries of ‘VE’ and “V”

zone were drawn up based on different criteria, their boundaries did not necessarily tally with each other.

Deliberation Session

42. The Chairman remarked that there was currently no plan to comprehensively review the boundaries of the existing “V” zones in the area. Applications for Small House development would be assessed based on the Interim Criteria. Sympathetic consideration might be given if not less than 50% of the proposed NTEH/Small House footprint fell within the ‘VE’ of a recognised village and there was a general shortage of land in meeting the demand for Small House development in the “V” zone. In considering if there was a general shortage of land in meeting the demand for Small House development, a more cautious approach was formally adopted in 2015 for which more weighting would be put on the number of outstanding Small House applications provided by LandsD, as the 10-year Small House demand forecast provided by the village representatives could not be verified.

43. Noting that there were diverse views on the Small House Policy, a Member enquired that in considering applications for Small House development, whether consideration would need to be given to satisfy the Small House demand. In response, the Chairman explained that each application would be assessed based on its individual merits, taking into account the Interim Criteria, including whether the proposed development was compatible with the surrounding areas, would encroach onto the water gathering grounds and generate adverse impacts on sewerage, landscape and traffic aspects, etc.

44. After deliberation, the Committee decided to approve the applications, on the terms of the applications as submitted to the Town Planning Board. The permissions should be valid until 19.4.2028, and after the said date, the permissions should cease to have effect unless before the said date, the developments permitted were commenced or the permissions were renewed. The Committee also agreed to advise the applicants to note the advisory clauses as set out in the appendix of the Papers.

[The Chairman thanked PlanD’s representatives for attending the meeting. They left the meeting at this point.]

Tuen Mun and Yuen Long West District

[Messrs Alexander W.Y. Mak and Eric C.Y. Chiu, Senior Town Planners/Tuen Mun and Yuen Long West (STPs/TMYLW), were invited to the meeting at this point.]

Agenda Item 52

Section 16 Application

[Open Meeting (Presentation and Question Sessions Only)]

A/YL-PS/702 Proposed Composite Social Welfare Facility (Residential Care Home for the Elderly) and Residential Institution (Senior Hostel) Development in “Government, Institution or Community” Zone, Lots 257 (Part) and 258 RP (Part) in D.D. 122 and Adjoining Government Land, Ping Shan, Yuen Long
(RNTPC Paper No. A/YL-PS/702A)

Presentation and Question Sessions

45. With the aid of a PowerPoint presentation, Mr Alexander W.Y. Mak, STP/TMYLW, briefed Members on the background of the application, the proposed development, departmental and public comments, and the planning considerations and assessments as detailed in the Paper. The Planning Department had no objection to the application.

46. Some Members raised the following questions:

- (a) difference in the definition between ‘Social Welfare Facility’ and ‘Residential Institution’;
- (b) whether there was any mechanism to ensure that only the elderly would be eligible for the senior hostel (SH);

- (c) noting that the application site (the Site) was surrounded by various brownfield sites, whether the brownfield operations would pose a threat to the health of the occupants of the residential care home for the elderly (RCHE) and SH;
- (d) whether the Site would be susceptible to flooding;
- (e) whether there was any requirement on the greening ratio of a building in the New Territories;
- (f) whether the Site was privately owned, and whether the applicant had prior experience of operating a RCHE; and
- (g) whether the applicant was aware that SH was not eligible for the incentive scheme to encourage provision of RCHE premises in new private developments.

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

- (a) according to the Definition of Terms published by the Town Planning Board (the Board), 'Social Welfare Facility' meant any place or premises used for rendering services to meet the welfare needs of an individual or a group of people in the community as recommended by the Director of Social Welfare, and for providing community services to the general public. The facilities might be operated by the Social Welfare Department or non-governmental organisations or any other organisations as approved/recommended by the Director of Social Welfare. RCHE was a type of social welfare facilities with residential care. 'Residential Institution' meant any institution established within a building which was wholly owned and managed or operated by a body or organisation and which provided residential accommodation for persons who met the eligibility criteria as prescribed by the body or organisation;

- (b) the eligibility criteria of a residential institution (including SH) was prescribed by the operator. According to the information provided by the applicant, the SH should only be occupied by persons aged 60 or above. Such requirement could be incorporated into the land lease as appropriate;
- (c) the adjoining areas of the Site were zoned “Government, Institution or Community” (“G/IC”) or “Village Type Development” and thus the future developments in the adjoining areas should not be brownfield operations. The applicant had conducted a noise impact assessment (NIA) which indicated that with the implementation of appropriate mitigation measure (i.e. installation of acoustic windows), no significant noise nuisance was anticipated. The Director of Environmental Protection had no objection to the application in that regard;
- (d) according to the drainage impact assessment (DIA) submitted by the applicant, drainage improvement works would be implemented and no insurmountable drainage impact on the surrounding area was anticipated after the implementation of such works. An approval condition on the submission of a revised drainage proposal and implementation of the measures identified therein was recommended;
- (e) according to the sustainable building design guidelines, an overall site coverage of greenery of 20% was required for a site with an area between 1,000m² and 20,000m². According to the Landscape Master Plan submitted by the applicant, not less than 20% of overall greenery coverage would be provided;
- (f) while the applicant was not the registered land owner of the Site, the applicant would purchase the private lots upon approval of the application. The applicant would select an operator for the operation, management and maintenance of both the RCHE and the SH. According to the applicant, the criteria for the future operator included over 20 years of experience in RCHE operation, experience of operating RCHE(s) in Hong Kong with a capacity of over 800 beds, and reasonable respect for the Christian faith.

There were organisations which had expressed interest in operating the RCHE and SH; and

- (g) the applicant was aware that SH would not be eligible for the incentive scheme.

Deliberation Session

48. The Chairman remarked that RCHE, which was regarded as ‘Social Welfare Facility’, was always permitted in the “G/IC” zone, whilst SH, which was regarded as ‘Residential Institution’, required planning permission from the Board. Relevant technical assessments, including traffic impact assessment, sewerage impact assessment, NIA and DIA, had been submitted by the applicant, and relevant government departments had no in-principle objection to or no adverse comment on the application. To address the concerns of relevant government departments, approval conditions on the traffic, drainage, sewerage and environmental aspects were recommended.

49. After deliberation, the Committee decided to approve the application, on the terms of the application as submitted to the Town Planning Board. The permission should be valid until 19.4.2028, 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 approval conditions stated in the Paper. The Committee also agreed to advise the applicant to note the advisory clauses as set out in the appendix of the Paper.

Agenda Item 60

Section 16 Application

[Open Meeting (Presentation and Question Sessions Only)]

A/YL-LFS/513 Proposed Public Utility Installation (Low Voltage Underground Power Cable) and Filling and Excavation of Land in “Coastal Protection Area” Zone, Government Land in D.D. 129, Sha Kiu Tsuen, Tsim Bei Tsui, Yuen Long
(RNTPC Paper No. A/YL-LFS/513)

Presentation and Question Sessions

50. With the aid of some plans, Mr Eric C.Y. Chiu, STP/TMYLW, briefed Members on the background of the application, the applied use, departmental and public comments, and the planning considerations and assessments as detailed in the Paper. The Planning Department had no objection to the application.

51. Members had no question on the application.

Deliberation Session

52. After deliberation, the Committee decided to approve the application, on the terms of the application as submitted to the Town Planning Board. The permission should be valid until 19.4.2028, 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 Committee also agreed to advise the applicant to note the advisory clauses as set out in the appendix of the Paper.

[The Chairman thanked PlanD’s representatives for attending the meeting. They left the meeting at this point.]

Agenda Item 68

Any Other Business

Section 16A Application

[Open Meeting]

A/TM/572-7 Application for Extension of Time for Compliance with Planning Conditions, Workshop Unit 10A (Portion), G/F, Hang Wai Industrial Centre, 6 Kin Tai Street, Tuen Mun
(RNTPC Paper No. A/TM/572-7)

53. The Secretary reported that application No. A/TM/572 was approved with conditions by the Committee on 14.1.2022. The extended time limit for compliance with approval condition (a) was 14.4.2024. An application for further extension of time for compliance with approval condition (a) until 14.7.2024 was received by the Town Planning Board on 12.4.2024, which was the last working day before the expiry of the specified time limit for approval condition (a) (i.e. 14.4.2024). The time limit for compliance with condition (a) had already expired on 14.4.2024, and the planning approval for the subject application had ceased to have effect and had on the same date been revoked.

54. After deliberation, the Committee noted that the section 16A application could not be considered as the planning permission was no longer valid at the time of consideration.

55. There being no other business, the meeting was closed at 4:20 p.m..

**Minutes of 740th Rural and New Town Planning Committee
(held on 19.4.2024)**

Deferral Cases

(a) Request for Deferment by Applicant for Two Months

Item No.	Application No.*	Times of Deferment
3	Y/MOS/7	2 nd [^]
8	A/NE-FTA/238	2 nd [^]
9	A/NE-FTA/240	2 nd [^]
10	A/NE-FTA/242	1 st
12	A/NE-LYT/825	1 st
14	A/NE-KLH/637	2 nd [^]
17	A/NE-TK/796	1 st
19	A/YL-KTN/967	2 nd [^]
23	A/YL-KTN/997	1 st
24	A/YL-KTN/998	1 st
25	A/YL-KTN/999	1 st
26	A/YL-KTN/1000	1 st
27	A/YL-KTN/1001	1 st
29	A/YL-KTS/980	2 nd [^]
30	A/YL-KTS/985	2 nd [^]
31	A/YL-KTS/996	1 st
32	A/YL-PH/978	2 nd [^]
34	A/YL-PH/994	1 st
35	A/YL-PH/995	1 st
43	A/YL-SK/365	1 st
45	A/HSK/499	2 nd [^]
47	A/HSK/510	1 st
48	A/HSK/511	1 st
51	A/YL/315	1 st
53	A/YL-PS/708	1 st
59	A/YL-HTF/1171	1 st
64	A/YL-TT/637	1 st
66	A/YL-TT/639	1 st
67	A/YL-TT/640	1 st

Note:
[^] The 2nd Deferment was the last deferment and no further deferment would be granted unless under special circumstances and supported with strong justifications.

(b) Request for Deferment by the Planning Department

Item No.	Application No.*	Times of Deferment	Duration of Deferment
41	A/YL-ST/661	2 nd #	Pending the end of the exhibition period of the relevant Outline Zoning Plan to confirm whether there was any representation related to the application site
Note: # The 1 st deferment for a period of two months was requested by the applicant.			

Declaration of Interests

The Committee noted the following declaration of interests:

Item No.	Members' Declared Interests	
3	The application site was located in Ma On Shan.	- Mr K.L. Wong for owning a property in Ma On Shan
45, 47 and 48	The application sites were located in Hung Shui Kiu (HSK).	- Mr Timothy K.W. Ma for being a Strategic Consultant of Right Fortune Investment Limited which was planning and building a residential care home for the elderly in HSK

As the property owned by Mr K.L. Wong had no direct view of the application site under Item 3, and Mr Timothy K.W. Ma had no involvement in the applications under Items 45, 47 and 48, the Committee agreed that they could stay in the meeting.

* Refer to the agenda at https://www.tpb.gov.hk/en/meetings/RNTPC/Agenda/740_rnt_agenda.html for details of the planning applications.

**Minutes of 740th Rural and New Town Planning Committee
(held on 19.4.2024)**

Renewal Cases

Applications for renewal of temporary approval for 3 years

Item No.	Application No.	Renewal Application	Renewal Period
33	A/YL-PH/989	Temporary Covered Vehicle Park (Private Cars and Light Goods Vehicles) in “Open Storage” and “Village Type Development” Zones, Lot 1863RP (part) in D.D. 111 and adjoining Government Land, Pat Heung, Yuen Long	5.5.2024 to 4.5.2027
38	A/YL-PH/999	Temporary Transitional Housing Development and Place of Recreation, Sports or Culture (Hobby Farm) in “Open Storage”, “Agriculture” and “Industrial (Group D)” Zones, Government Land near Kam Tai Road, Pat Heung, Yuen Long	19.4.2024 to 19.4.2027*
40	A/YL-NTM/472	Temporary Public Vehicle Park (Private Cars and Container Vehicles), Vehicle Repair Workshop, Open Storage of Construction Materials and Ancillary Offices in “Open Space”, “Government, Institution or Community” and “Village Type Development” Zones and area shown as ‘Road’, Lots 826 RP (Part), 827, 828 and 829 in D.D.102, Lots 296, 297 RP, 298 RP, 299 RP, 396 RP (Part) and 397 (Part) in D.D. 105 and Adjoining Government Land, Ngau Tam Mei, Yuen Long	5.5.2024 to 4.5.2027
44	A/YL-SK/366	Temporary Shop and Services (Car Audio Shop) and Ancillary Office in “Village Type Development” and “Agriculture” Zones, Lot 1289 RP (Part) in D.D.114, Shek Kong, Yuen Long	26.6.2024 to 25.6.2027
57	A/YL-TYST/1261	Temporary Warehouse for Storage of Machinery, Spare Parts and Construction Material in “Undetermined” Zone, Lots 989 (Part) and 990 (Part) in D.D. 119, Yuen Long	5.5.2024 to 4.5.2027

* The application was approved by the Committee on a temporary basis for the period as recommended in the Paper.

**Minutes of 740th Rural and New Town Planning Committee
(held on 19.4.2024)**

Cases for Streamlining Arrangement

(a) Applications approved on a temporary basis for a period of 3 years until 19.4.2027

Item No.	Application No.	Planning Application
11	A/NE-HLH/70	Temporary Open Storage of Construction Machinery and Materials in “Agriculture” Zone, Lot 373 in D.D. 87, Hung Lung Hang
13	A/NE-TKL/743	Proposed Temporary Open Storage of Construction Machinery and Materials in “Agriculture” Zone, Lot 1115 (Part) in D.D. 82, Ta Kwu Ling
18	A/NE-KTS/532	Proposed Temporary Warehouse (Hardware Accessories) with Ancillary Office in “Recreation” Zone, Lot 2205 RP (Part) in D.D. 92, Kam Tsin, Kwu Tung, Sheung Shui
20	A/YL-KTN/970	Proposed Temporary Warehouse (excluding Dangerous Goods Godown) with Ancillary Office and Filling of Land in “Agriculture” Zone, Lot 1061 RP (Part) in D.D. 109, Kam Tin North, Yuen Long
21	A/YL-KTN/976	Proposed Temporary Warehouse (excluding Dangerous Goods Godown) with Ancillary Office and Filling of Land in “Agriculture” Zone, Lot 1371 in D.D. 109, Kam Tin North, Yuen Long
22	A/YL-KTN/996	Proposed Temporary Warehouse (excluding Dangerous Goods Godown) with Ancillary Facilities and Filling of Land in “Agriculture” Zone, Lots 1225 S.C, 1226 S.E and 1230 S.B in D.D.107, Fung Kat Heung, Kam Tin, Yuen Long
36	A/YL-PH/996	Temporary Public Vehicle Park (excluding Container Vehicle) and Filling of Land in “Village Type Development” Zone, Lots 1031, 1046 S.B RP, 1052 (Part) and 1053 (Part) in D.D. 111, Ha Che, Pat Heung, Yuen Long
37	A/YL-PH/997	Temporary Public Vehicle Park (excluding Container Vehicle) and Filling of Land in “Village Type Development” Zone, Lots 1043 (Part), 1046 S.A ss.1 RP (Part), 1046 S.A ss.1 S.A and HTL House Lot Blocks (Part) in D.D. 111 and Adjoining Government Land, Ha Che, Pat Heung, Yuen Long
39	A/YL-MP/361	Temporary Shop and Services in “Residential (Group C)” Zone, Lots 3250 S.B. ss. 48 and 3250 S.B. ss. 49 (Part) in D.D. 104 and Adjoining Government Land, Mai Po, Yuen Long
42	A/YL-ST/667	Proposed Temporary Shop and Services (Motor Vehicle Showroom) and associated Filling and Excavation of Land in “Other Specified Uses” annotated “Mixed Use” and “Other Specified Uses” annotated “Amenity Area” Zones and area shown as ‘Road’, Lots 733 S.F (Part), 737 RP (Part), 738 RP, 741 (Part), 742 RP (Part) and 744 RP (Part) in D.D. 99 and Adjoining Government Land, San Tin, Yuen Long
46	A/HSK/509	Temporary Warehouse for Storage of Food Provision in “Open Space” Zone, Lots 673 (Part), 674 (Part), 675 S.A, 675 S.B and 676 (Part) in D.D. 125 and Adjoining Government Land, Ha Tsuen, Yuen Long

Item No.	Application No.	Planning Application
54	A/YL-PS/709	Temporary Public Vehicle Park (Private Cars and Light Goods Vehicles) in “Village Type Development” Zone, Lot 425 (Part) in D.D. 122 and Adjoining Government Land, Sheung Cheung Wai, Yuen Long
55	A/YL-PS/710	Temporary Public Vehicle Park (Private Cars) in “Village Type Development” Zone, Lots 262 RP (Part), 263 (Part), 264 (Part), 265, 267 RP and 268 RP in D.D. 122 and Adjoining Government Land, Ping Shan, Yuen Long
56	A/YL-TYST/1260	Temporary Warehouse for Storage of Construction Materials in “Undetermined” Zone, Lots 1167 S.A RP and 1172 in D.D. 119 and Adjoining Government Land, Pak Sha Tsuen, Yuen Long
58	A/YL-HTF/1170	Temporary Open Storage of Construction Materials in “Residential (Group D)” Zone, Lot 137 (Part) in D.D. 128, Ha Tsuen, Yuen Long
61	A/YL-LFS/514	Temporary Open Storage of Construction Materials in “Recreation” Zone, Lots 1663 RP (Part), 1669, 1670, 1671 (Part) in D.D.129 and Adjoining Government Land, Lau Fau Shan, Yuen Long
62	A/YL-LFS/515	Temporary Open Storage of Construction Materials in “Recreation” Zone, Lot 1667 in D.D.129, Lau Fau Shan, Yuen Long
65	A/YL-TT/638	Proposed Temporary Eating Place in “Village Type Development” Zone, Lot 653 S.H in D.D. 117, Wong Nai Tun Tsuen, Tai Tong, Yuen Long

(b) Applications approved on a temporary basis for a period of 5 years until 19.4.2029

Item No.	Application No.	Planning Application
28	A/YL-KTS/974	Proposed Temporary Shop and Services in “Village Type Development” Zone, Lot 291 (Part) in D.D. 109, Kam Sheung Road, Kam Tin, Yuen Long
49	A/TM/589*	Shop and Services (Real Estate Agency) in “Industrial” Zone, Unit 2B, G/F, Parklane Centre, 25 Kin Wing Street, Tuen Mun
50	A/TM/591#	Renewal of Planning Approval for Proposed Temporary Animal Boarding Establishment for Homeless Animals in “Government, Institution or Community” Zone, Former St. Simon’s Primary School, San Ping Circuit, Tuen Mun
63	A/TM-LTYT/469	Temporary Shop and Services and School (Tutorial School) in “Village Type Development” and “Comprehensive Development Area” Zones, Lots 804 S.B RP, 804 S.B ss.3 S.B, 804 S.B ss.3 RP and 804 S.B ss. 5 in D.D. 130, 83 Lam Tei Main Street, Lam Tei, Tuen Mun

* The application was for the applied use on a permanent basis, but approved by the Committee on a temporary basis, as recommended in the Paper.

The application was considered as a fresh application and approved by the Committee on a temporary basis for the period as recommended in the Paper.

Declaration of Interests

The Committee noted the following declaration of interests:

Item No.	Members' Declared Interests	
39	The application site was located in Mai Po.	- Mr K.W. Leung for owning a property in Mai Po
46	The application site was located in Hung Shui Kiu (HSK).	- Mr Timothy K.W. Ma for being a Strategic Consultant of Right Fortune Investment Limited which was planning and building a residential care home for the elderly in HSK

As the property owned by Mr K.W. Leung had no direct view of the application site under Item 39 and Mr Timothy K.W. Ma had no involvement in the application under Item 46, the Committee agreed that they could stay in the meeting.