

## **TOWN PLANNING BOARD**

### **Minutes of 706<sup>th</sup> Meeting of the Rural and New Town Planning Committee held at 2:30 p.m. on 28.10.2022**

#### **Present**

Director of Planning  
Mr Ivan M.K. Chung

Chairman

Mr Stephen L.H. Liu

Vice-chairman

Dr C.H. Hau

Miss Winnie W.M. Ng

Mr K.W. Leung

Professor John C.Y. Ng

Dr Venus Y.H. Lun

Dr Conrad T.C. Wong

Mr K.L. Wong

Chief Engineer/Traffic Survey & Support,  
Transport Department  
Mr Patrick K.P. Cheng

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**

Mr L.T. Kwok

Mrs Vivian K.F. Cheung

Mr Vincent K.Y. Ho

**In Attendance**

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

Chief Town Planner/Town Planning Board  
Miss Josephine Y.M. Lo

Town Planner/Town Planning Board  
Mr Brian C.L. Chau

**Agenda Item 1**

Confirmation of the Draft Minutes of the 705<sup>th</sup> RNTPC Meeting held on 14.10.2022

[Open Meeting]

1. The draft minutes of the 705<sup>th</sup> RNTPC meeting held on 14.10.2022 were confirmed without amendments.

**Agenda Item 2**

Matter Arising

[Open Meeting]

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

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

**Agenda Item 3**

**Section 12A Application**

[Open Meeting]

Y/ST/57                      Application for Amendment to the Draft Sha Tin Outline Zoning Plan No. S/ST/35, To rezone the application site from “Village Type Development” to “Other Specified Uses” annotated “Religious Institution with Columbarium”, Lots No. 484 (Part), 494 (Part), 495 (Part), 540 S.A and 540 RP (Part) in D.D. 185 and adjoining Government Land, Sheung Wo Che, Sha Tin  
(RNTPC Paper No. Y/ST/57)

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3.                      The Secretary reported that the application site (the Site) was located in Sha Tin. The application was submitted by To Fuk Shan Ltd.. The following Members had declared interests on the item :

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

Mr Vincent K.Y. Ho       -   co-owning with spouse a property in Sha Tin;  
and

Dr Conrad T.C. Wong     -   having past business dealings with To Fuk Shan Ltd..

4.                      The Committee noted that the applicant had requested deferment of consideration of the application and Mr Vincent K.Y. Ho had tendered an apology for being unable to attend the meeting. As the property owned by Professor John C.Y. Ng had no direct view of the Site and Dr Conrad T.C. Wong had no involvement in the application, the Committee agreed that they could stay in the meeting.

5.                      The Committee noted that the applicant’s representative requested on 12.10.2022 deferment of consideration of the application for two months so as to allow more time to address comments from relevant government departments. It was the first time that the

applicant requested deferment of the application.

6. 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.

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

#### **Agenda Item 4**

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

[Open Meeting (Presentation and Question Sessions Only)]

Y/NE-KTS/15      Application for Amendment to the Approved Kwu Tung South Outline Zoning Plan No. S/NE-KTS/18, To rezone the application site from “Comprehensive Development Area”, “Agriculture” and area shown as ‘Road’ to “Residential (Group B)”, Lots 1027, 1029, 1030, 1034A, 1034B, 1039 (Part), 1040, 1042 RP, 1043 RP, 1044 RP (Part), 1045, 1047, 2233 (Part), 2251 S.A RP, 2256 RP, 2315 (Part) and 2316 RP (Part) in D.D. 92 and adjoining Government Land, Kwu Tung South, Sheung Shui  
(RNTPC Paper No. Y/NE-KTS/15A)

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7. The Secretary reported that the application was submitted by Hinying Limited, which was a subsidiary of Sun Hung Kai Properties Limited (SHK). The following Members had declared interests on the item :

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

8. The Committee noted that Mr Vincent K.Y. Ho had tendered an apology for being unable to attend the meeting and Miss Winnie W.N. Ng had not yet arrived to join 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

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

#### **PlanD**

- Mr Anthony K.O. Luk - District Planning Officer/Fanling, Sheung Shui and Yuen Long East (DPO/FSYLE)
- Ms. Christine C.M. Cheung - Senior Town Planner/Fanling, Sheung Shui and Yuen Long East (STP/FSYLE)

#### **Applicant's Representatives**

*Llewelyn-Davies Hong Kong Ltd.*

Ms. Winnie Wu

Mr Arnold Koon

*MVA Hong Kong Ltd.*

Mr Edmund Kwok

Mr William Lee

*AXXA Group Ltd.*

Mr Jason Teo

Ms. Sammy Tang

*Ramboll Hong Kong Ltd.*

Mr Tony Cheng

*Binnies Hong Kong Ltd.*

Mr Kim Leung

*CYS Associates (HK) Ltd.*

Mr Patrick Yau

10. 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.

11. With the aid of a PowerPoint presentation, Ms Christine C.M. Cheung, STP/FSYLE, briefed Members on the background of the application, the proposed rezoning of the application site (the Site), departmental and public comments, and the planning considerations and assessments as detailed in the Paper. PlanD had no in-principle objection to the application.

12. The Chairman then invited the applicant's representatives to elaborate on the application. With the aid of a PowerPoint presentation, Ms Winnie Wu, the applicant's representative, made the following main points :

- (a) the Site had all along been approved by the Committee for comprehensive development under the "Comprehensive Development Area" ("CDA") zoning since 2011. Subsequently, the applicant submitted two s.16

planning applications in 2015 and 2021 for taking forward the approved development. Nonetheless, in view of the changing planning circumstances of the neighbouring area and the Government's policy to expedite housing land supply, the applicant intended to further unleash the development potential of the Site by increasing the plot ratio (PR) from the previously approved 0.4 to 2 via the current application;

- (b) the proposed development parameters had taken into account the latest development context and intensity of the surrounding areas. In Kwu Tung North New Development Area (KTN NDA), to the north of the Site across Fanling Highway, developments around Kwu Tung North MTR Station were subject to PR restrictions of 6 to 7.8 and building height (BH) restrictions of 120mPD to 180mPD. In Kwu Tung South (KTS) area, to the immediate north-east of the Site were a "CDA(1)" and a "CDA(2)" site subject to a maximum PR of 3 and maximum BH restriction of 75mPD, with the former site to be developed up to a PR of 3.059 and BH of 81.5mPD under an approved scheme. To the further south of the Site was another "CDA" site subject to maximum PR of 1.41 and maximum BH of 40.3mPD. Taking into account the latest development context of KTN NDA and KTS area, and that the Site was located in the middle of the abovementioned "CDA" sites, the proposed medium-rise development intensity with maximum PR of 2 and BH of 70mPD was considered appropriate;
- (c) comprehensive assessments had been undertaken to ascertain the technical feasibility of the scheme and there were no adverse comments or objections from the relevant Government departments;
- (d) to minimise the air ventilation and visual impacts of the proposed development, building blocks would be arranged in three clusters with building gaps in between, and a 3m-landscape strip and a 4m-tree buffer zone were also proposed at the eastern and western peripheries of the Site respectively under the indicative scheme; and



- (e) traffic improvement measure and enhancement of provision of public transport services and pedestrian facilities, including green minibus stops, pedestrian crossings and footpaths, were proposed taking into account the transport need of the region.

[Mr Stephen L.H. Liu joined the meeting during the presentation of the applicant's representative]

13. As the presentations of PlanD's representative and the applicant's representative had been completed, the Chairman invited questions from Members.

#### *Development Context and Intensity*

14. A Member enquired whether the current application was comparable to the similar application (i.e. No. Y/NE-KTS/6) for proposed increase in PR from 0.4 to 2.1 and BH from 3 storeys to 60mPD, which was rejected by the Committee in 2016 due to the concern of incompatibility with the low-rise and low-density character of the area. In response, Ms. Winnie Wu, the applicant's representative, stated that apart from the concerns on development intensity and BH, another concern of the Committee at that time was the inadequacy of supporting infrastructures and traffic improvement measures, which were yet to be resolved. Also, at that time, the development density of KTN NDA was yet to be intensified and the development direction for KTS area was unclear. Nonetheless, the subsequent rezoning application for the same site with a PR of 3 (i.e. No. Y/NE-KTS/12) was approved by the Committee.

15. Mr Anthony K.O. Luk, DPO/FSYLE, with the aid of a plan, supplemented that the area around the application site for No. Y/NE-KTS/6 was mostly "Agriculture" or "Recreation" zones subject to PR restriction of 0.2 back in 2016. The Committee considered the proposed development intensity of application No. Y/NE-KTS/6 excessive and the supporting transport infrastructures were found to be inadequate. In 2019, with the changing planning circumstances including the enhancement in transport infrastructure of the area and the development of KTN area, the Committee agreed that the proposed development intensity of the subsequent application No. Y/NE-KTS/12 with a PR of 3 was not entirely incompatible with the surrounding areas taking into account the changes in planning and

development context as well as the road widening works proposed by the applicant. Taking into account those factors, the Committee approved application No. Y/NE-KTS/12 with a PR of 3 for residential development. In the meantime, KTS area had been transformed into an area of medium-density residential developments.

[Mr Paul Y.K. Au joined the meeting at this point.]

16. Members also raised the following questions regarding the overall massing with the proposed development, relationship between the proposed development and the adjacent river, air ventilation as well as the indicative layout of the proposed development :

- (a) how the urban design concept of gradual decrease in development height profile radiating from the center in KTN NDA to the peripheries in KTS was reflected in the proposed scheme, noting that the Site was located to the east of the existing low-rise development along the southern side of Fanling Highway; and
- (b) noting that areas along Sheung Yue River were for low-rise developments or zoned “Green Belt”, whether the concept of avoiding high-rise development close to the river, particularly that the Site was a long strip of land, was taken into account in the proposed scheme so as to achieve a more harmonious building layout.

17. In response, Mr Anthony K.O. Luk, DPO/FSYLE, with the aid of some Powerpoint slides and plans, made the following points :

- (a) for KTN NDA, 80% of the population were planned to be concentrated around the 500m catchment area of the planned KTN MTR Station. The BH generally descending from about 150mPD to 180mD for developments around KTN MTR Station, towards the southeast with BH of around 70mPD to 75mPD along the Sheung Yue River. In the KTS area across Fanling Highway, the BH of the two approved comprehensive developments to the northeast of the Site were 75mPD and 81.5mPD. To the northwest and southwest of the Site were mainly low-rise clusters,

including the Valais, which were developed long before the implementation of the KTN NDA. In formulating the development parameters for the current application, the applicant had taken into account the development profile of the area as well as the site constraints. The proposed BH of the Site (i.e. 70mPD) was already lower than the BH of the two comprehensive developments to its northeast; and

- (b) the areas along both sides of Sheung Yue River were mainly zoned “Agriculture” and the Agricultural Park was located to the further south. There were not many urbanised developments planned along this southern side of Sheung Yue River within KTS area. There were existing and planned promenades, together with the 4m-tree planting within the Site, would serve as a buffer with the future development.

18. Ms Winnie Wu, the applicant’s representative, with the aid of some Powerpoint slides, made the following points :

- (a) in formulating the proposed development parameters, the applicant had taken into account the BH profile of the region, which generally descended from high-rise in KTN NDA to relatively low-rise in the KTS area. In particular, reference had been made to the BH of the areas along Sheung Yue River to the north of Fanling Highway, which were around 70mPD, and the BH profile (i.e. 75mPD and 81.5mPD) of the two comprehensive developments located to the northeast of the Site. While it was noted that the area to the northwest of the Site was relatively low-rise, such area was developed 20 years ago before the emergence of KTN NDA; and
- (b) to enhance the relationship between the river and the proposed development, new trees would be planted and void would be incorporated on ground floor, as far as practicable.

*Ecological and Landscape Issues*

19. Members raised the following questions :

- (a) noting that the meander of Sheung Yue River was considered to be an important wildlife habitat with animal species of conservation concern (i.e. Malyan Night Heron and Leopard Cat), but no ecological baseline study was conducted for the current rezoning application, how the ecological impact of the proposed development was addressed;
- (b) how an ecological impact assessment (EcoIA) conducted 10 years ago and the mitigation measures proposed back then for a lower density development were relevant and sufficient to justify the current rezoning application;
- (c) whether the applicant was willing to enhance the arrangement of the tree buffer zone through other means, such as mud bun and green wall;
- (d) whether the swimming pool could be located away from the meander to minimise the disturbance to the neighbouring natural habitat; and
- (e) information on the arrangement of the compensatory planting, including whether there would be any felling of existing trees within the compensatory planting area; on what basis the applicant concluded that the existing trees within the compensatory planting areas were of low ecological value; how the applicant could ensure that the compensatory planting area would not be used by the applicant for other purposes; whether the 239 trees as stipulated in the tree proposal included the number of trees to be planted within the compensatory planting area; and whether the applicant was willing to revise the tree proposal to enhance the ecological value.

20. In response, Mr Anthony K.O. Luk, DPO/FSYLE, with the aid of some Powerpoint slides, made the following main points :

- (a) Sheung Yue River had been channelised under the Rural Drainage Rehabilitation Scheme and the Main Drainage Channels for Fanling, Sheung Shui and Hinterland. During the channelisation work, some parts of the meander were retained beside the Site, and mitigation woodland was provided for the Agriculture, Fisheries and Conservation Department (AFCD) to plant trees thereat with an aim to create woodlands and preserve the ecological system. Nonetheless, the retained meander and the majority of AFCD's compensatory planting areas did not fall within the Site;
  
- (b) when the Site was first rezoned to "CDA" in 2011, the applicant had undertaken an EcoIA to ascertain the ecological impacts. AFCD advised that with the implementation of mitigation measures (including compensatory planting and good site practice), there was no strong view on the application given that the area was already partially urbanised and disturbed by human activities, and hence had comparatively lower ecological value. For the current application, AFCD's view obtained before the meeting was that the Site and the adjacent woodland and wetland were relatively small in size, the nearby habitats were disturbed (with existing residential area and road), and mitigation measures (e.g. a compensatory ratio of 1:1 would be achieved and the proposed compensatory planting areas were of similar nature to the mitigation woodland to be lost, and a tree buffer within the application site was proposed) were to be implemented, he had no objection to the application. Though there was no record of species of conservation importance in the Site and the adjacent woodland and wetland concerned, habitats of similar nature as of the Site were found along Sheung Yue River and Long Valley. Also, there was no record of roosting sites based on the information provided by Kadoorie Farm and Botanic Garden. Given the above, AFCD considered that the proposed ecological mitigation measures were sufficient; and
  
- (c) in assessing the ecological impact of the proposed development, PlanD would rely on AFCD's expert advice. AFCD had all along maintained

their views on the requirement of the provision of compensatory planting areas since the approval of the s.12A application (No. Y/NE-KTS/3) in 2011 and the subsequent s.16 applications (No. A/NE-KTS/364 and A/NE-KTS/484) in 2015 and 2021, and had not requested for any updates in EcoIA, but required the applicant to submit and implement the proposal of compensatory planting areas for the loss of the mitigation woodland. Even with the increase in development intensity under the current application, AFCD considered that the compensatory planting areas and the proposed 4m-tree buffer would be sufficient.

21. Ms Winnie Wu, the applicant's representative, with the aid of some Powerpoint slides, made the following main points :

- (a) according to their in-house ecologist, the species identified within the Site were commonly found in other areas of Hong Kong and there was no roost in the area. Apart from the EcoIA conducted in 2011 for the rezoning application, the applicant had liaised with ACFD for the subsequent s.16 applications including the proposal of the concerned compensatory planting areas. Throughout the process, it was noted that AFCD had maintained their view that the ecological value of the Site and the surrounding area was low and there was no record of species of conservation importance. Notwithstanding that, the applicant would review and update the EcoIA conducted in 2011, where necessary;
- (b) the 4m-tree buffer zone would abut the boundary of the Site, and the embankment covered with dense vegetation was located at a lower platform outside the Site. It was observed that animals would use the lower platform. While it was considered that the 4m-tree buffer zone was sufficient in avoiding disturbance to the meander, the applicant was willing to further enhance the tree buffer zone at detailed design stage and would explore the possibility to plant an additional row of trees and adopt green wall, as far as practicable. Outside lighting arrangements would also be directed away from the meander to further minimise the disturbance. Regarding the arrangement of the compensatory planting

areas, a site survey had been conducted for the discharge of planning condition for the previously approved s.16 applications and it was found that the area was mostly occupied by shrubs or exotic plants; and

- (c) the original intention of locating the outdoor swimming pool near the meander was based on the understanding that such facility would be closed during the evening with lights off, and thus created less disturbance to the surroundings. Nonetheless, Members' concern was noted and the applicant would explore alternative location, size and configuration of such facility at detailed design stage.

#### *Air Ventilation*

22. A Member enquired whether the wind environment of the surrounding areas, in particular the low-rise development located to the northwest of the Site, would be affected by the proposed development.

23. In response, Mr Anthony K.O. Luk, DPO/FSYLE, with the aid of some Powerpoint slides, stated that under the air ventilation assessment (AVA) conducted by the applicant, the annual wind performance of the areas located to the immediate east, west and south of the Site had shown improvements with the implementation of the proposed development. Similar improvements were also observed during the summer season. Ms Winnie Wu, the applicant's representative, with the aid of some Powerpoint slides, supplemented that building gaps were recommended based on the result of the AVA and the alignments were determined having regard to the prevailing wind directions as well as the building orientations of the neighbouring developments, including the Valais. Based on the result of the AVA, the wind performance of the proposed development was better as compared to the scheme under application No. Y/NE-KTS/3 with a PR of 0.4 and BH of 3 storeys.

24. 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 of the application had been completed and the Committee would

deliberate on the application in their absence and inform the applicant of the Committee's decision in due course. The Chairman thanked the representatives from PlanD and the applicant's representatives for attending the meeting. They left the meeting at this point.

### Deliberation

25. The Chairman recapitulated that the Site was subject to a previous s.12A application approved in 2011 for rezoning the Site to "CDA" with a lower PR and BH, followed by two s.16 applications which were approved in 2015 and 2021. Throughout the process, it had been established that the Site was considered suitable for development. The current s.12A application involved the rezoning of the Site to "Residential (Group B)" ("R(B)") with an increase in PR and BH for the proposed comprehensive residential development. The proposed development parameters were considered to be in line with the regional context, in particular the neighbouring comprehensive developments. Should the Committee agree to the rezoning application, amendments to the OZP would be submitted to the Committee for consideration prior to gazetting under section 5 of the Town Planning Ordinance.

26. Members generally had no objection to the proposed development and agreed that the proposed development parameters (i.e. PR of 2 and BH of 70mPD) were generally acceptable. Some Members, however, raised concerns on the ecological impact of the proposed development in view that the PR had increased as compared to the scheme approved in 2011, yet no updated EcoIA had been submitted by the applicant under the current application to ascertain any potential impact. A Member considered that current human disturbance to the existing meander around the Site was relatively low, and hence it was not surprising that animal species were found within the Site. The same Member further raised concern on the proposed arrangement of the tree buffer zone and considered that having only one row of tree was insufficient. To minimise the disturbance of the Site on the meander, the Member suggested that a green wall or a mud bun should be explored and such measure should be in place at the beginning of the construction. The same Member also stated that the applicant needed to minimise light pollution generated from the proposed development on the meander through architectural means. Regarding the tree buffer area, another Member echoed that continuity of the natural habitat along Sheung Yue River should be taken into account, and a 4m-wide buffer was considered insufficient noting that the proposed development was 15 storeys high.



27. A Member raised concern on the massing of the proposed development and considered that there was scope to refine the wall-like disposition under the indicative scheme, especially in view that the neighbouring areas were relatively low-rise.

28. A Member raised concern that no information on the compensatory planting areas was provided by the applicant. Another Member stated that apart from the number of trees to be compensated, the quality and size of the trees should also be taken into account.

29. The Chairman remarked that the Site, being a long strip of land, posed constraint on the disposition of the buildings. Also, the two “CDA” sites located to the northeast had a higher BH of around 75mPD, and hence a stepped BH profile could still be achieved with the development of the Site up to a BH of 70mPD. The Chairman said that should the Committee agree to the current rezoning application, the Site would be rezoned to “R(B)”, and the applicant could then implement the scheme without making further submission to the Town Planning Board (the Board). However, in view of Members’ concerns, consideration could be given to retaining the Site as “CDA” with the PR and BH as proposed afore-mentioned, so that the Board could scrutinise the future development through the submission of planning application. The Explanatory Statement (ES) of the “CDA” zone could also be suitably amended to ensure Members’ concern on the ecological impact, compensatory planting of the proposed development in relation to the surrounding context could be addressed in the future scheme. The Committee agreed with the Chairman’s suggestion.

30. After deliberation, the Committee decided to partially agree to the application and the zoning would remain as “Comprehensive Development Area”. The Committee noted that PlanD would work out the appropriate amendments to the approved Kwu Tung South Outline Zoning Plan No. S/NE-KTS/17 including the development restrictions and requirements to be set out in the Notes and/or the ES for its consideration and agreement prior to gazetting under the Town Planning Ordinance.

[Miss Winnie W.N. Ng and Dr Conrad T.C. Wong rejoined the meeting at this point.]

**Tuen Mun and Yuen Long West District**

**Agenda Item 5**

**Section 12A Application**

[Open Meeting (Presentation and Question Sessions Only)]

Y/YL/18                      Application for Amendment to the Approved Yuen Long Outline Zoning Plan No. S/YL/25, To rezone the application site from “Other Specified Uses” annotated “Art Storage and Public Open Space” to “Other Specified Uses” annotated “Private Subsidised Housing and Art Storage with Public Open Space”, Lots No. 2281 S.A, 2282 RP, 2283 RP, 2960 RP, 2964 S.B in D.D. 120 and adjoining Government Land at Lam Hi Road, Area 13, Yuen Long  
  
(RNTPC Paper No. Y/YL/18A)

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31.            The Secretary reported that the application was submitted by Winpo Development Ltd., which was a subsidiary of New World Development Co. Ltd (NWD). The following Members had declared interests on the item :

Dr C.H. Hau                      -    being an employee of the University of Hong Kong (HKU) and K11 Concept Limited of NWD had been sponsoring his student learning projects in HKU since 2009; and

Mr Vincent K.Y. Ho              -    being a member of the Advisory Committee of New World Build for Good, which was founded by NWD.

32.            The Committee noted Mr Vincent K.Y. Ho had tendered an apology for being unable to attend the meeting. As the interest of Dr C.H. Hau was indirect, the Committee agreed that he should be allowed to stay at the meeting.

Presentation and Question Sessions

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

**PlanD**

Mr Raymond H.F. Au - District Planning Officer/Tuen Mun and Yuen Long West (DPO/TMYLW)

Ms Carol K.L. Kan - Senior Town Planner/Tuen Mun and Yuen Long West (STP/TMYLW)

**Applicant's Representatives**

*Llewelyn-Davies Hong Kong Ltd.*

Ms. Winnie Wu

Miss Amanda Yu

*MVA Hong Kong Ltd.*

Mr Alan Pun

*AXXA Group Ltd.*

Mr Jason Teo

Ms. Sammy Tang

*Ramboll Hong Kong Ltd.*

Mr Calvin Chiu

34. 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.

35. With the aid of a PowerPoint presentation, Ms Carol K.L. Kan, STP/TMYLW, briefed Members on the background of the application, the proposed rezoning of the application site (the Site), departmental and public comments, and the planning

considerations and assessments as detailed in the Paper. PlanD had no in-principle objection to the application.

36. The Chairman then invited the applicant's representatives to elaborate on the application. With the aid of a PowerPoint presentation, Ms Winnie Wu, the applicant's representative, made the following main points :

- (a) the proposal was submitted by a not-for-profit housing enterprise and it was their first subsidised private housing project;
- (b) the proposed development could offer an alternative housing solution for the public and help to relieve the housing supply problem, which was in line with the 2022 Policy Address on enhancing public-private partnership in increasing land supply;
- (c) the Site was located within the Yuen Long New Town and in close proximity to the Yuen Long South Development supported by well-developed transport network, including the Tuen Ma Line, light rail, buses and mini-buses;
- (d) it was proposed to develop part of the Site, which was originally planned for art storage and public open space (POS) under the zoning of "Other Specified Uses" annotated "Art Storage and Public Open Space" ("OU(AS and POS)") for private subsidised housing (PSH) with 312 flats. For the remaining part of the Site (art storage cum POS portion), in addition to an art storage of about 5,968m<sup>2</sup>, a POS of not less than 590m<sup>2</sup> as required under the "OU(AS and POS)" zone would be provided accordingly;
- (e) the proposed PR of 5 and BH of 25 storeys for the proposed PSH were formulated taking into account the development context of the surrounding area and were considered compatible with the existing and planned residential developments to the north of the Site in terms of intensity and height;

- (f) the Transport Department (TD) had no comment on the proposed car parking and loading/unloading provisions for the proposed PSH, whereas the transport facilities for the art storage and POS portion would be provided in accordance with the indicative scheme under the previously approved rezoning application. The applicant also proposed traffic improvement measures, including junction improvement works at Kung Um Road/Lam Hi Road and widening of part of Lam Hi Road to 7.3m; and
- (g) the Secretary for Housing supported the proposal and there was no objection/adverse comments from all relevant government bureaux/departments.

37. As the presentations of PlanD's representative and the applicant's representative had been completed, the Chairman invited questions from Members.

38. Members raised the following questions :

- (a) whether the applicant had made any effort in soliciting support from the neighbouring residents who objected to the application;
- (b) the rationale to determine the area split between art storage and PSH for the Site, and whether the reduced art storage space was sufficient for the storage purpose. Whether the proposed number of storeys for PSH, which seemed to be on the lower side, could be further increased to provide more units in view of the acute demand for housing;
- (c) the rationale of locating the POS at the road junction, which would be more susceptible to traffic noise and further away from the proposed PSH, and the access arrangement between the POS and PSH;
- (d) details of the lease for the proposed PSH in view that execution of the lease conditions for subsidised housing would usually span over a long time period and involve a wide range of issues; and

- (e) in view of the objections to the application on traffic grounds, whether any traffic assessments had been undertaken and the improvement measures proposed.

39. In response, Ms. Winnie Wu, the applicant's representative, with the aid of some slides, made the following main points :

- (a) throughout the planning application process, the applicant had maintained a continuous dialogue with the relevant government bureaux/departments and noted the public sentiment towards the proposed development. With an aim to benefit the neighbouring residents, the applicant had proposed traffic improvement measures and the location of the POS was easily accessible to the neighbouring developments and the general public. The applicant would continue to liaise with the relevant stakeholders during the implementation stage;
- (b) as the proposed PSH was a pilot scheme for provision of subsidised sale flats by not-for-profit social housing enterprise, the applicant considered the proposed development scale, which would provide around 300 flats, was appropriate having regard to the technical and financial considerations in allowing quicker and easier implementation. Besides, the development intensity of the proposed PSH had taken into account the development intensity and the height profile of the neighbouring developments, and it was considered sufficient to utilise only part of the Site for the proposed PSH. The applicant had also reviewed the scale of the art storage, and decided to reduce its Gross Floor Area from about 12,694m<sup>2</sup> to 5,968m<sup>2</sup>;
- (c) the location of the POS at the road junction was the same as the indicative scheme under the previously approved rezoning application. Such location was considered appropriate in facilitating better access by residents in the neighbouring areas from all directions without the need to pass through the art storage block or the proposed PSH. For the proposed PSH, private open space would be provided for the residents, who could

also access the POS using the pedestrian footpath along Lam Hi Road without the need to pass through the art storage block;

- (d) the applicant had been liaising closely with the relevant bureaux/departments in ironing out the details of the lease for the proposed PSH including the management and operation mode as well as the re-sale arrangement with reference to the existing arrangement for subsidised housings, such as those by the Hong Kong Housing Society; and
- (e) traffic impact assessment (TIA) was conducted which had taken into account both the road improvement/widening works to be undertaken by the Government and those proposed by the applicant. TD had no comment on the TIA.

40. Two Members enquired on the substantial increase in the area of Government land involved in the application as compared to the previously approved application (No. Y/YL/11). In response, the applicant's representative, Ms Winnie Wu, with the aid of some Powerpoint slides, said that the Site with an area of about 7,304m<sup>2</sup> comprised two development portions, i.e. PSH portion with an area of about 2,815m<sup>2</sup> and art storage cum POS portion with an area of about 2,486m<sup>2</sup>. The increase in the amount of Government land in the current application was mainly to reflect the zoning boundary of the "OU(AS and POS)" zone on the OZP, which included existing roads being Government land which would not be affected by the development, nor included for development purpose. Within the development site of PSH and the art storage portion, the Government land involved were only about 389m<sup>2</sup> and 200m<sup>2</sup> respectively. The figures were subject to detailed land survey in land exchange application for the proposed PSH and the art storage cum POS at a later stage. The applicant would also be responsible for the management and maintenance of the POS.

41. As per the request of a Member, Mr Raymond H.F. Au, DPO/TMYLW, supplemented with the aid of a plan that the Government land within the Site was mainly located along Kung Um Road and Lam Hi Road (i.e. outside the two development portions).

42. 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 of the application had been completed and the Committee would deliberate on the application in their absence and inform the applicant of the Committee's decision in due course. The Chairman thanked the representatives from PlanD and the applicant's representatives for attending the meeting. They left the meeting at this point.

### Deliberation

43. Members generally supported the proposed rezoning to facilitate the PSH development. A Member opined that the development intensity could be further increased taking into account the surrounding developments in order to maximise the flat production for PSH. This Member and another Member also considered that the location of the proposed POS could be further reviewed as it was located far away from the PSH. The Chairman remarked that the proposed development was in line with the 2022 Policy Address in encouraging private developers to provide private subsidised housing. Members' concerns on the land exchange arrangement involving Government land would be dealt with by relevant Government bureaux/departments under the established mechanism at the later stage of the development process.

44. After deliberation, the Committee decided to agree to the rezoning of the Site to "Other Specified Uses" annotated "Private Subsidised Housing and Art Storage with Public Open Space" with stipulation of development parameters as proposed by the applicant. Amendments to the OZP would be submitted to the Committee for consideration prior to gazetting under section 5 of the Town Planning Ordinance.



**Sai Kung and Islands District**

**Agenda Item 6**

**Section 16 Application**

[Open Meeting]

A/SK-HH/80 Marina (Proposed Ancillary Facilities for Existing Yacht Club) in  
“Recreation” Zone, Lot 341 (Part) in D.D. 212, Che Keng Tuk, Sai  
Kung  
(RNTPC Paper No. A/SK-HH/80)

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45. The Committee noted that the applicant’s representative requested on 10.10.2022 deferment of consideration of the application for two months so as to allow more time to address comments from relevant government departments. It was the first time that the applicant requested deferment of the application.

46. 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.

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

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

**Agenda Items 7 to 9**

**Section 16 Applications**

[Open Meeting]

A/NE-LYT/773 Temporary Public Vehicle Park (Private Vehicles Only) for a Period of 3 Years in “Agriculture” Zone, Lots 1843 S.C and 1846 S.I in D.D. 76, Ma Mei Ha, Fanling  
(RNTPC Paper No. A/NE-LYT/773)

A/NE-LYT/774 Proposed Temporary Public Vehicle Park (Private Vehicles Only) for a Period of 3 Years in “Green Belt” Zone, Lots 636 (Part) and 639 (Part) in D.D. 85, Lung Yeuk Tau  
(RNTPC Paper No. A/NE-LYT/774)

A/NE-LYT/775 Proposed Temporary Public Vehicle Park (Excluding Container Vehicle) for a Period of 5 Years in “Residential (Group C)” Zone, Lots 870 RP (Part), 871 (Part) and 2141 RP (Part) in D.D. 83, Ma Liu Shui San Tsuen, Fanling  
(RNTPC Paper No. A/NE-LYT/775)

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47. The Committee noted that the applicants’ representatives requested on 12.10.2022 deferment of consideration of the applications for two months so as to allow more time to address comments from relevant government departments. It was the first time that the applicants requested deferment of the applications.

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

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

### **Agenda Items 10 and 11**

#### **Section 16 Applications**

[Open Meeting (Presentation and Question Sessions Only)]

A/NE-LT/736            Proposed House (New Territories Exempted House) in "Agriculture"  
Zone, Lot 1945 in D.D. 19, Chuen Shui Tseng, Lam Tsuen, Tai Po

A/NE-LT/737            Proposed House (New Territories Exempted House) in "Agriculture"  
Zone, Lot 1947 in D.D. 19, Chuen Shui Tseng, Lam Tsuen, Tai Po  
(RNTPC Paper No. A/NE-LT/736 and 737)

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

49.            With the aid of some plans, Mr Kevin K.W. Lau, STP/STN, briefed Members on the background of the applications, the proposed developments, departmental and public comments, and the planning considerations and assessments as detailed in the Papers. The Planning Department had no objection to the applications.

50.            Members had no question on the applications.

#### **Deliberation Session**

51.            The Committee noted that as agricultural activities were active in the vicinity and agricultural infrastructures such as footpath and water resources were available, the Director of Agriculture, Fisheries and Conservation (DAFC) considered that the application sites (the Sites) possessed potential for agricultural rehabilitation. The Chairman said that DAFC had adopted a general approach in accessing rehabilitation potential of agricultural land. For the subject planning applications for house developments, consideration had also been given

to that the Sites, despite the “Agriculture” zoning, were held under Block Government Lease demised for ‘House’ use.

52. After deliberation, the Committee decided to approve the applications, on the terms of the applications as submitted to the Town Planning Board (TPB). Each of the permissions should be valid until 28.10.2026, 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. Each of the permissions was 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.”

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

## **Agenda Item 12**

### **Section 16 Application**

[Open Meeting (Presentation and Question Sessions Only)]

A/NE-SSH/143      Temporary Refuse Collection Point for a Period of 3 Years in “Village Type Development” Zone, Lots 911 (Part) and 912 (Part) in D.D.165, Tseng Tau Village, Sai Sha Road, Shap Sz Heung, Sai Kung North  
(RNTPC Paper No. A/NE-SSH/143A)

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### **Presentation and Question Sessions**

54. 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 considered that the temporary use could be tolerated for a period of three years.

55. Members had no question on the application.

Deliberation Session

56. The Committee noted that an open layout had been adopted for the temporary refuse collection point to facilitate the maneuvering of refuse collection vehicles in and out of the Site for loading/unloading of garbage.

57. After deliberation, the Committee decided to approve the application on a temporary basis for a period of 3 years until 28.10.2025 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 28.4.2023;
- (b) in relation to (a) above, the implementation of drainage facilities within 9 months from the date of planning approval to the satisfaction of the Director of Drainage Services or of the TPB by 28.7.2023;
- (c) in relation to (b) above, the implemented drainage facilities at the site shall be maintained at all times during the planning approval period;
- (d) the submission of proposals for water supplies for fire-fighting and fire service installations within 6 months from the date of planning approval to the satisfaction of the Director of Fire Services or of the TPB by 28.4.2023;
- (e) in relation to (d) above, the provision of water supplies for fire-fighting and fire service installations within 9 months from the date of planning approval to the satisfaction of the Director of Fire Services or of the TPB by 28.7.2023;
- (f) if the above planning condition (c) is not complied with during the planning approval period, the planning 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 approval hereby given shall cease to have effect and shall on the same date be revoked without further notice.”

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

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

### **Agenda Item 13**

#### **Section 16 Application**

[Open Meeting (Presentation and Question Sessions Only)]

A/NE-TK/752 Proposed Temporary Barbecue Site and Caravan Holiday Camp with Ancillary Facilities for a Period of 3 Years and Filling of Land in “Agriculture” Zone, Lots 321 RP, 322 RP, 324 RP, 325 RP, 326 RP, 327, 328, 383 and 384 RP (Part) in D.D. 17 and Adjoining Government Land, Ting Kok, Tai Po  
(RNTPC Paper No. A/NE-TK/752A)

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

59. With the aid of some plans, Mr Harris K.C. Liu, 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 considered that the proposed temporary use could be tolerated for a period of three years.

60. In response to a Member’s enquiry on the use of the structured canopies as shown in Drawing A-1 of the Paper and the material of such structures, Mr Harris K.C. Liu, STP/STN, stated that according to the applicant, the temporary structures would be used as rain shelters for the barbecue area and circulation, and there was no information regarding the material of such structures.

Deliberation Session

61. After deliberation, the Committee decided to approve the application on a temporary basis for a period of 3 years until 28.10.2025 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 sewerage impact assessment within 6 months from the date of planning approval to the satisfaction of the Director of Environmental Protection or of the TPB by 28.4.2023;
- (b) in relation to (a) above, the implementation of sewerage facilities identified therein within 9 months from the date of planning approval to the satisfaction of the Director of Environmental Protection or of the TPB by 28.7.2023;
- (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 28.4.2023;
- (d) in relation to (c) above, the implementation of drainage facilities within 9 months from the date of planning approval to the satisfaction of the Director of Drainage Services or of the TPB by 28.7.2023;
- (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 proposal for fire service installations (FSIs) 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 28.4.2023;
- (g) in relation to (f) above, the implementation of FSIs 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 28.7.2023;

- (h) if the above planning condition (e) is not complied with during the planning approval period, the approval hereby given shall cease to have effect and shall be revoked immediately without further notice;
- (i) if any of the above planning condition (a), (b), (c), (d), (f) or (g) is not complied with by the specified date, the approval hereby given shall cease to have effect and shall on the same date be revoked without further notice; and
- (j) upon expiry of the planning permission, the reinstatement of the site to an amenity area to the satisfaction of the Director of Planning or of the TPB.”

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

#### **Agenda Item 14**

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

[Open Meeting (Presentation and Question Sessions Only)]

A/NE-TK/761      Proposed Temporary Shop and Services for a Period of 3 Years in  
“Village Type Development” Zone, Lot 719 S.B RP in D.D. 23, Po  
Sam Pai Village, Tai Po  
(RNTPC Paper No. A/NE-TK/761)

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63. 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**

64. After deliberation, the Committee decided to approve the application on a temporary basis for a period of 3 years until 28.10.2025 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 28.4.2023;
- (b) in relation to (a) above, the implementation of drainage facilities within 9 months from the date of planning approval to the satisfaction of the Director of Drainage Services or of the TPB by 28.7.2023;
- (c) in relation to (b) above, the implemented drainage facilities on the site shall be maintained at all times during the planning approval period;
- (d) the submission of a proposal for fire service installations (FSIs) 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 28.4.2023;
- (e) in relation to (d) above, the implementation of FSIs 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 28.7.2023;
- (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 approval hereby given shall cease to have effect and shall on the same date be revoked without further notice.”

65. 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 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 and Ms Christine C.M. Cheung, Senior Town Planners/Fanling, Sheung Shui and Yuen Long East (STPs/FSYLE), were invited to the meeting at this point.]

**Agenda Item 15**

**Section 16 Application**

[Open Meeting (Presentation and Question Sessions Only)]

A/YL-KTN/859      Temporary Holiday Camp and Barbecue Site with Ancillary Eating Place and Facilities for a Period of 3 Years and Filling of Land in “Agriculture” Zone, Various Lots in D.D. 107, Kam Tin, Yuen Long  
(RNTPC Paper No. A/YL-KTN/859)

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**Presentation and Question Sessions**

66.            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 (PlanD) considered that the temporary use could be tolerated for a period of three years.

67.            Two Members noted from Plan A-3 of the Paper that the application site (the Site) was already in use with caravans parked thereat and raised the following questions :

- (a)    the difference in scale between the current application and the previously approved application; and
- (b)    whether the planning conditions as required under the previously approved application needed to be complied with should the current application be approved, and which of the planning conditions under the previously approved application had yet to be complied with.

68.            In response, Mr Wallace W.K. Tang, STP/FSYLE, made the following main

points :

- (a) as compared with the previously approved application (No. A/YL-KTN/817), the boundary of the Site under the current application was expanded to provide additional facilities. Under application No. A/YL-KTN/817, the site area was about 6,002m<sup>2</sup> accommodating 15 caravans while that under the current application was about 7,056m<sup>2</sup> accommodating 17 caravans. Should the current application be approved, the applicant would need to determine which planning application to be pursued; and
- (b) none of the approval conditions under the previously approved application had been complied with, and the applicant had applied for extension of time for compliance with the planning conditions.

#### Deliberation Session

69. The Committee noted the current application was different from the previously approved application in that there were addition of restaurant use and enlargement of site area. A Member enquired whether the restaurant use was in line with the planning intention of “Agriculture” (“AGR”) zone and whether food license would be required from the Food and Environmental Hygiene Department (FEHD). The Committee noted that ‘Eating Place’ use was neither a Column 1 nor Column 2 use under the concerned “AGR” zone and the applicant could apply for temporary use or development of land not exceeding three years. Regarding the licensing arrangement, the applicant would need to apply to FEHD for the necessary food license, should the subject planning application be approved. Regarding the differences between ‘ancillary eating place’ as stated under the current application and ‘ancillary canteen’ as stated in the previously approved application, the Committee noted that ‘eating place’ generally referred to restaurant, and according to the applicant, the restaurant would mainly serve the visitors of the holiday camp, while ‘canteen’ use under the previously approved application was intended to serve the staff only.

70. A Member noted from online resource that the restaurant appeared to be already in use. While noting that there was demand for holiday camp, a Member expressed concern that the restaurant was in operation without planning permission. A Member expressed

similar view and said that the applicant should have, but in fact, had not complied with the planning conditions as required under the previously approved application. The Chairman remarked that should the application be approved, the applicant would be reminded in the advisory clause that prior planning permission should have been obtained before commencing the applied use at the Site. The applicant would also be reminded to comply with the planning conditions in a timely manner and should it be found out later that there were uses/activities deviating from the approved uses and that the planning conditions were not complied with, the planning permission could be revoked and enforcement actions, if appropriate, might follow. Furthermore, the Agriculture, Fisheries and Conservation Department was conducting a study to identify agriculture priority areas (APA) which would help direct the agricultural activities to suitable areas, and there might be guidelines on the use of those “non-APA” agricultural sites. Before the findings of the APA study would be made available, applications for uses within the “AGR” zone would be considered in accordance with the prevailing practice.

71. After deliberation, the Committee decided to approve the application on a temporary basis for a period of 3 years until 28.10.2025 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 28.4.2023;
- (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 28.7.2023;
- (c) in relation to (b) above, the implemented drainage facilities on the site shall be maintained at all times during the planning approval period;
- (d) the submission of a fire service installations proposal and water supplies for firefighting within 6 months from the date of planning approval to the satisfaction of the Director of Fire Services or of the TPB by 28.4.2023;

- (e) in relation to (d) above, the implementation of the fire service installations and water supplies for firefighting proposal within 9 months from the date of planning approval to the satisfaction of the Director of Fire Services or of the TPB by 28.7.2023;
- (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;
- (g) if any of the above planning condition (a), (b), (d) or (e) is not complied with by the specified date, the approval hereby given shall cease to have effect and shall on the same date be revoked without further notice; and
- (h) 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.”

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

### **Agenda Item 16**

#### **Section 16 Application**

[Open Meeting (Presentation and Question Sessions Only)]

A/YL-ST/628            Proposed Filling and Excavation of Land for Permitted Government Drainage Works (Floodwall and Embankment) in “Conservation Area”, “Other Specified Uses” annotated “Service Stations” and “Open Storage” Zones, Government Land along San Tin Eastern Main Drainage Channel in D.D. 99 and D.D. 102, San Tin, Yuen Long  
(RNTPC Paper No. A/YL-ST/628)

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73. The Secretary reported that the application was submitted by the Drainage Services Department (DSD). The following Members had declared interests on the item :

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

74. 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. As Dr C.H. Hau had no involvement in the application, the Committee agreed that he could stay in the meeting.

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

#### Presentation and Question Sessions

75. With the aid of some plans, Ms Christine C.M. Cheung, STP/FSYLE, 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. Members had no question on the application.

#### Deliberation Session

77. 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 28.10.2026, 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.

78. 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 Wallace W.K. Tang and Ms Christine C.M. Cheung, STPs/FSYLE, for their attendance to answer Members' enquiries. They left the meeting at this point.]

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

**Tuen Mun and Yuen Long West District**

[Mr Eric C.Y. Chiu and Mr Steven Y.H. Siu, Senior Town Planners/Tuen Mun and Yuen Long West (STPs/TMYLW), were invited to the meeting at this point.]

**Agenda Item 17**

**Section 16 Application**

[Open Meeting (Presentation and Question Sessions Only)]

A/HSK/408                      Temporary Public Vehicle Park (Excluding Container Vehicle) for a Period of 3 Years in “Village Type Development” Zone, Lots 635 S.I (Part), 635 S.J (Part), 635 S.K (Part), 635 S.L (Part), 635 RP (Part), 637 (Part) and 638 RP (Part) in D.D.125, Ha Tsuen, Yuen Long  
(RNTPC Paper No. A/HSK/408)

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79.            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**

80.            After deliberation, the Committee decided to approve the application on a temporary basis for a period of 3 years until 28.10.2025 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 the planning approval to the satisfaction of the Director of Drainage Services or of the TPB by 28.4.2023;
  
- (b)    in relation to (a) above, the implementation of the drainage proposal within 9 months from the date of the planning approval to the satisfaction of the

Director of Drainage Services or of the TPB by 28.7.2023;

- (c) in relation to (b) above, the implemented drainage facilities on the site shall be maintained at all times during the planning approval period;
- (d) the submission of a fire service installations proposal within 6 months from the date of planning approval to the satisfaction of the Director of Fire Services or of the TPB by 28.4.2023;
- (e) in relation to (d) 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 28.7.2023;
- (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 approval hereby given shall cease to have effect and shall on the same date be revoked without further notice.”

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

### **Agenda Item 18**

#### **Section 16 Application**

[Open Meeting (Presentation and Question Sessions Only)]

A/HSK/409                      Proposed Temporary Private Club with Ancillary Office for a Period of  
3 Years in “Village Type Development” Zone, Lot 1149 (Part) in  
D.D.125, Yuen Long  
(RNTPC Paper No. A/HSK/409)

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82. 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

83. After deliberation, the Committee decided to approve the application on a temporary basis for a period of 3 years until 28.10.2025 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 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 28.4.2023;
- (b) in relation to (a) 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 28.7.2023;
- (c) in relation to (b) above, the implemented drainage facilities on the site shall be maintained at all times during the planning approval period;
- (d) the implementation of the accepted 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 28.7.2023;
- (e) 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
- (f) if any of the above planning condition (a), (b) or (d) is not complied with by the specified date, the approval hereby given shall cease to have effect and shall on the same date be revoked without further notice.”

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

## **Agenda Item 19**

### **Section 16 Application**

[Open Meeting (Presentation and Question Sessions Only)]

A/TM-LTY Y/430 Temporary Shop and Services with Ancillary Office for a Period of 3 Years in “Residential (Group D)” Zone, Lot 1038 S.B (Part) in D.D. 130 and Adjoining Government Land, Fuk Hang Tsuen, Tuen Mun  
(RNTPC Paper No. A/TM-LTY Y/430A)

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85. 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**

86. After deliberation, the Committee decided to approve the application on a temporary basis for a period of 3 years until 28.10.2025 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 the planning approval to the satisfaction of the Director of Drainage Services or of the TPB by 28.4.2023;
- (b) in relation to (a) above, the implementation of the drainage proposal within 9 months from the date of the planning approval to the satisfaction of the Director of Drainage Services or of the TPB by 28.7.2023;
- (c) in relation to (b) above, the implemented drainage facilities on the site shall be maintained at all times during the planning approval period;
- (d) the submission of a fire service installations proposal within 6 months from the date of the planning approval to the satisfaction of the Director of Fire Services or of the TPB by 28.4.2023;
- (e) in relation to (d) above, the implementation of the fire service installations

proposal within 9 months from the date of planning approval to the satisfaction of the Director of Fire Services or of the TPB by 28.7.2023;

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

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

## **Agenda Item 20**

### **Section 16 Application**

[Open Meeting (Presentation and Question Sessions Only)]

A/YL-LFS/444 Proposed Temporary Public Vehicle Park (Private Car and Light Goods Vehicle) for a Period of 3 Years and Filling of Land in “Green Belt” and “Village Type Development” Zones, Lots 2766 RP (Part), 2767 (Part), 2768, 2779 (Part) and 2781 in D.D.129, Sha Kong Wai, Yuen Long  
(RNTPC Paper No. A/YL-LFS/444)

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### **Presentation and Question Sessions**

88. With the aid of some plans, Mr Eric C.Y. Chiu, 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 did not support the application.

89. A Member enquired about details of the previously approved applications covering the northeastern part of the application site (the Site). In response, Mr Eric C.Y.

Chiu, STP/TMYLW, with the aid of some plans, stated that part of the Site was subject to two previous applications approved in 1999 and 2019 covering different areas and for recreational uses with ancillary vehicle parks and public vehicle parks respectively. As trees-felling and hard-paving activities were found undertaken at the Site in 2021-2022 and further hard paving of the entire Site was proposed by the applicant, it was considered that the proposed use would induce adverse landscape impact on the surrounding areas.

#### Deliberation Session

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

- “(a) the proposed development was not in line with the planning intention of the “Green Belt” zone, which was 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 was a general presumption against development within this zone. There was no strong planning justification in the submission for a departure from the planning intention; and
- (b) the proposed development was not in line with the TPB 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 applicant failed to demonstrate that the proposed development would not have significant adverse landscape impact on the surrounding areas.”

## **Agenda Item 21**

### **Section 16 Application**

[Open Meeting (Presentation and Question Sessions Only)]

A/YL-TT/570            Proposed Temporary Animal Boarding Establishment for a Period of 3 Years and Associated Filling of Land in “Agriculture” Zone, Lots 1385 S.A (Part), 1385 RP, 1386 (Part), 1387 S.A and 1387 S.B in D.D. 117, Tai Tong, Yuen Long  
(RNTPC Paper No. A/YL-TT/570)

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### **Presentation and Question Sessions**

91.            With the aid of some plans, Mr Steven Y.H. Siu, 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.

92.            Members had no question on the application.

### **Deliberation Session**

93.            After deliberation, the Committee decided to approve the application on a temporary basis for a period of 3 years until 28.10.2025 on the terms of the application as submitted to the Town Planning Board (TPB) and subject to the following conditions :

- “(a)    the animals shall be kept inside enclosed structures with soundproofing materials, 24-hour mechanical ventilation and air-conditioning systems between 6:00 p.m. and 8:00 a.m. at the site, as proposed by the applicant, during the planning approval period;
  
- (b)    no public announcement system, whistle blowing, portable loudspeaker or any form of audio amplification system is allowed to be used at the site, as proposed by the applicant, 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 28.4.2023;

- (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 28.7.2023;
- (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 28.4.2023;
- (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 28.7.2023;
- (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;
- (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; and
- (j) upon expiry of the planning permission, the reinstatement of the site to an amenity area, as proposed by the applicant, to the satisfaction of the Director of Planning or of the TPB.”

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

## **Agenda Item 22**

### **Section 16 Application**

[Open Meeting (Presentation and Question Sessions Only)]

A/YL-TT/571            Proposed Temporary Shop and Services for a Period of 3 Years in  
“Other Specified Uses” annotated “Rural Use” Zone, Lots 1213 S.A  
and 1213 S.B RP in D.D. 118, Tai Tong, Yuen Long  
(RNTPC Paper No. A/YL-TT/571)

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95.            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**

96.            After deliberation, the Committee decided to approve the application on a temporary basis for a period of 3 years until 28.10.2025 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 revised drainage proposal within 6 months from the date of planning approval to the satisfaction of the Director of Drainage Services or of the TPB by 28.4.2023;
  
- (b)    in relation to (a) above, the implementation of the revised drainage proposal within 9 months from the date of planning approval to the satisfaction of the Director of Drainage Services or of the TPB by 28.7.2023;
  
- (c)    in relation to (b) above, the implemented drainage facilities shall be maintained at all times during the planning approval period;
  
- (d)    the submission of a fire service installations proposal within 6 months from the date of planning approval to the satisfaction of the Director of Fire Services or of the TPB by 28.4.2023;
  
- (e)    in relation to (d) above, the implementation of the fire service installations

proposal within 9 months from the date of planning approval to the satisfaction of the Director of Fire Services or of the TPB by 28.7.2023;

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

97. 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 Eric C.Y. Chiu and Mr Steven Y.H. Siu, STPs/TMYLW, for their attendance to answer Members’ enquiries. They left the meeting at this point.]

### **Agenda Item 23**

#### **Any Other Business**

98. There being no other business, the meeting was closed at 6:15 p.m..