

## **TOWN PLANNING BOARD**

### **Minutes of 705<sup>th</sup> Meeting of the Rural and New Town Planning Committee held at 2:30 p.m. on 14.10.2022**

#### **Present**

Director of Planning  
Mr Ivan M.K. Chung

Chairman

Mr Stephen L.H. Liu

Vice-chairman

Miss Winnie W.M. Ng

Mr K.W. Leung

Professor John C.Y. Ng

Dr Conrad T.C. Wong

Mrs Vivian K.F. Cheung

Mr K.L. Wong

Chief Traffic Engineer/New Territories West,  
Transport Department  
Ms Carrie K.Y. Leung

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

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

Assistant Director/Regional 3,  
Lands Department  
Ms Jane K.C. Choi

Deputy Director of Planning/District  
Mr C.K. Yip

Secretary

**Absent with Apologies**

Dr C.H. Hau

Mr L.T. Kwok

Dr Venus Y.H. Lun

Mr Vincent K.Y. Ho

**In Attendance**

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

Chief Town Planner/Town Planning Board  
Ms Kitty S.T. Lam

Town Planner/Town Planning Board  
Mr Ryan C.K. Ho

**Agenda Item 1**

Confirmation of the Draft Minutes of the 704<sup>th</sup> RNTPC Meeting held on 23.9.2022

[Open Meeting]

1. The draft minutes of the 704<sup>th</sup> RNTPC meeting held on 23.9.2022 were confirmed without amendments.

**Agenda Item 2**

Matter Arising

[Open Meeting]

- (i) Proposed Amendments to the Approved Kwu Tung North Outline Zoning Plan No. S/KTN/2

2. The Secretary reported that the proposed amendments to the approved Kwu Tung North Outline Zoning Plan No. S/KTN/2 (the OZP) were to incorporate the recommendations of the Northern Metropolis Development Strategy, which were supported by various technical assessments conducted by the Civil Engineering and Development Department (CEDD) and AECOM Asia Company Limited (AECOM) was one of the consultants; and take forward the decision of the Committee on an approved s.12A application No. Y/KTN/2 located in Kwu Tung North. The following Members had declared interests on the item:

Dr C.H. Hau - currently conducting contract research project with CEDD, having past business dealings with AECOM, and owning a property in Kwu Tung North;

Dr Conrad T.C. Wong - having current business dealings with AECOM; and

Mr Vincent K.Y. Ho - having current business dealings with AECOM.

3. The Committee noted that Dr C.H. Hau and Mr Vincent K.Y. Ho had tendered apologies for not being able to attend the meeting. As the item was to reflect the rectification of a plan presented to the Committee when considering the proposed amendments to the OZP, no discussion was involved. The Committee agreed that Dr Conrad T.C. Wong could stay in the meeting.

4. The Secretary reported that a plan illustrating the revised Amendment Items A2 and J1 was circulated to Members before the meeting. The proposed amendments to the OZP were agreed by the Committee on 23.9.2022, including Amendment Items A2 and J1 which were mainly related to designating the concerned areas as 'Road' to reflect the latest road layout. It was subsequently found that two small areas related respectively to Items A2 and J1 were inadvertently not indicated as part of the two amendment items. The plan showing the concerned amendments was therefore rectified for Members' information.

5. Members noted the rectification made and agreed that gazetting of the proposed amendments to the draft Kwu Tung North OZP No. S/KTN/2A would be made based on the said plan and other relevant plans presented to Members on 23.9.2022.

(ii) Proposed Amendments to the Approved Fanling North Outline Zoning Plan No. S/FLN/2

6. The Secretary reported that the proposed amendments to the approved Fanling North Outline Zoning Plan No. S/FLN/2 (the OZP) involved two public housing developments to be developed by the Hong Kong Housing Authority (HKHA) and the Housing Department (HD) was the executive arm of HKHA, which were supported by various technical assessments conducted by the Civil Engineering and Development Department (CEDD). The following Members had declared interests on the item:

Mr Paul Y.K. Au - being a representative of the Director of Home Affairs who was a member of the Strategic Planning Committee and the Subsidised Housing Committee of HKHA;

Dr C.H. Hau - currently conducting contract research project

with CEDD;

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

Mr L.T. Kwok - his former serving organisation currently renting premises in various estates of HKHA at concessionary rent for welfare services, and formerly operating a social service team which was supported by HKHA and openly bid funding from HKHA; and

Mr K.L. Wong - being a member and an ex-employee of the Hong Kong Housing Society which currently had discussion with HD on housing development issues.

7. The Committee noted that Dr C.H. Hau and Mr L.T. Kwok had tendered apologies for not being able to attend the meeting and Mr Paul Y.K. Au had not yet joined the meeting. As the item was to seek Members' agreement to proposed amendments to the Notes and Explanatory Statement (ES) of the Fanling North OZP considered by the Committee on 23.9.2022, the Committee agreed that Dr Conrad T.C. Wong, whose interest in relation to HKHA was direct, could stay in the meeting but should refrain from discussion of the item. As Mr K.L. Wong had no involvement in the item, the Committee agreed that he could stay in the meeting.

8. The Secretary reported that the relevant Notes and ES of the OZP indicating the revisions to the "Residential (Group A)5" ("R(A)5") and "R(A)6" sub-zones were shown on the screen at the meeting. The proposed amendments to the OZP were agreed by the Committee on 23.9.2022 including the Notes and ES of the concerned "R(A)5" and "R(A)6" sub-zones for public housing developments, which stipulated the total maximum plot ratios (PR) of 4.85 and 6.5 with specifications that the domestic PR should not exceed 4.55 and 5.2 respectively. In order to allow flexibility, it was further proposed that the Notes of the said "R(A)" sub-zones should only specify the maximum PR without restricting the maximum domestic PR so that the actual domestic and non-domestic PRs could be worked out at the

detailed design stage. The Notes and ES of the relevant “R(A)” sub-zones indicating the concerned amendments were therefore revised for Members’ agreement.

9. The Committee agreed to the revised Notes and ES of the “R(A)” sub-zones and that gazetting of the proposed amendments to the draft Fanling North OZP No. S/FLN/2A would be made based on the revised Notes and ES of the “R(A)” sub-zones and other relevant Notes and ES of the OZP presented to Members on 23.9.2022.

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

#### **Agenda Item 3**

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

[Open Meeting]

Y/NE-STK/3                      Application for Amendment to the Approved Sha Tau Kok Outline Zoning Plan No. S/NE-STK/2, To rezone the application site from “Village Type Development” to “Other Specified Uses” annotated “Columbarium”, Lots 1422 S.B (Part) and 1423 S.B (Part) in D.D. 41, Tong To, Sha Tau Kok  
(RNTPC Paper No. Y/NE-STK/3)

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10. The Committee noted that the applicant’s representative requested on 22.9.2022 deferment of consideration of the application for two months so as to allow more time to prepare further information to address departmental comments. It was the first time that the applicant requested deferment of the application.

11. After deliberation, the Committee decided to defer a decision on the application as requested by the applicant pending the submission of further information from the applicant. The Committee agreed that the application should be submitted for its consideration within 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 further information, and no further deferment would be granted unless under very special circumstances.

[Professor John C.Y. Ng joined the meeting at this point.]

#### **Agenda Item 4**

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

[Open Meeting (Presentation and Question Sessions Only)]

Y/ST/48                      Application for Amendment to the Draft Sha Tin Outline Zoning Plan No. S/ST/35, To rezone the application site from “Residential (Group B)” and “Green Belt” to “Other Specified Uses” annotated “Religious Institution with Columbarium”, Lots 2 & 671 in D.D. 181 in Tai Wai, Sha Tin  
(RNTPC Paper No. Y/ST/48B)

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12.            The Secretary reported that the application site (the Site) was located in Tai Wai, Sha Tin. The following Members had declared interests on the item:

Professor John C.Y. Ng        -        owning a flat in Sha Tin; and

Mr Vincent K.Y. Ho            -        co-owning with spouse a flat in Sha Tin.

13.            The Committee noted that Mr Vincent K.Y. Ho had tendered an apology for not being able to attend the meeting. As the flat owned by Professor John C.Y. Ng had no direct view of the Site, the Committee agreed that he could stay in the meeting.

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

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

**PlanD**

Ms Margaret H.Y. Chan - District Planning Officer/Shan Tin, Tai Po & North (DPO/STN)

Ms Elizabeth Ng - Town Planner/Shan Tin, Tai Po & North (TP/STN)

**Applicant's Representatives**

Good Faith Ltd.

Ms Josanne Ng

PlanPlus Consultancy Ltd.

Mr Kenneth Chan

Mr Vincent Lau

CTA Consultants Ltd.

Mr Kelvin Leung

Archln

Mr Memphis Chao

Lanbase Surveyors Ltd.

Mr C.K. Chan

15. 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.

16. With the aid of a PowerPoint presentation, Ms Margaret H.Y. Chan, DPO/STN, briefed Members on the background of the application, the proposed rezoning of 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.

[Miss Winnie W.M. Ng and Mr Paul Y.K. Au joined the meeting during PlanD's



presentation.]

17. The Chairman then invited the applicant's representatives to elaborate on the application. Mr Kenneth Chan, the applicant's representative, stated that they had no further elaboration and stood ready to answer Members' questions. As the presentation of PlanD's representative was completed and the applicant's representatives had no further elaboration of the application, the Chairman invited questions from Members.

18. A Member raised the following questions:

- (b) the details of another s.12A application (No. Y/ST/49) submitted by the same applicant covering the same Site and whether approval of the subject application would have any implication on that case; and
- (c) noting that the Site was currently sharing access with the nearby squatters, whether there was information on the pedestrian circulation arrangement in the area.

19. In response, Ms Margaret H.Y. Chan, DPO/STN, made the following main points :

- (a) the other application (No. Y/ST/49) under processing was submitted by the same applicant for the same site with the same set of Notes for the proposed "Other Specified Uses" annotated "Religious Institution with Columbarium" ("OU(Religious Institution with Columbarium)") zone except that the maximum gross floor area was slightly different and the total number of niches stipulated under that application was 14,483, covering all unsold niches, while that under the subject application was 1,779 covering the sold niches. A traffic impact assessment (TIA) in support of application No. Y/ST/49 was required. A clause was also proposed in the Notes of both applications to allow the Town Planning Board to consider minor relaxation of the stated development parameters, including the number of niches, under s.16 application. Whilst there were two applications covering the same Site, the Committee should consider

each application based on its own individual merits. Should the subject application be approved by the Committee, the maximum number of niches, i.e. 1,779, would be stipulated in the Notes of the relevant zone as proposed by the applicant under the statutory plan-making process in due course; and

- (b) the Site had a shared pedestrian access with about 20 squatters uphill (i.e. Pak Tin Village Area 2 and Fuk Lok Tsuen), which were located about 125m and 510m to the further northwest of the Site respectively. The pedestrian flow of the concerned access so generated was insignificant.

20. As the applicant's representatives had no further points to raise and there were no further questions from Members, the Chairman informed the applicant's 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 applicant of the Committee's decision in due course. The Chairman thanked the representatives from PlanD and the applicant for attending the meeting. They left the meeting at this point.

#### Deliberation Session

21. The Chairman recapitulated that the current application was for rezoning the Site from "Residential (Group B)" and "Green Belt" to "OU(Religious Institution with Columbarium)" to regularise the existing religious institution and columbarium uses with the concerned 1,779 niches under the application sold before 30.6.2017, i.e. the date the Private Columbarium Ordinance, which regulated the operation of private columbaria through a licensing scheme, came into operation. Under the Government's current practice, no TIA would be required for licence application from a pre-cut-off columbarium which only involved niches sold before 30.6.2017. Such practice was applicable to the subject application and the TIA requirement could be exempted. On the other hand, a traffic management plan had been submitted by the applicant to support the application and relevant departments including the Transport Department and Hong Kong Police Force had no in-principle objection to or adverse comment on the application. Furthermore, although the Site was close to the nearby residential clusters, it was accessible by a separate footpath branching off from Mei Tin Road and did not share its pedestrian access with Mei Chung Court. The closest residential block of Mei Chung Court (about 20m away) was also

separated from the Site by a vegetated slope with no direct physical linkage. Taking into account the land use compatibility and technical feasibility aspects, PlanD had no in-principle objection to the application.

22. Members generally supported the application to regularise the existing columbarium use with 1,779 niches. Members also noted that the proposal under application No. Y/ST/49 with 14,483 niches would be considered by the Committee separately.

23. After deliberation, the Committee decided to agree to the subject application, and that the relevant proposed amendment to the Sha Tin OZP, together with the revised Notes and Explanatory Statement, would be submitted to the Committee for consideration prior to gazetting under section 5 of the Town Planning Ordinance upon reference back of the OZP.

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

#### **Agenda Item 5**

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

[Open Meeting]

Y/FSS/19                      Application for Amendment to the Draft Fanling/Sheung Shu Outline Zoning Plan No. S/FSS/25, To rezone the application site from “Comprehensive Development Area” to “Comprehensive Development Area (1)” and amend the Notes of the zone applicable to the site, Sheung Shui Lot 2 RP and adjoining Government land, New Territories (RNTPC Paper No. Y/FSS/19)

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24. The Committee noted that the applicant’s representative requested on 6.10.2022 deferment of consideration of the application for two months so as to allow more time to prepare further information to address comments from the Transport Department. It was the first time that the applicant requested deferment of the application.

25. 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 further information, and no further deferment would be granted unless under very special circumstances.

### **Agenda Item 6**

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

[Open Meeting]

Y/YL-KTN/3                      Application for Amendment to the Approved Kam Tin North Outline Zoning Plan No. S/YL-KTN/9, To rezone the application site from "Agriculture" to "Government, Institution or Community (1)" and amend the Notes of the zone applicable to the site, Lot 1171 S.B in D.D. 109, Kam Tin, Yuen Long  
  
(RNTPC Paper No. Y/YL-KTN/3)

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26.                      The Committee noted that the applicant's representative requested on 22.9.2022 deferment of consideration of the application for two months so as to allow more time to prepare further information to address departmental and public comments. It was the first time that the applicant requested deferment of the application.

27.                      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 further information, and no further deferment would be granted unless under very special

circumstances.

**Tuen Mun and Yuen Long West District**

**Agenda Item 7**

**Section 12A Application**

[Open Meeting]

Y/TM/25                      Application for Amendment to the Draft Tuen Mun Outline Zoning Plan No. S/TM/36, To rezone the application site from “Green Belt” to “Government, Institution or Community”, Lot 1724 RP ss.14 in D.D. 132, Hing Fu Street, Tuen Mun  
(RNTPC Paper No. Y/TM/25)

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28.                      Members noted that consideration of the application had been rescheduled.

**Agenda Item 8**

**Section 12A Application**

[Open Meeting]

Y/TM/26                      Application for Amendment to the Draft Tuen Mun Outline Zoning Plan No. S/TM/36, To rezone the application site from “Green Belt” to “Government, Institution or Community”, Lots 1724 S.H RP and 2015 in D.D. 132, Hing Fu Street, Tuen Mun  
(RNTPC Paper No. Y/TM/26)

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29.                      Members noted that consideration of the application had been rescheduled.

**Sai Kung and Islands District**

[Ms W.H. Ho, Senior Town Planner/Sai Kung and Islands (STP/SKIs), was invited to the meeting at this point.]

**Agenda Item 9**

**Section 16 Application**

[Open Meeting (Presentation and Question Sessions only)]

A/I-MWF/33            Proposed Temporary Shop and Services (Food Kiosk) for a Period of 3 years in “Recreation” Zone, Remaining Portion of Lot 563 (Part) in D.D. 4 MW, Mui Wo, Lantau  
(RNTPC Paper No. A/I-MWF/33)

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30.            The Committee noted that the application was selected for streamlining arrangement and the Planning Department had no objection to the proposed temporary use based on the assessments set out in the Paper.

**Deliberation Session**

31.            After deliberation, the Committee decided to approve the application on a temporary basis for a period of 3 years until 14.10.2025 on the terms of the application as submitted to the Town Planning Board (TPB) and subject to the following conditions :

- “(a)    the submission of proposals for fire service installations and water supplies for fire-fighting within 6 months from the date of planning approval to the satisfaction of the Director of Fire Services or of the TPB by 14.4.2023;
  
- (b)    in relation to (a) above, the implementation of the proposals for fire service installations and water supplies for fire-fighting within 9 months from the date of planning approval to the satisfaction of the Director of Fire Services or of the TPB by 14.7.2023; and
  
- (c)    if any of the above planning condition (a) or (b) 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.”

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

**Agenda Item 10**

**Section 16 Application**

[Open Meeting (Presentation and Question Sessions only)]

A/I-TCV/20                      Proposed Temporary Shop and Services (Vegetable and Grocery Store) with Ancillary Office and Storage Uses for a Period of 3 Years in “Village Type Development” Zone, Lots 1386 RP, 1387 and 1395 RP in D.D.1 TC, Tung Chung Valley, Lantau Island  
(RNTPC Paper No. A/I-TCV/20)

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33.                      The Committee noted that the application was selected for streamlining arrangement and the Planning Department had no objection to the proposed temporary use based on the assessments set out in the Paper.

**Deliberation Session**

34.                      After deliberation, the Committee decided to approve the application on a temporary basis for a period of 3 years until 14.10.2025 on the terms of the application as submitted to the Town Planning Board (TPB) and subject to the following conditions :

- “(a)    the submission of a drainage proposal within 6 months from the date of planning approval to the satisfaction of the Director of Drainage Services or of the TPB by 14.4.2023;
  
- (b)    in relation to (a) above, the implementation of the drainage proposal within 9 months from the date of planning approval to the satisfaction of the Director of Drainage Services or of the TPB by 14.7.2023;
  
- (c)    in relation to (b) above, the maintenance of the implemented drainage facilities at all times during the planning approval period;
  
- (d)    the submission of a fire service installations and water supplies proposal 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 14.4.2023;

- (e) in relation to (d) above, the implementation of the fire service installations and water supplies proposal 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 14.7.2023;
- (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 condition (a), (b), (d) or (e) is not complied with by the specified date, the planning approval hereby given shall cease to have effect and shall on the same date be revoked without further notice.”

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

### **Agenda Item 11**

#### **Section 16 Application**

[Open Meeting]

A/SK-CWBS/43 Proposed Public Utility Installation (Pillar Box) and Associated Excavation of Land in “Conservation Area” Zone, Government Land in D.D. 230, Lung Ha Wan Road, Sai Kung  
(RNTPC Paper No. A/SK-CWBS/43)

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36. The Secretary reported that the application was submitted by CLP Power Hong Kong Limited (CLP). Dr Conrad T.C. Wong had declared an interest on the item as his firm having current business dealings with CLP.

37. The Committee noted that the applicant had requested deferral of consideration of the application. As the interest of Dr Conrad T.C. Wong was direct, the Committee agreed that he could stay in the meeting but should refrain from participating in the discussion of the item.



38. The Committee noted that the applicant's representative requested on 28.9.2022 deferment of consideration of the application for two months so as to allow more time to prepare further information to address departmental comments. It was the first time that the applicant requested deferment of the application.

39. 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 further information, and no further deferment would be granted unless under very special circumstances.

## **Agenda Item 12**

### **Section 16 Application**

[Open Meeting (Presentation and Question Sessions only)]

A/SK-TLS/60 Religious Institution (Existing Temple and Proposed Ancillary Quarters and Facilities) in "Village Type Development" and "Green Belt" Zones, Lot 542 in D.D. 401 and Adjoining Government Land, Ma Yau Tong, Sai Kung  
(RNTPC Paper No. A/SK-TLS/60A)

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### **Presentation and Question Sessions**

40. With the aid of some plans, Ms W.H. Ho, STP/SKIs, 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.

41. Members had no question on the application.

## Deliberation Session

42. 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 14.10.2026, and after the said date, the permission should cease to have effect unless before the said date, the development permitted was commenced or the permission was renewed.

43. 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 Ms W.H. Ho, STP/SKIs, for her attendance to answer Members' enquiries. She left the meeting at this point.]

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

[Mr Tim T.Y. Fung, Mr Kevin K.W. Lau and Mr Harris K.C. Liu, Senior Town Planners/Shan Tin, Tai Po and North (STPs/STN), were invited to the meeting at this point.]

### **Agenda Item 13**

#### **Section 16 Application**

[Open Meeting (Presentation and Question Sessions Only)]

A/NE-MKT/21      Proposed Temporary Place of Recreation, Sports or Culture (Hobby Farm) for a Period of 3 Years in "Green Belt" Zone, Lot 140 (Part) in D.D. 86, San Uk Ling, Man Kam To  
(RNTPC Paper No. A/NE-MKT/21)

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

44. With the aid of some plans, Mr Tim T.Y. Fung, STP/STN, briefed Members on the background of the application, the proposed use, departmental and public comments, and the planning considerations and assessments as detailed in the Paper. The Planning

Department did not support the application.

45. Members had no question on the application.

#### Deliberation Session

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

- “(a) the proposed development does not comply with the Town Planning Board Guidelines No. 10 for Application for Development within “Green Belt” zone under section 16 of the Town Planning Ordinance in that the applicant fails to demonstrate in the submission that the proposed development would not affect the existing natural landscape; and
- (b) the applicant fails to demonstrate in the submission that the proposed development would not generate adverse traffic and landscape impacts on the surrounding areas.”

#### **Agenda Item 14**

##### Section 16 Application

[Open Meeting (Presentation and Question Sessions Only)]

A/NE-TKL/698 Filling of Land for Permitted Agricultural Use in “Agriculture” Zone,  
Lot 1110 S.A (Part) in D.D. 82, Ping Che Road, Ta Kwu Ling  
(RNTPC Paper No. A/NE-TKL/698A)

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##### Presentation and Question Sessions

47. With the aid of some plans, Mr Tim T.Y. Fung, STP/STN, 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.

48. A Member asked whether reinstatement of the application site (the Site) to an amenity area was proposed as an approval condition, should the application be approved. In response, Mr Tim T.Y. Fung, STP/STN, said that the subject application was for permanent filling of land in support of permitted agricultural use at the Site, and a reinstatement clause was not applicable.

### Deliberation Session

49. After deliberation, the Committee decided to approve the application, on the terms of the application as submitted to the Town Planning Board (TPB) and subject to the following condition:

“the submission and implementation of a drainage proposal to the satisfaction of the Director of Drainage Services or of the TPB.”

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

### Agenda Item 15

#### Section 16 Application

[Open Meeting (Presentation and Question Sessions Only)]

A/NE-LT/713 Proposed House (New Territories Exempted House - Small House) in “Agriculture” Zone and area shown as ‘Road’, Government Land in D.D. 19, Chung Uk Tsuen, Lam Tsuen, Tai Po  
(RNTPC Paper No. A/NE-LT/713B)

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#### Presentation and Question Sessions

51. With the aid of some plans, Mr Kevin K.W. Lau, STP/STN, 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 did not support the application.

52. Members had no question on the application.

Deliberation Session

53. 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. It is also intended to retain fallow arable land with good potential for rehabilitation for cultivation and other agricultural purposes. There is no strong planning justification in the submission for a departure from the planning intention;
- (b) the proposed development does not comply with the Interim Criteria for consideration of application for New Territories Exempted House/Small House in New Territories in that the applicant fails to demonstrate that the proposed development located within water gathering grounds would be able to be connected to the existing sewerage system and would not cause adverse impact on the water quality in the area; and
- (c) land is still available within the “Village Type Development” (“V”) zones of Chung Uk Tsuen, Fong Ma Po, Tong Min Tsuen and San Uk Tsai which is primarily intended for Small House development. It is considered more appropriate to concentrate the proposed Small House development within the “V” zones for more orderly development pattern, efficient use of land and provision of infrastructures and services.”

## **Agenda Item 16**

### **Section 16 Application**

[Open Meeting (Presentation and Question Sessions Only)]

A/TP/683                      Proposed House (New Territories Exempted House - Small House) in  
   “Green Belt” Zone, Lot 432 S.G RP in D.D. 5, San Wai Tsai, Tai Po  
   (RNTPC Paper No. A/TP/683)

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54.                      The Secretary reported that the application site was located in Tai Po. Dr Venus Y.H. Lun had declared an interest on the item for owning a property in Tai Po.

55.                      The Committee noted that Dr Venus Y.H. Lun had tendered an apology for not being able to attend the meeting.

### **Presentation and Question Sessions**

56.                      With the aid of some plans, Mr Kevin K.W. Lau, STP/STN, 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.

57.                      Members had no question on the application.

### **Deliberation Session**

58.                      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 14.10.2026, and after the said date, the permission should cease to have effect unless before the said date, the development permitted was commenced or the permission was renewed. The permission was subject to the following condition :

“the submission and implementation of drainage and sewerage proposals to the satisfaction of the Director of Drainage Services or of the TPB.”

59.                      The Committee also agreed to advise the applicant to note the advisory clauses as

set out at Appendix VII of the Paper.

### **Agenda Item 17**

#### **Section 16 Application**

[Open Meeting (Presentation and Question Sessions Only)]

A/NE-KLH/608 Proposed 5 Houses (New Territories Exempted Houses) in “Agriculture” Zone, Lots 643B S.A RP, 643B S.B, 643B RP, 644 S.A, 644 S.B and 644 RP in D.D. 9, Yuen Leng Village, Tai Po  
(RNTPC Paper No. A/NE-KLH/608A)

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

60. With the aid of some plans, Mr Harris K.C. Liu, STP/STN, 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 did not support the application.

61. Members had no question on the application.

#### **Deliberation Session**

62. 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. It is also intended to retain fallow arable land with good potential for rehabilitation for cultivation and other agricultural purposes. There is no strong planning justification in the submission for a departure from the planning intention;
- (b) the site falls within the upper indirect water gathering grounds (WGG) and

the applicant fails to demonstrate that the proposed development would cause no material increase in pollution effect to the WGG; and

- (c) the proposed development would be subject to adverse noise impact generated by the East Rail Line nearby, and the applicant fails to demonstrate that the impact could be addressed.”

### **Agenda Item 18**

#### **Section 16 Application**

[Open Meeting (Presentation and Question Sessions Only)]

A/NE-KLH/613      Proposed House (New Territories Exempted House - Small House) in “Agriculture” Zone, Lot 1065 S.A in D.D. 7 and Adjoining Government Land, Wai Tau, Tai Po  
(RNTPC Paper No. A/NE-KLH/613)

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

63.            With the aid of some plans, Mr Harris K.C. Liu, STP/STN, 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 did not support the application.

64.            Members had no question on the application.

#### **Deliberation Session**

65.            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. It is also intended to retain fallow arable land with good potential for rehabilitation



for cultivation and other agricultural purposes. There is no strong planning justification in the submission for a departure from the planning intention;

- (b) the proposed development does not comply with the Interim Criteria for Consideration of Application for New Territories Exempted House/Small House in New Territories in that the proposed development would cause adverse landscape impact on the surrounding areas; and
- (c) land is still available within the “Village Type Development” (“V”) zone of Wai Tau Tsuen which is primarily intended for Small House development. It is considered more appropriate to concentrate the proposed Small House development within the “V” zone for more orderly development pattern, efficient use of land and provision of infrastructure and services.”

### **Agenda Item 19**

#### **Section 16 Application**

[Open Meeting]

A/NE-KLH/614      Proposed Public Utility Installation (Solar Photovoltaic System) in “Village Type Development” and “Agriculture” Zones, Lot 822 in D.D. 7, Wai Tau Village, Tai Po  
(RNTPC Paper No. A/NE-KLH/614)

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66.            The Committee noted that the applicant’s representative requested on 30.9.2022 deferment of consideration of the application for one month so as to allow more time to prepare further information to address departmental comments. It was the first time that the applicant requested deferment of the application.

67.            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 further information, and no further deferment would be granted unless under very special circumstances.

## **Agenda Item 20**

### **Section 16 Application**

[Open Meeting]

A/NE-KLH/615      Proposed Temporary Warehouse for a Period of 3 Years in "Green Belt" Zone, Lot 477 RP in D.D. 9, Nam Wa Po, Tai Po  
(RNTPC Paper No. A/NE-KLH/615)

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68.            The Committee noted that the applicant's representative requested on 6.10.2022 deferment of consideration of the application for two months so as to allow more 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 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-TK/758            Temporary Private Vehicle Park (Private Cars Only) for a Period of 3 Years in “Green Belt” Zone, Lots 255 S.R ss.1 (Part), 255 S.R ss.9 S.A, 255 S.R ss.9 S.B and 255 S.R ss.9 S.C in D.D. 26, Wong Yue Tan, Tai Po  
(RNTPC Paper No. A/NE-TK/758)

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**Presentation and Question Sessions**

70.            With the aid of some plans, Mr Harris K.C. Liu, STP/STN, 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 did not support the application.

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 applied use is not in line with the planning intention of the “Green Belt” zone, which is primarily for defining the limits of urban and sub-urban development areas by natural features and to contain urban sprawl as well as to provide passive recreational outlets. There is a general presumption against development within this zone. There is no strong planning justification in the submission for a departure from the planning intention, even on a temporary basis; and
- (b) the applied use is not in line with the Town Planning Board (TPB) Guidelines for ‘Application for Development within Green Belt Zone under Section 16 of the Town Planning Ordinance’ (TPB PG-No. 10) in that there

are no strong planning grounds in the submission to merit an exceptional consideration and the applicant fails to demonstrate that the applied use does not involve extensive clearance of natural vegetation.”

## **Agenda Item 22**

### **Section 16 Application**

[Open Meeting (Presentation and Question Sessions Only)]

A/NE-SSH/139      Proposed Access Road for a School with Filling and Excavation of Land in “Green Belt” Zone, Lots 325 S.A (Part), 325 S.B (Part), 325 S.C (Part), 496 (Part), 497 (Part) in D.D. 209 and Adjoining Government Land, Sai Keng, Shap Sz Heung  
(RNTPC Paper No. A/NE-SSH/139C)

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73.            The Secretary reported that the application was submitted by Light Time Investments Ltd., which was a subsidiary of Sun Hung Kai Properties Limited (SHK), and AECOM Asia Company Limited (AECOM) was one of the consultants. The following Members had declared interests on the item:

- Miss Winnie W.M. Ng      -      being a Director of the Kowloon Motor Bus Company (1933) Limited (KMB) and Long Win Company Limited (Long Win), and SHK was one of the shareholders of KMB and Long Win;
  
- Dr Conrad T.C. Wong      -      having current business dealings with SHK and AECOM; and
  
- Mr Vincent K.Y. Ho      -      having current business dealings with SHK and AECOM.

74.            The Committee noted that Mr Vincent K.Y. Ho had tendered an apology for not being able to attend the meeting. As the interests of Miss Winnie W.M. Ng and Dr Conrad T.C. Wong were direct, the Committee agreed that they should be invited to leave the

meeting temporarily for the item.

[Miss Winnie W.M. Ng, Dr Conrad T.C. Wong and Mr Paul Y.K. Au left the meeting temporarily at this point.]

#### Presentation and Question Sessions

75. With the aid of a PowerPoint presentation, Mr Harris K.C. Liu, STP/STN, 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.

76. Two Members raised the following questions:

- (a) noting the Secretary for Education's indication that she was not in a position to comment on the planning application as no application for school development at the application site (the Site) had been received, whether the development programme for the permitted school in the adjoining "Government, Institution or Community" ("G/IC") zone had been ascertained;
- (b) information on the type of school proposed by the applicant, and whether any other Government, Institution and Community (GIC) facilities would be provided at the Site; and
- (c) the implementation mechanism of the proposed access road on Government land.

77. In response, Mr Harris K.C. Liu, STP/STN, made the following main points:

- (a) the proposed access road connecting to the permitted school development fell within the "Green Belt" ("GB") zone and required planning permission from the Town Planning Board (the Board). The applicant was required to obtain planning permission for the access road prior to applying for lease

modification/land exchange to implement the proposed school;

- (b) the adjoining “G/IC” zone mainly consisted of private land and the applicant had acquired about 68% of the development site for the proposed school. According to the applicant, the proposed privately run school would comprise kindergarten, primary and secondary sections; and
- (c) should the application be approved, the applicant would then submit a lease modification/land exchange application for the proposed school development at the “G/IC” site together with the proposed access road at the Site to the Lands Department (LandsD) for approval. The proposed access road would be a private road.

### Deliberation Session

78. The Chairman remarked that as the proposed school at the “G/IC” site was a privately initiated development, the applicant should provide the supporting infrastructure, including the proposed vehicular access road at his own cost. In the subject application, the proposed access road was needed to serve the permitted school development and compensatory tree planting was proposed to minimise the potential ecological and landscaping impacts. Technical assessments had been submitted by the applicant in support of the application and relevant government departments consulted indicated that proposed access road would not cause any insurmountable visual, environmental and other impacts. Regarding the implementation aspect, the proposed access road would form part and parcel of the permitted school development at the adjoining “G/IC” site. LandsD indicated that for application for lease modification/land exchange to implement the school development at the adjoining “G/IC” site, the development proposal should also include the proposed access road serving the development. In that regard, there was administrative mechanism in place to ensure that the proposed access road would be developed together with the proposed school development.

79. Members noted that the adjoining “G/IC” zone was designated by the Board on the first OZP covering the Shap Sz Heung since 1994 and had not been developed due to the lack of proper access. There was no designated use for the “G/IC” site which was mostly

private land. The upgrading or widening of the existing local tracks from Sai Sha Road to the “G/IC” site via Sai Keng Tsuen and Kei Ling Ha San Wai was infeasible as the existing local tracks were very narrow and there were village houses located close to the tracks. Three alignment options had been assessed by the applicant, and the current scheme under application could provide a direct vehicular access for the “G/IC” site with minimal disturbance to the “GB” zone. The Transport Department had no in-principle objection to the current scheme.

80. Noting that the Site mainly comprised private land and the proposed development would result in removal of densely vegetated woodland, a Member was of the view that there was no substantial public gain from the proposed access road solely serving a private school while there was no improvement to the sub-standard local tracks serving the nearby villages. Approval of the application would enhance the development potential of the “G/IC” site mainly to the benefit of the concerned private developer. The same Member, whilst generally agreed that there was a genuine need for provision of an access road to serve the “G/IC” site, considered that opportunities should be taken to enhance the access road to benefit the surrounding villages too. The Chairman said that PlanD would convey the Member’s view to the applicant for consideration, as appropriate.

81. The Chairman said that the proposed access road would facilitate the implementation of permitted development at the adjoining land-locked “G/IC” site. Whether the permitted school at the adjoining “G/IC” site was a profit-making development was not a material consideration of the subject application. The Committee should take into account relevant planning considerations such as land use compatibility and technical feasibility. Ms Jane K.C. Choi, Assistant Director/Regional 3, LandsD, supplemented that the project proponent applying for land exchange/lease modification for a profit-making school development would be required to pay land premium on a full market value basis. She further clarified that the concerned Government land at the Site would normally not be granted to the applicant. Instead, an access right in terms of “right-of-way” would be stipulated in the lease conditions as appropriate and the concerned access road would be constructed, managed and maintained by the applicant in future. The Vice-chairman pointed out that planning applications for provision of access road on Government land serving private residential developments were not uncommon and there were precedent cases for permitting a “right-of-way” to serve private residential developments which were

distanced from major road and encroaching Government land. The Secretary supplemented that there was a previous approved case of access road for a private development for a site zoned “GB” near Nam Wai, Sai Kung.

82. In response to a Member’s enquiry on the validity period of the planning permission, the Chairman said that a four-year time limit clause would be imposed to ensure that the approved development proposal would be implemented within a reasonable period. The planning permission should cease to have effect if the approved development had not commenced within the specified time limit.

83. Members generally had no objection to the application as it could provide an essential road access to the adjoining “G/IC” site to serve the permitted school development. In view that the proposed access road would affect the densely vegetated woodland within the “GB” site, the Chairman suggested and the Committee agreed that an additional approval condition on the submission and implementation of a landscape proposal should be imposed to minimise any potential landscape impact.

84. 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 14.10.2026, and after the said date, the permission should cease to have effect unless before the said date, the development permitted was commenced or the permission was renewed. The permission was subject to the following conditions :

- “(a) the design and implementation of the road junction and relocation of bus layby, as proposed by the applicant, to the satisfaction of the Commissioner for Transport or of the TPB;
- (b) the submission and implementation of a transplantation proposal for the plant species of conservation importance to the satisfaction of the Director of Agriculture, Fisheries and Conservation or of the TPB;
- (c) the submission of a natural terrain hazard study and implementation of the mitigation measures recommended therein to the satisfaction of the Director of Civil Engineering and Development or of the TPB; and



- (d) the submission and implementation of a landscape proposal to the satisfaction of the Director of Planning or of the TPB.”

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

[Miss Winnie W.M. Ng and Mr Paul Y.K. Au rejoined the meeting at this point.]

### **Agenda Item 23**

#### **Section 16 Application**

[Open Meeting (Presentation and Question Sessions Only)]

A/NE-SSH/144 Proposed Public Utility Installation (Underground Cables) with Filling and Excavation of Land in “Conservation Area” and “Coastal Protection Area” Zones, Government Land in D.D. 163, Kei Ling Ha Lo Wai, Shap Sz Heung, Sai Kung North  
(RNTPC Paper No. A/NE-SSH/144)

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86. The Secretary reported that the application site was submitted by CLP Power Hong Kong Limited (CLP). Dr Conrad T.C. Wong had declared an interest on the item as his firm having current business dealings with CLP. The Committee noted that Dr Conrad T.C. Wong had left the meeting temporarily.

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

87. With the aid of some plans, Mr Harris K.C. Liu, STP/STN, briefed Members on the background of the application, the proposed development, departmental and public comment, and the planning considerations and assessments as detailed in the Paper. The Planning Department had no objection to the application.

88. Members had no question on the application.

## Deliberation Session

89. 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 14.10.2026, and after the said date, the permission should cease to have effect unless before the said date, the development permitted was commenced or the permission was renewed.

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

[The Chairman thanked Mr Tim T.Y. Fung, Mr Kevin K.W. Lau and Mr Harris K.C. Liu, STPs/STN, for their attendance to answer Members' enquiries. They left the meeting at this point.]

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

[Mr Wallace W.K. Tang, Senior Town Planner/Fanling, Sheung Shui and Yuen Long East (STP/FSYLE), was invited to the meeting at this point.]

## **Agenda Item 24**

### **Section 16 Application**

[Open Meeting]

A/YL-KTN/858      Temporary Shop and Services, Eating Place and Outside Seating Accommodation of a Restaurant with Ancillary Parking Spaces for a Period of 3 Years in "Village Type Development" Zone, Various Lots in D.D. 103 and Adjoining Government Land, Ko Po Tsuen, Kam Tin, Yuen Long  
(RNTPC Paper No. A/YL-KTN/858)

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91. The Committee noted that the applicant's representative requested on 6.10.2022 deferment of consideration of the application for two months so as to allow more time to

prepare further information to address departmental comments. It was the first time that the applicant requested deferment of the application.

92. 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 further information, and no further deferment would be granted unless under very special circumstances.

### **Agenda Item 25**

#### **Section 16 Application**

[Open Meeting (Presentation and Question Sessions Only)]

A/YL-KTS/933      Temporary Open Storage of Electricity Generators, Compressors and Construction Machinery for a Period of 3 Years in "Other Specified Uses" annotated "Rural Use" Zone, Lots 391 RP (Part) and 392 RP in D.D. 106, Shek Wu Tong, Kam Tin, Yuen Long  
(RNTPC Paper No. A/YL-KTS/933A)

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

93. With the aid of some plans, Mr Wallace W.K. Tang, STP/FSYLE, 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 considered that the temporary use could be tolerated for a period of three years.

94. Members had no question on the application.

Deliberation Session

95. After deliberation, the Committee decided to approve the application on a temporary basis for a period of 3 years until 14.10.2025 on the terms of the application as submitted to the Town Planning Board (TPB) and subject to the following conditions :

- “(a) no operation between 11:00 p.m. and 7:00 a.m., as proposed by the applicant, is allowed on the site during the planning approval period;
- (b) no operation on Sundays and statutory holidays, as proposed by the applicant, is allowed on the site during the planning approval period;
- (c) no dismantling, maintenance, repairing, cleansing, paint spraying or other workshop activities shall be carried out on the site at any time during the planning approval period;
- (d) the peripheral fence wall shall be maintained at all times during the planning approval period;
- (e) the existing drainage facilities within the site shall be maintained at all times during the planning approval period;
- (f) 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 14.1.2023;
- (g) the fire service installations implemented on the site shall be maintained in efficient working order at all times during the planning approval period;
- (h) if any of the above planning condition (a), (b), (c), (d), (e) or (g) is not complied with during the planning approval period, the approval hereby given shall cease to have effect and shall be revoked immediately without further notice; and

- (i) if the above planning condition (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.”

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

### **Agenda Item 26**

#### **Section 16 Application**

[Open Meeting (Presentation and Question Sessions Only)]

A/YL-KTS/938      Renewal of Planning Approval for Temporary Shop and Services (Real Estate Agency) for a Period of 3 Years in “Agriculture” Zone, Lot 1568 (Part) in D.D. 106 and Adjoining Government Land, Yuen Kong, Pat Heung, Yuen Long  
(RNTPC Paper No. A/YL-KTS/938)

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97. The Committee noted that the application was for renewal of a planning approval and the Planning Department considered that the temporary use could be tolerated for a further period of three years based on the assessments set out in the Paper.

#### **Deliberation Session**

98. After deliberation, the Committee decided to approve the application on a temporary basis for a period of 3 years and be renewed from 24.12.2022 until 23.12.2025 on the terms of the application as submitted to the Town Planning Board (TPB) and subject to the following conditions :

- “(a) no operation between 8:00 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) the existing fire service installations implemented on the site shall be maintained in efficient working order at all times during the planning approval period;
- (d) the existing drainage facilities on the site shall be maintained at all times during the planning approval period;
- (e) if any of the above planning condition (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
- (f) upon expiry of the planning permission, the reinstatement of the site to an amenity area to the satisfaction of the Director of Planning or of the TPB.”

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

### **Agenda Item 27**

#### **Section 16 Application**

[Open Meeting]

A/NE-KTS/514 Temporary Warehouse (Electronic Parts and Construction Materials) with Ancillary Office for a Period of 3 Years in “Recreation” Zone, Lots 1669 S.A ss.1 RP (Part), 1670 S.A ss.1 RP, 1671 S.A ss.1, 1673 S.A and 1675 S.B ss.1 S.A RP (Part) in D.D. 100 and Adjoining Government Land, Kwu Tung South, Sheung Shui  
(RNTPC Paper No. A/NE-KTS/514)

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100. The Committee noted that the applicant’s representative requested on 6.10.2022 deferment of consideration of the application for two months so as to allow more time to prepare further information to address departmental comments. It was the first time that the

applicant requested deferment of the application.

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

## **Agenda Item 28**

### **Section 16 Application**

[Open Meeting]

A/YL-ST/618                      Proposed Public Utility Installation (Pole and Pole Stay Erection) and associated Filling and Excavation of Land in "Conservation Area" and "Green Belt" Zones, Government Land in D.D. 96, San Tin, Yuen Long  
(RNTPC Paper No. A/YL-ST/618A)

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102. The Committee noted that the applicant's representative requested on 7.10.2022 deferment of consideration of the application for two months so as to allow more 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.

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

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

[The Chairman thanked Mr Wallace W.K. Tang, STP/FSYLE, for his attendance to answer Members' enquiries. He left the meeting at this point.]

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

[Mr Raymond H.F. Au, District Planning Officer/Tuen Mun and Yuen Long West (DPO/TMYLW), Ms Janet K.K. Cheung and Mr Steven Y.H. Siu, Senior Town Planners/Tuen Mun and Yuen Long West (STPs/TMYLW), and Mr Keith P.S. Wong, Town Planner/Tuen Mun and Yuen Long West (TP/TMYLW), were invited to the meeting at this point.]

### **Agenda Item 29**

#### **Section 16 Application**

[Open Meeting (Presentation and Question Sessions Only)]

A/HSK/402                      Temporary Open Storage of Recyclable Materials (Metal) with Ancillary Workshop and Office for a Period of 3 Years in "Government, Institution or Community" Zone and area shown as 'Road', Lot 256 (Part) in D.D. 125, San Wai, Ha Tsuen, Yuen Long  
(RNTPC Paper No. A/HSK/402)

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104.            The Committee noted that the application was selected for streamlining arrangement and the Planning Department considered that the temporary use could be tolerated for a period of three years based on the assessments set out in the Paper.



105. Noting that the application site (the Site) was the subject of a previous application (No. A/YL-HT/949) which was rejected by the Committee, a Member enquired the details of the rejection reason for the previous application. In response, the Secretary clarified that the site under the previous application covered a much larger area and the applied use involved filling of ponds. The previous application was rejected by the Committee mainly on the ground that the proposed development would have adverse ecological and landscape impacts on the surrounding areas. The planning consideration of that application was not relevant to the current application.

### Deliberation Session

106. After deliberation, the Committee decided to approve the application on a temporary basis for a period of 3 years until 14.10.2025 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 8:00 a.m. from Mondays to 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) all workshop activities shall be carried out inside the enclosed structures at all times on the site, as proposed by the applicant, during the planning approval period;
- (d) no cleaning, washing, pulverizing, melting and burning activity is allowed on the site during the planning approval period;
- (e) all open storage or stockpiling of metal stock shall be fully and properly covered at all times on the site during the planning approval period;
- (f) the submission of a revised drainage proposal within 6 months from the date of the planning approval to the satisfaction of the Director of Drainage

Services or of the TPB by 14.4.2023;

- (g) in relation to (f) above, the implementation of the revised drainage proposal within 9 months from the date of the planning approval to the satisfaction of the Director of Drainage Services or of the TPB by 14.7.2023;
- (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 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 25.11.2022;
- (j) the submission of a revised fire service installations proposal within 6 months from the date of planning approval to the satisfaction of the Director of Fire Services or of the TPB by 14.4.2023;
- (k) in relation to (j) above, the implementation of the revised fire service installations proposal within 9 months from the date of the planning approval to the satisfaction of the Director of Fire Services or of the TPB by 14.7.2023;
- (l) if any of the above planning condition (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
- (m) if any of the above planning condition (f), (g), (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.”

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 30**

**Section 16 Application**

[Open Meeting]

A/HSK/403 Proposed Temporary Rural Workshop with Ancillary Facilities for a Period of 5 Years in “Other Specified Uses” annotated “Logistics Facility” Zone, Lots 354 (Part), 355 (Part), 356 (Part), 357 (Part), 358 (Part), 359 (Part), 361 (Part), 362 (Part), 364 (Part), 365 (Part), 396 (Part), 397 (Part) and 398 (Part) in D.D. 125, Ha Tsuen, Yuen Long (RNTPC Paper No. A/HSK/403)

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108. The Committee noted that the applicant’s representative requested on 6.10.2022 deferment of consideration of the application for two months so as to allow more time to prepare further information to address departmental comments. It was the first time that the applicant requested deferment of the application.

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

**Agenda Item 31**

**Section 16 Application**

[Open Meeting]

A/HSK/404                      Temporary Public Vehicle Park (Private Car) for a Period of 3 Years in  
“Village Type Development” Zone, Lots 136 RP (Part) and 137 RP  
(Part) in D.D. 127 and Adjoining Government Land, Ping Shan, Yuen  
Long  
(RNTPC Paper No. A/HSK/404)

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110.            The Committee noted that the applicant’s representative requested on 27.9.2022 deferment of consideration of the application for two months so as to allow more time to address departmental comments. It was the first time that the applicant requested deferment of the application.

111.            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 further information, and no further deferment would be granted unless under very special circumstances.

**Agenda Item 32**

**Section 16 Application**

[Open Meeting]

A/HSK/405                      Proposed Temporary Shop and Services (Household Products and Food Retail Shop) for a Period of 3 Years in “Residential (Group A)4” Zone, Lots 2377 RP (Part), 2404 RP (Part), 2405 RP (Part), 2406 RP (Part), 2407 RP (Part), 2408 RP and 2409 (Part) in D.D. 124 and Adjoining Government Land, Yuen Long  
(RNTPC Paper No. A/HSK/405)

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112.            The Committee noted that the applicant’s representative requested on 3.10.2022 deferment of consideration of the application for two months so as to allow more time to address departmental comments. It was the first time that the applicant requested deferment of the application.

113.            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 further information, and no further deferment would be granted unless under very special circumstances.

**Agenda Item 33**

**Section 16 Application**

[Open Meeting]

A/HSK/407 Temporary Rural Workshop with Ancillary Facilities for a Period of 3 Years in “Other Specified Uses” annotated “Port Back-up, Storage and Workshop Uses”, “Other Specified Uses” annotated “Logistics Facility” and an area shown as ‘Road’, Various Lots in D.D. 125 and Adjoining Government Land, Ha Tsuen, Yuen Long  
(RNTPC Paper No. A/HSK/407)

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114. The Committee noted that the applicant’s representative requested on 28.9.2022 deferment of consideration of the application for two months so as to allow more time to prepare further information to address departmental comments. It was the first time that the applicant requested deferment of the application.

115. 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 further information, and no further deferment would be granted unless under very special circumstances.

**Agenda Item 34**

**Section 16 Application**

[Open Meeting]

A/TM/578                      Proposed Social Welfare Facility (Residential Care Home for the Elderly) and Public Open Space in “Government, Institution or Community (1)” Zone, Lots 491 (Part), 492 (Part), 495 RP (Part), 498 RP, 500 (Part), 501 (Part), 502 RP (Part), 503 and 717 RP in D.D. 374 and Adjoining Government Land, So Kwun Wat, Tuen Mun  
(RNTPC Paper No. A/TM/578)

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116.            The Committee noted that the applicant’s representative requested on 28.9.2022 deferment of consideration of the application for two months so as to allow more time to prepare further information to address departmental comments. It was the first time that the applicant requested deferment of the application.

117.            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 further information, and no further deferment would be granted unless under very special circumstances.

## **Agenda Item 35**

### **Section 16 Application**

[Open Meeting (Presentation and Question Sessions Only)]

A/TM/579                      Proposed Shop and Services in “Other Specified Uses” annotated  
   “Business” Zone, Unit A (Part), G/F, Tak Wing Industrial Building, 3  
   Tsun Wen Road, Tuen Mun  
  
   (RNTPC Paper No. A/TM/579)

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### **Presentation and Question Sessions**

118.                      With the aid of some plans, Ms Janet K.K. Cheung, STP/TMYLW, briefed Members on the background of the application, the proposed 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.

119.                      Members had no question on the application.

### **Deliberation Session**

120.                      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 14.10.2026, and after the said date, the permission should cease to have effect unless before the said date, the development permitted was commenced or the permission was renewed. The permission was subject to the following conditions :

- “(a) the submission and implementation of fire service installations and equipment proposal for the application premises within 6 months from the date of planning approval to the satisfaction of the Director of Fire Services or of the TPB by 14.4.2023; and
  
- (b) if the above planning condition (a) 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 36**

#### **Section 16 Application**

[Open Meeting]

A/TM-LTY Y/435 Proposed House (New Territories Exempted House) in “Green Belt” Zone, Lot 2447 S.D RP (Part) in D.D. 130, Tuen Mun  
(RNTPC Paper No. A/TM-LTY Y/435)

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122. The Committee noted that the applicant’s representative requested on 27.9.2022 deferment of consideration of the application for two months so as to allow more time to prepare further information to address departmental comments. It was the first time that the applicant requested deferment of the application.

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 further information, and no further deferment would be granted unless under very special circumstances.

**Agenda Item 37**

**Section 16 Application**

[Open Meeting (Presentation and Question Sessions Only)]

A/TM-LTY Y/436 Temporary Shop and Services and School (Tutorial School) for a Period of 5 Years in “Village Type Development” and “Comprehensive Development Area” Zones, Lots 804 S.B RP, 804 S.B ss.3 S.B (Part), 804 S.B ss.3 RP (Part) and 804 S.B ss. 5 in D.D. 130, 83 Lam Tei Main Street, Lam Tei, Tuen Mun  
(RNTPC Paper No. A/TM-LTY Y/436)

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124. The Committee noted that the application was selected for streamlining arrangement and the Planning Department had no objection to the proposed temporary use based on the assessments set out in the Paper.

**Deliberation Session**

125. After deliberation, the Committee decided to approve the application on a temporary basis for a period of 5 years until 14.10.2027 on the terms of the application as submitted to the Town Planning Board (TPB) and subject to the following conditions :

- “(a) the existing drainage facilities on the site should be maintained at all times during the planning approval period;
- (b) the implementation of the accepted 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 14.7.2023;
- (c) if the above planning condition (a) is not complied with during the planning approval period, the approval hereby given shall cease to have effect and shall be revoked immediately without further notice; and
- (d) if the above planning condition (b) 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.”

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

### **Agenda Item 38**

#### **Section 16 Application**

[Open Meeting (Presentation and Question Sessions Only)]

A/TM-LTY Y/437      Renewal of Planning Approval for Temporary Shop and Services (Real Estate Agency) for a Period of 3 Years in “Village Type Development” Zone, Lot 2995 RP (Part) in D.D. 124 and Adjoining Government Land, Chung Uk Tsuen, Tuen Mun  
(RNTPC Paper No. A/TM-LTY Y/437)

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127. The Committee noted that the application was for renewal of a planning approval and the Planning Department had no objection to the application for a further period of three years based on the assessments set out in the Paper.

#### **Deliberation Session**

128. After deliberation, the Committee decided to approve the application on a temporary basis for a period of 3 years and be renewed from 10.12.2022 until 9.12.2025 on the terms of the application as submitted to the Town Planning Board (TPB) and subject to the following conditions :

- “(a) no vehicle is allowed to enter or be parked/stored on the site, as proposed by the applicant, at any time during the planning approval period;
- (b) the existing drainage facilities on the site shall be maintained at all times during the planning approval period;
- (c) the submission of a condition record of the existing drainage facilities on the site within 3 months from the date of commencement of the renewed planning approval to the satisfaction of the Director of Drainage Services or of the TPB by 10.3.2023;

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

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

### **Agenda Item 39**

#### **Section 16 Application**

[Open Meeting (Presentation and Question Sessions Only)]

A/TSW/77                      Proposed Wholesale Conversion of an Existing Hotel for Flat and Permitted Commercial Uses including Shop and Services and Eating Place in “Commercial” Zone, 12 and 18 Tin Yan Road, Tin Shui Wai  
(RNTPC Paper No. A/TSW/77)

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130. The Secretary reported that the application was submitted by Harbour Plaza Resort City Ltd., which was a subsidiary of CK Hutchison Holdings Limited (CKHH). Dr Conrad T.C. Wong had declared an interest on the item as his firm having current business dealings with CKHH. The Committee noted that Dr Conrad T.C. Wong had left the meeting temporarily.

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

131. With the aid of a PowerPoint presentation, Mr Keith P.S. Wong, TP/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.

132. The Chairman and two Members raised the following questions:

- (a) the planning considerations of the previous application for redeveloping the existing hotel at the application site (the Site);
- (b) noting a substantial reduction in the proposed number of flats under the current scheme, whether the applicant had provided any justification for such change;
- (c) whether there was any change in the average flat size under the current scheme, and whether there was change in the proposed plot ratio (PR) in comparison with the existing hotel development; and
- (d) information on housing demand in the Tin Shui Wai area and whether there were planned residential developments in the area.

133. In response, Mr Raymond H.F. Au, DPO/TMYLW, made the following main points:

- (a) the Site was the subject of a previous application (No. A/TSW/72) for proposed flat and permitted commercial development with minor relaxation of gross floor area (GFA) restriction by redevelopment, which would provide about 5,000 flats. The application was approved by the Committee on 18.12.2020 mainly on considerations that the Site was not intended specifically for hotel development and the existing shopping mall would be retained; the proposed development intensity was commensurate with that of the surrounding developments; concerned government departments had no adverse comment on the application; and the overall planned provision of open space and government, institution and community facilities was generally adequate to serve the existing and planned population;

- (b) the permission under application No. A/TSW/72 remained valid until 18.12.2024. Approval of the subject application could provide more flexibility for the applicant to meet the housing demand in future. According to the applicant, the proposed development could contribute to the supply of about 1,102 private housing units in a much shorter time frame. Besides, the proposed wholesale conversion under the application would substantially reduce the amount of construction wastes and pollutants generated, as well as energy consumption as compared to the redevelopment option;
- (c) according to the proposed development scheme, the average flat size would be increased from about 27.9m<sup>2</sup> to 50.5m<sup>2</sup>, whilst there was no change in PR as a result of the wholesale conversion; and
- (d) there was a pressing housing demand in the whole territory and the Government had adopted a multi-pronged approach to increase land supply to provide more housing units. The topside residential development of Light Rail Tin Wing Stop located to the north of the Site would provide about 1,938 private housing units, which was under construction. There was another planned public housing development at Tin Wah Road under study by the Government.

### Deliberation Session

134. The Chairman recapitulated that the Site was the subject of a valid planning permission for proposed flat and permitted commercial development with minor relaxation of the GFA restriction. Under the current application, the existing hotel portions would not be demolished but converted to residential flats. There would be no change in the building bulk, including the total GFA, building height and site coverage upon the proposed wholesale conversion. In comparison with the previously approved scheme, the total number of flats would be reduced to 1,102 with an increase in average flat size. There was no change in the planning circumstances for the two applications. Relevant government departments had no in-principle objection to/adverse comment on the application.

135. Two Members expressed that given the Site was located at the town centre area of Tin Shui Wai, the applicant should maximise the development potential of the Site to provide more housing units to meet the pressing housing demand. The reduction in flat supply under the current scheme was considered undesirable from land utilisation point of view. A Member opined that as compared to the redevelopment option, the proposed wholesale conversion would substantially reduce the amount of construction wastes and pollutants generated which was more environmentally sustainable. It was also expected that the development would be completed in a shorter time frame.

136. Members noted that there were five approved similar applications (including those under s.12A rezoning application) related to redevelopment/conversion of existing hotel for residential use in the territory recently. For the approved application (No. Y/MOS/6) in Ma On Shan (i.e. Horizon Suite Hotel), the relevant plan-making process would commence in due course.

137. 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 14.10.2026, and after the said date, the permission should cease to have effect unless before the said date, the development permitted was commenced or the permission was renewed. The permission was subject to the following conditions :

- “(a) the submission of a revised Noise Impact Assessment (NIA) before commencement of the construction works, and implementation of the proposed noise mitigation measures identified in the NIA to the satisfaction of the Director of Environmental Protection or of the TPB;
- (b) the design and provision of ingress/egress point and vehicular access to the satisfaction of the Commissioner for Transport and the Director of Highways, or of the TPB;
- (c) the design and provision of parking spaces, loading/unloading and lay-by facilities to the satisfaction of the Commissioner for Transport or of the TPB;

- (d) the provision of water supplies for firefighting and fire service installations to the satisfaction of the Director of Fire Services or of the TPB; and
- (e) the submission and implementation of a drainage proposal to the satisfaction of Director of Drainage Services or of the TPB.”

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

[Dr Conrad T.C. Wong rejoined the meeting, and Mr Paul Y.K. Au and Mrs Vivian K.F. Cheung left the meeting at this point.]

#### **Agenda Item 40**

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

[Open Meeting]

A/YL-HTF/1140 Temporary Recyclable Collection Centre for Electronic Goods and Parts for a Period of 5 Years in “Residential (Group D)” Zone, Lot 159 S.A (Part) in D.D. 128 and Adjoining Government Land, Ha Tsuen, Yuen Long  
(RNTPC Paper No. A/YL-HTF/1140)

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139. The Committee noted that the applicant’s representative requested on 12.9.2022 deferment of consideration of the application for two months so as to allow more time to prepare further information to address departmental comments. It was the first time that the applicant requested deferment of the application.

140. 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 further information, and no further deferment would be granted unless under very special circumstances.

#### **Agenda Item 41**

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

[Open Meeting (Presentation and Question Sessions Only)]

A/YL-HTF/1141      Proposed Temporary Warehouse for Storage of Construction Materials and Miscellaneous Goods for a Period of 3 Years in “Agriculture” Zone, Lots 257 RP (Part), 258 (Part) and 259 (Part) in D.D. 128, Ha Tsuen, Yuen Long  
(RNTPC Paper No. A/YL-HTF/1141)

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141.        The Committee noted that the application was selected for streamlining arrangement and the Planning Department considered that the proposed temporary use could be tolerated for a period of three years based on the assessments set out in the Paper.

142.        In response to a Member’s enquiry on the details of the previously rejected application (No. A/YL-HT/64), the Secretary explained that, as shown on Plan A-1, that previous application only covered a small portion of the current application site (the Site). Furthermore, the Site had been used for open storage of construction materials and machineries before the gazette of the first statutory plan covering the Site in 1992, whilst the site under the previous application was previously not occupied by any open storage use. In view of the different planning circumstances, it was considered that the subject application could be tolerated on a temporary basis.

##### **Deliberation Session**

143.        After deliberation, the Committee decided to approve the application on a temporary basis for a period of 3 years until 14.10.2025 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, as defined under

the Road Traffic Ordinance, are allowed to enter/be parked on the site, as proposed by the applicant, at all times during the planning approval period;

- (b) the submission of a revised drainage proposal within 6 months from the date of the planning approval to the satisfaction of the Director of Drainage Services or of the TPB by 14.4.2023;
- (c) in relation to (b) 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 14.7.2023;
- (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 the planning approval to the satisfaction of the Director of Fire Services or of the TPB by 14.4.2023;
- (f) in relation to (e) above, the implementation of the fire service installations proposal within 9 months from the date of the planning approval to the satisfaction of the Director of Fire Services or of the TPB by 14.7.2023;
- (g) if any of the above planning condition (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 condition (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.”

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

## **Agenda Item 42**

### **Section 16 Application**

[Open Meeting (Presentation and Question Sessions Only)]

A/YL-LFS/443          Proposed Temporary Open Storage of Building Materials for a Period of 3 Years in “Green Belt” Zone, Lot 2842 RP in D.D.129, Sha Kong Wai, Lau Fau Shan, Yuen Long  
(RNTPC Paper No. A/YL-LFS/443)

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### **Presentation and Question Sessions**

145.          With the aid of some plans, Mr Keith P.S. Wong, TP/TMYLW, briefed Members on the background of the application, the proposed use, departmental and public comments, and the planning considerations and assessments as detailed in the Paper. The Planning Department did not support the application.

146.          In response to a Member’s enquiry on whether the application site was previously zoned “Residential (Group C)” on the Outline Zoning Plan, Mr Keith P.S. Wong, TP/TMYLW, clarified that the subject site had all along been zoned “Green Belt”.

### **Deliberation Session**

147.          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 primarily for defining the limits of urban and sub-urban development areas by natural features and to contain urban sprawl as well as to provide passive recreational outlets. There is a general presumption against development within this zone. There is no strong planning justification in the submission for a departure from the planning intention, even on a temporary basis;
- (b) the proposed use is not in line with the Town Planning Board Guidelines for ‘Application for Development within the Green Belt zone under Section

16 of the Town Planning Ordinance' (TPB PG-No. 10) in that the proposed use is considered not compatible with the surrounding areas, and the applicant fails to demonstrate that the proposed use would not have significant adverse environmental and landscape impacts on the surrounding areas;

- (c) the proposed use is not in line with the Town Planning Board Guidelines for 'Application for Open Storage and Port Back-up Uses' (TPB PG-No. 13F) in that the site falls within Category 4 areas and there is no previous planning approval for open storage use; and there are adverse departmental comments on environmental and landscape aspects; and
- (d) approval of the application would set an undesirable precedent for similar applications for open storage use within the "GB" zone. The cumulative effect of approving such applications would result in a general degradation of the environment of the area."

### **Agenda Item 43**

#### **Section 16 Application**

[Open Meeting (Presentation and Question Sessions Only)]

A/YL-TT/569            Proposed Temporary Public Vehicle Park (Excluding Container Vehicle) for a Period of 5 Years in "Village Type Development" Zone, Lot 17 (Part) in D.D. 117, Shui Tsiu San Tsuen, Tai Tong, Yuen Long  

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(RNTPC Paper No. A/YL-TT/569)

148.            The Committee noted that the application was selected for streamlining arrangement and the Planning Department had no objection to the proposed temporary use based on the assessments set out in the Paper.

#### **Deliberation Session**

149.            After deliberation, the Committee decided to approve the application on a temporary basis for a period of 5 years until 14.10.2027 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 licences issued under the Road Traffic Ordinance, as proposed by the applicant, is allowed to be parked/stored on the site at any time during the planning approval period;
- (b) no light, medium or heavy goods vehicle, including container tractors/trailers, as defined in the Road Traffic Ordinance, as proposed by the applicant, is allowed to be parked/stored on or enter/exit the site at any time during the planning approval period;
- (c) 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 14.4.2023;
- (d) in relation to (c) above, the implementation of the drainage proposal within 9 months from the date of planning approval to the satisfaction of the Director of Drainage Services or of the TPB by 14.7.2023;
- (e) in relation to (d) above, the implemented drainage facilities on the site shall be maintained at all times during the planning approval period;
- (f) the submission of a fire service installations proposal within 6 months from the date of planning approval to the satisfaction of the Director of Fire Services or of the TPB by 14.4.2023;
- (g) in relation to (f) above, the implementation of the fire service installations proposal within 9 months from the date of planning approval to the satisfaction of the Director of Fire Services or of the TPB by 14.7.2023;
- (h) if any of the above planning condition (a), (b) or (e) is not complied with during the planning approval period, the approval hereby given shall cease to have effect and shall be revoked immediately without further notice; and

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

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

#### **Agenda Item 44**

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

[Open Meeting]

A/YL-TYST/1179 Temporary Domestic Use with Ancillary Hobby Farm for a Period of 3 Years in “Residential (Group D)” and “Open Space” Zones, Lot 1444 RP (Part) in D.D. 121, Yuen Long  
(RNTPC Paper No. A/YL-TYST/1179)

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151. The Committee noted that the applicant’s representative requested on 23.9.2022 deferment of consideration of the application for two months so as to allow more time to prepare further information to address departmental comments. It was the first time that the applicant requested deferment of the application.

152. 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 further information, and no further deferment would be granted unless under very special circumstances.

## **Agenda Item 45**

### **Section 16 Application**

[Open Meeting (Presentation and Question Sessions Only)]

A/YL-TYST/1180      Renewal of Planning Approval for Temporary Open Storage of Vehicle Parts for a Period of 3 Years in “Open Space” and “Residential (Group A) 3” Zones and an area shown as ‘Road’, Lots 1438 S.B RP (Part), 1438 S.C RP (Part), 1438 S.D (Part), 1439 RP (Part), 1440 S.A (Part), 1440 S.B (Part) and 1441 RP (Part) in D.D. 119 and Adjoining Government Land, Shan Ha Tsuen, Yuen Long  
(RNTPC Paper No. A/YL-TYST/1180)

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153.            The Committee noted that the application was for renewal of a planning approval and the Planning Department considered that the temporary use could be tolerated for a further period of three years based on the assessments set out in the Paper.

### **Deliberation Session**

154.            After deliberation, the Committee decided to approve the application on a temporary basis for a period of 3 years and be renewed from 14.12.2022 to 13.12.2025 on the terms of the application as submitted to the Town Planning Board (TPB) and subject to the following conditions :

- “(a)    the existing drainage facilities on the site shall be maintained at all times during the planning approval period;
  
- (b)    the submission of a condition record of the existing drainage facilities on the site within 3 months from the date of commencement of the renewed planning approval to the satisfaction of the Director of Drainage Services or of the TPB by 14.3.2023;
  
- (c)    the existing fire service installations implemented on the site shall be maintained in efficient working order at all times during the planning approval period;

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

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

#### **Agenda Item 46**

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

[Open Meeting (Presentation and Question Sessions Only)]

A/YL-TYST/1181 Proposed Organic Waste Co-digestion Facilities and Minor Relaxation of Building Height Restriction for Permitted Sewage Treatment Plant in “Other Specified Uses” annotated “Sewage Treatment Works” and “Undetermined” Zones, Various Lots in D.D. 117 and D.D. 119 and Adjoining Government Land, Yuen Long  
(RNTPC Paper No. A/YL-TYST/1181)

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156. The Secretary reported that the application was submitted by the Drainage Services Department (DSD) and AECOM Asia Company Limited (AECOM) was one of the consultants. The following Members had declared interests on the item:

- Dr C.H. Hau - currently conducting contract research projects with DSD and having past business dealings with AECOM;
- Dr Conrad T.C. Wong - having current business dealings with DSD and AECOM; and



Mr Vincent K.Y. Ho - having current business dealings with AECOM.

157. The Committee noted that Dr C.H. Hau and Mr Vincent K.Y. Ho had tendered apologies for not being able to attend the meeting. As the interest of Dr Conrad T.C. Wong was direct, the Committee agreed that he should be invited to leave the meeting temporarily for the item.

[Dr Conrad T.C. Wong left the meeting temporarily at this point.]

#### Presentation and Question Sessions

158. With the aid of a PowerPoint presentation, Mr Steven Y.H. Siu, 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.

159. A Member raised the following questions:

- (a) whether socio-economic impact assessment (SIA) was submitted in support of the application;
- (b) whether the option to place the proposed public utility facilities inside cavern had been explored; and
- (c) noting that a pig farm at the application site (the Site) would be affected by the proposed Government projects, whether any compensation and relocation arrangement would be provided to the owner/operator of the affected pig farm.

160. In response, Mr Steven Y.H. Siu, STP/TMYLW, made the following main points:

- (a) the proposed development was a designated project under the

Environmental Impact Assessment Ordinance (EIAO) and there was no requirement on the submission of SIA under the EIAO regime. Nevertheless, a SIA was previously conducted as part of the Yuen Long South (YLS) Study covering the Site. The SIA had confirmed that the YLS Development as a whole, including the proposed development, had no adverse socio-economic impact;

- (b) according to the applicant, the proposed YLS Effluent Polishing Plant was one of the essential infrastructures to support the YLS Development that needed to be completed by 2031/32 and the current proposal was the most favourable and cost effective option. Given that the Hung Shui Hang Strategic Cavern Area (SCVA) was still at an early planning stage, if the proposed facilities were to be accommodated in the SCVA, there would be significant programme mismatch, resulting in delays in population in-take for various housing projects; and
- (c) apart from ex-gratia compensation to eligible landowners, all eligible business undertakings, including pig farms, affected by government development clearance exercises were eligible for ex-gratia allowance, the terms and arrangements of which had been enhanced in 2018 and 2022.

### Deliberation Session

161. The Chairman recapitulated that the application was for the provision of organic waste co-digestion facilities in the “Undetermined” zone with minor relaxation of building height restriction for permitted sewage treatment plant within the “Other Specified Uses” annotated “Sewage Treatment Works” zone, which was an essential infrastructure to serve the committed YLS Development, Hung Shui Kiu/Ha Tsuen New Development Area as well as Yuen Long Areas 13 and 14 development.

162. A Member, while expressing support to the application, raised concern on the landscaping and façade treatment for the proposed development. Given that the proposed development was a large-scale Government project and the Site was situated close to existing woodland/shrubland, more efforts should be made to minimise the visual and landscape

impacts arising from the proposal. In view of the Member's concern, the Chairman suggested and the Committee agreed that an additional advisory clause requesting the applicant to enhance the greenery and improve the building façade treatment should be included.

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 14.10.2026, and after the said date, the permission should cease to have effect unless before the said date, the development permitted was commenced or the permission was renewed. The permission was subject to the following condition :

“the submission and implementation of water supplies for fire-fighting and fire service installations proposal 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 III of the Paper and the following additional advisory clause:

“to enhance the greenery and improve the building façade treatment for the proposed development.”

[Dr Conrad T.C. Wong rejoined the meeting at this point.]

### **Agenda Item 47**

#### **Section 16 Application**

[Open Meeting (Presentation and Question Sessions Only)]

A/YL-TYST/1182      Renewal of Planning Approval for Temporary Warehouse for Storage of Vehicles and Spare Parts with Ancillary Site Office for a Period of 3 Years in “Undetermined” Zone, Lots 1149 S.A (Part) and 1149 RP (Part) in D.D. 119, Pak Sha Tsuen, Yuen Long  
(RNTPC Paper No. A/YL-TYST/1182)

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165. The Committee noted that the application was for renewal of a planning approval

and the Planning Department considered that the temporary use could be tolerated for a further period of three years based on the assessments set out in the Paper.

### Deliberation Session

166. After deliberation, the Committee decided to approve the application on a temporary basis for a period of 3 years and be renewed from 9.12.2022 to 8.12.2025 on the terms of the application as submitted to the Town Planning Board (TPB) and subject to the following conditions :

- “(a) the existing drainage facilities on the site shall be maintained at all times during the planning approval period;
- (b) the submission of a condition record of the existing drainage facilities on the site within 3 months from the date of commencement of the renewed planning approval to the satisfaction of the Director of Drainage Services or of the TPB by 9.3.2023;
- (c) the existing fire service installations implemented on the site shall be maintained in efficient working order at all times during the planning approval period;
- (d) if any of the above planning condition (a) or (c) is not complied with during the planning approval period, the approval hereby given shall cease to have effect and shall be revoked immediately without further notice; and
- (e) if the above planning condition (b) 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.”

167. 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 Raymond H.F. Au, DPO/TMYLW, Ms Janet K.K. Cheung and

Mr Steven Y.H. Siu, STPs/TMYLW, and Mr Keith P.S. Wong, TP/TMYLW, for their attendance to answer Members' enquiries. They left the meeting at this point.]

**Agenda Item 48**

Any Other Business

168. There being no other business, the meeting was closed at 5:00 p.m..