

TOWN PLANNING BOARD

Minutes of 709th Meeting of the Rural and New Town Planning Committee held at 2:30 p.m. on 9.12.2022

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 L.T. Kwok

Mr K.W. Leung

Professor John C.Y. Ng

Dr Conrad T.C. Wong

Mrs Vivian K.F. Cheung

Mr Vincent K.Y. Ho

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 Venus Y.H. Lun

In Attendance

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

Chief Town Planner/Town Planning Board
Ms Johanna W.Y. Cheng

Town Planner/Town Planning Board
Ms Charlotte O.C. Ko

Agenda Item 1

Confirmation of the Draft Minutes of the 708th RNTPC Meeting held on 25.11.2022

[Open Meeting]

1. The draft minutes of the 708th RNTPC meeting held on 25.11.2022 were confirmed without amendments.

Agenda Item 2

Matter Arising

[Open Meeting]

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

Sai Kung and Islands District

Agenda Item 3

Section 12A Application

[Open Meeting (Presentation and Question Sessions only)]

Y/I-MWN/1 Application for Amendment to the Approved Mui Wo North Outline Zoning Plan No. S/I-MWN/2, To rezone the application site from “Green Belt” to “Conservation Area”, Government Land in D.D.1 Mui Wo and D.D.2 Mui Wo, Lantau
(RNTPC Paper No. Y/I-MWN/1)

3. The Secretary reported that the application was submitted by Mr Paul Melsom and Kadoorie Farm and Botanic Garden Corporation was one of the consultants. Dr C.H. Hau had declared an interest on the item for having dealings with Mr Paul Melsom when working in Kadoorie Farm and Botanic Garden (KFBG) in 1999.

4. As the interest of Dr C.H. Hau was indirect, the Committee agreed that he should be allowed to stay in the meeting.

Presentation and Question Sessions

5. The following representatives from the Planning Department (PlanD) and Agriculture, Fisheries and Conservation Department (AFCD), and the applicant’s representatives were invited to the meeting at this point :

PlanD

Ms Caroline T.Y. Tang - District Planning Officer/Sai Kung and Islands (DPO/SKIs)

Mr Sunny K.Y. Tang - Senior Town Planner/Sai Kung and Islands (STP/SKIs)

Ms Kennie M.F. Liu - Town Planner/Sai Kung and Islands

AFCD

Ms C.Y. Ho - Senior Nature Conservation Officer/South
(SNC/S)

Applicant and Applicant's Representatives

Applicant

Mr Paul Melsom

KFBG

Mr Tony Nip

Dr Stephen W. Gale

Ms Mandy Wong

Designing Hong Kong Limited

Mr Samuel Wong

6. The Chairman extended a welcome and explained the procedures of the meeting. He then invited PlanD's representatives to brief Members on the background of the application.

7. With the aid of a PowerPoint presentation, Mr Sunny K.Y. Tang, STP/SKIs, 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 did not support the application.

[Mr L.T. Kwok and Professor John C.Y. Ng joined the meeting during PlanD's presentation.]

8. The Chairman then invited the applicant/applicant's representatives to elaborate on the application. With the aid of PowerPoint presentations, Mr Tony Nip, the applicant's representative, and Mr Paul Melsom, the applicant, made the following main points :

Background

- (a) the Site was the subject of a representation / comment on the draft Mui Wo North OZP No. S/I-MWN/1 (the draft MWN OZP) previously submitted by the applicant who proposed to rezone the woodlands in Wo Tin from “Green Belt” (“GB”) to “Conservation Area” (“CA”) but covering a much larger area than the current application. The application was only for rezoning of about two hectares of land to “CA” which was a very small percentage of land in North Lantau;
- (b) although the representation / comment was not upheld by the Town Planning Board (the Board), Members considered that the rezoning proposal would be worth studying further by the relevant government departments and further amendment to the OZP might be submitted to the Board for consideration in future. In that regard, the applicant submitted the subject rezoning application for the consideration of the Board;

The Site

- (c) the applicant and his volunteers (mainly local village residents, secondary school students and staff of non-governmental organisations) started afforestation with permission from government departments at the Site some 20 years ago, during the years of 1999, 2002 and 2003;
- (d) in the verification survey conducted by the experts of KFBG in July and August 2022, a total of 86 species of native trees/shrubs were identified within the Site and 20 of them were considered to be species of conservation concern, such as *Ormosia pachycarpa* (葶莢紅豆) and *Castanopsis concinna* (華南錐) which could not easily grow and establish in many other places in Hong Kong. 55 species were observed to bear fruits which allowed second generation growth. The diversity and ecological value of the trees within the Site were remarkable and rare in Hong Kong. The Site was a showcase of local ecological restoration and the area had become a self-generating woodland. Protecting biodiversity was a worldwide concern;

- (e) it was only noted from the Paper that there were three Government Land Licences (GLLs) for residential and agricultural purposes within part of the Site. No new GLL had been issued since 1970 and new squatter or unauthorised extension was not allowed. Nevertheless, there was only an abandoned and derelict house that was marked as ‘ruin’ in the survey sheet. There was no private land, village ‘environs’ nor permitted burial ground within the Site and no active human activities were observed from aerial photos;

Responses to AFCD’s Comments

- (f) ‘restrictedness’ of the species should be defined by the total number of individual trees seen instead of the distribution of the species in accordance with the international criteria for extinction risk (The International Union for Conservation of Nature (IUCN) Red List Categories and Criteria). KFBG was currently helping AFCD to assess the extinction risk of local orchid species using the same IUCN criteria. Although some of the species might be found in other parts of Hong Kong, their distribution was sparse and limited. The vast number of species of conservation value within the Site would not happen naturally. It was a result of the afforestation effort of the applicant which warranted a higher level of protection;
- (g) although the Site might be considered as a ‘fairly young’ woodland at present, trees therein were already very tall, large and dense. It would become a mature woodland with even higher conservation values if it was protected properly. Other sites within the same “GB” zone or with similar characteristics in Hong Kong could hardly become a woodland with such level of diversity/tree composition/ecological and conservation values;
- (h) the Site was adjacent to the Lantau North (Extension) Country Park (CP), and the applicant helped AFCD to plant trees in the CP after the existing trees were planted within the Site. The Site had higher conservation value than the CP, which was mainly scrubland, and should be better protected with a “CA” zoning;

- (i) it was necessary to clearly demarcate and rezone the Site to “CA” to ensure that it would be better protected. For example, relevant authorities would avoid encroachment and unnecessary impacts/disturbance to the Site when planning for public works in the area;

Others

- (j) the Site was easily accessible through existing footpaths which provided a good opportunity for educational purposes. It could help enhance the overall educational value of the area including the adjoining CP;
- (k) the rezoning application was in line with the general planning intention of the Mui Wo North and the overarching principle of ‘Conservation for the South’ embraced in the Sustainable Lantau Blueprint; and
- (l) the Sustainable Lantau Office of the Civil Engineering and Development Department had no particular view on the zoning provided that the zoning could help conservation. 37 supporting comments were received from green groups and individuals, including people living nearby.

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

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

- (a) the reason for demarcating the Site and rezoning it to “CA”;
- (b) whether the Site would be degraded if it was not maintained in future;
- (c) whether the applicant had considered enlarging or reducing the site area; and how the site boundary was proposed, in particular the western site boundary; and
- (d) whether there was any plan showing the location of trees that were surveyed within the Site.

11. In response, Mr Tony Nip, the applicant's representative, with the aid of some PowerPoint slides and plans, made the following main points :

- (a) it was essential to clearly demarcate the Site to inform everyone including the works authorities (such as authorities responsible for slope stabilisation or provision of infrastructure) and the public that the Site was of special conservation importance and it should be protected by a higher level of conservation zoning. The rezoning from "GB" to "CA" would also avoid relevant parties from carrying out any works/activities that would adversely affect the regenerated forest;
- (b) it was anticipated that the Site would not be degraded over time as the woodland was already well established and was self-regenerating. The tree seedlings only needed maintenance (including watering and weeding) during the initial planting period and long-term maintenance was not required. The Site only needed to be protected from development or human disturbance;
- (c) the area of the Site under the current rezoning application (i.e. 21,312m²) was reduced to about 32% of the previous representation site, where areas with human activities, farming area and grave areas were excluded. The site boundary was proposed by making reference to easily observed existing features. As shown on Drawing Z-1 and Plan Z-4a of the Paper, the western boundary was a straight line starting from an existing bench at the hilltop and a bridge in the south, passing through an existing footbridge and extending north to the boundary of the CP. The area to the immediate west of the Site which covered a number of permitted graves was excluded from the Site. The northern and eastern sides of the Site were bounded by the Lantau North (Extension) CP, whilst boundaries on the southern and southeastern sides were along the hiking trails marked on the Lands Department (LandsD)'s GeoInfo Map; and
- (d) there was an aerial photo annotating the 67 trees with height measured in the tree survey which was conducted for two days only. The 67 trees were

mainly along the southern boundary of the Site that was accessible along the hiking trail. A comprehensive tree survey was not conducted, and a plan showing the distribution of the species within the entire site was not available.

12. Some Members raised the following questions :

- (a) whether there was any “CA” zone on the MWN OZP; and
- (b) the differences in terms of permitted uses under the “GB” and “CA” zones; and whether the existing rights of the GLL’s licensees would be affected if the Site was rezoned from “GB” to “CA”.

13. In response, Ms Caroline T.Y. Tang, DPO/SKIs, with the aid of some PowerPoint slides, made the following main points :

- (a) there was no “CA” zone on the MWN OZP whilst nine OZPs in Lantau had “CA” zones; and
- (b) according to the Notes of the OZP, Column 1 uses under the “CA” zone were also Column 1 uses under “GB” zones, and for “GB” zones, there were additional Column 1 uses (i.e. ‘Barbecue Spot’, ‘Government Use (Police Reporting Centre only)’, ‘Public Convenience’ and ‘Tent Camping Ground’) which were all uses that could only be implemented by the Government. According to the covering Notes of the OZP, redevelopment of New Territories Exempted House (NTEH) or replacement of an existing domestic building by a NTEH was always permitted in “GB” zone, but this provision did not apply to “CA” zone. If the Site was rezoned to “CA”, the licensees of the GLLs had to obtain planning permission from the Board for redevelopment of house since ‘House (Redevelopment only)’ was a Column 2 use under the “CA” zone. As the Site comprised Government land (GL) only, any works/activities/development at the Site was subject to the control of relevant government departments.

AFCD's Comments on the Rezoning Application

14. Noting that AFCD only provided factual information about the tree species and had indicated no strong view on the application from the nature conservation perspective as stated in paragraph 9.1.2(c) of the Paper, a Member asked whether the assessment that the ecological significance of the Site could not be demonstrated and the “GB” zoning was considered appropriate for the area at large including the Site in section 11 of the Paper were comments of AFCD or the assessment of PlanD. In response, Ms Caroline T.Y. Tang, DPO/SKIs, said that AFCD had studied the tree survey submitted by the applicant and conducted site inspections. A total of 86 species of native trees/shrubs were identified in the tree survey but no number had been provided. AFCD considered that in terms of plant species within the Site recorded in the tree survey, it was generally consistent with those observed by AFCD in recent site inspections. Regarding the status of the 20 species of conservation concern, AFCD advised that the trees on the Site were fairly young and the ‘very rare’/‘rare’ and ‘restricted’ species reported in the Supplementary Planning Statement (SPS) had also been recorded in other places in Hong Kong (with the exception of *Fraxinus griffithii* (光蠟樹) that was only recorded in Lantau Island). Based on AFCD’s advice on the condition of the Site and that the trees were rather young, and there was no information on ecological value of the Site submitted, PlanD considered that the current “GB” zoning was appropriate for the area at large including the Site.

15. Ms Caroline T.Y. Tang, DPO/SKIs, supplemented that a majority of land area on Lantau Island (about 70% of the total land area) was designated as CPs whilst the remaining land area covered by OZPs were mainly zoned “GB” and “CA” for conservation purposes.

16. Ms C.Y. Ho, SNC/S, AFCD confirmed that AFCD’s comments on the application were as reflected in the Paper and said that they noted, at the hearing meeting for consideration of representations and comments in respect of the draft MWN OZP, that the Board would like AFCD to provide more site-specific ecological information for the Board’s consideration in future. AFCD had therefore carried out site inspections of the Site for the subject rezoning application and provided the Board with more information on the plant status for consideration, particularly the distribution of the plant species that the applicant stated as ‘very rare’/‘rare’ and ‘restricted’ in the SPS. AFCD considered that the submitted information was generally consistent with that observed in recent site inspections. In that

regard, Ms C.Y. Ho, SNC/S, AFCD, said that the AFCD had no strong view on the application from the nature conservation perspective.

17. In response to the Chairman's question on whether the proposed boundary of the "CA" zone might need to be adjusted taking into consideration the ecological significance of the Site and the distribution of the species, Ms C.Y. Ho, SNC/S, AFCD, said that according to their site inspections, some areas of the Site were not readily accessible by footpaths, and therefore part of the Site could only be observed from a distance. She reaffirmed that information provided in the applicant's tree survey report was generally consistent with their observation on site. She supplemented that as the Site was not within the CP area, permission from AFCD for tree planting thereat was not required and AFCD could not ascertain the extent of planting conducted by the applicant.

18. The Chairman recapitulated that the subject application was for rezoning the Site from "GB" to "CA" zone. The designation of the conservation-related zonings on OZPs was subject to the landscape and ecological values of particular sites or areas. As stipulated in the Notes of the OZPs, "CA" zone was usually designated for areas with considerable ecological significance. For other common natural habitats and vegetated areas, "GB" zone was generally adopted. In that regard, the Chairman and a Member further asked AFCD whether the Site was considered to have considerable ecological significance worthy for designation as "CA" zone.

19. In response, Ms C.Y. Ho, SNC/S, AFCD, said that during PlanD's preparation of the draft MWN OZP, given that there was no recognised site of conservation importance within the planning area and no detailed information on the Site was provided, AFCD considered that the "GB" zone was appropriate for the woodland habitats in general as the Site was not much different from the larger area covered by the "GB" zone. Ms Ho further said that all along the ecological value of a site was only one of the factors for consideration of designation of "CA" zone. In the past, a "CA" zone might be designated to serve as a buffer area for protecting sites of conservation importance such as Site of Special Scientific Interest (SSSI) or CPs from the adverse effects of development. She further supplemented that the woodland at the Site was 'fairly young' at present but in time it might develop into a mature woodland. In view of the above, AFCD had no strong view on the application. While there was no strong reason to zone the Site as "CA", AFCD would not consider it as a problem if the Committee decided to rezone the Site as "CA".

GLLs and Squatter Structures at the Site

20. Regarding a Member's enquiry on the current status of the seven squatter structures within the Site, Ms Caroline T.Y. Tang, DPO/SKIs, said that the Site comprised three GLLs for residential and agricultural uses and seven squatter structures were located within the Site. According to the site inspection conducted by PlanD, an abandoned house covering the area of four squatter structures was found at the Site. The remaining squatter structures were not accessible by footpaths. LandsD advised that there were valid licences covering the Site where the said squatter structures situated. Mr Tony Nip, the applicant's representative, supplemented that the abandoned house at the Site was marked as 'ruin' on the GeoInfo Map of LandsD. No obvious or recent active human activities were observed within the Site during the site inspections conducted.

21. Some Members raised questions on the details of the GLLs including (i) validity of the GLLs; (ii) whether the GLLs could be transferred to others; (iii) whether agricultural use with associated works such as tree felling was permitted under the GLLs; and (iv) the procedures for renewal and cancellation of the GLLs. In response, Ms Caroline T.Y. Tang, DPO/SKIs, said that the three GLLs covered over 60% of the Site (as shown on Plan Z-2 of the Paper). Ms Jane K.C. Choi, Assistant Director/Regional 3, LandsD, said that (i) the three GLLs were still valid; (ii) the GLLs could not be sold to others yet they might be transferrable to family members of the licensees under certain special circumstances; (iii) the GLLs were for residential and agricultural purposes; and (iv) the licensees had to pay rent to the Government annually and LandsD would not cancel the GLLs without strong justifications unless they were affected by implementation of permanent development(s) or government projects. Mr Tony Nip, the applicant's representative, opined that given that no new GLL was issued since mid-1970s, the GLL should be considered as existing use.

Others

22. A Member asked whether there was precedent case for rezoning a site from "GB" to "CA" zone. In response, Mr Tony Nip, the applicant's representative, said that there was a s.12A planning application in Tai Po Kau Headland for rezoning a site from "GB" and "Restoration Priority Area" to "CA" and "SSSI", which was partially agreed by the

Committee for rezoning the site to “CA” in 2006.

23. In response to a Member’s question on whether AFCD would undertake enforcement action against agricultural activities within “GB” zone, Ms C.Y. Ho, SNC/S, AFCD, said that the AFCD had no right of control in such aspect.

[Dr Conrad T.C. Wong joined the meeting during the question and answer session.]

24. As there were no further questions from Members, the Chairman informed the applicant/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 government representatives and the applicant/applicant’s representatives for attending the meeting. They left the meeting at this point.

Deliberation

25. The Chairman recapitulated that in the preparation of the draft MWN OZP, a broad-brush approach had been adopted in designating the conservation zonings on the OZP taking into consideration the landscape and ecological values of particular sites or areas. “CA” and “GB” were both conservation-related zonings of different levels of control on land use and development. Taking account of the representations and comments received in respect of the OZP and the advice from AFCD on the condition of the larger area covering the Site and the status of individual tree species, the Board decided that the current “GB” zone covering the Site, which was also a conservation zoning with a general presumption against development, was considered appropriate. In general, a “CA” zone would be designated with AFCD’s support. For the subject application, the two-day survey conducted by the applicant only covered the southernmost part of the Site and the western boundary of the Site in a straight line appeared arbitrary. While the applicant had indicated that the purpose of rezoning the Site to “CA” was to alert parties concerned when carrying out public works in the area, it should be noted that all land within the Site was GL and there was established mechanism to process application for works on GL. As for GLLs within the Site, they were land matters separated from the planning regime. Should the Site be rezoned to “CA”, redevelopment of house required planning permission from the Board.

26. Members generally appreciated the strenuous efforts of the applicant and his persistence in forest restoration at the Site for the past 20 years. Some Members were of the view that sympathetic consideration could be given to the application having considered the diversified native tree species of conservation value on the Site and the applicant's efforts in reforestation at the Site over the years. Notwithstanding that, Members considered that the information in the tree survey, which only covered the southernmost part of the Site, did not provide sufficient information for the Committee to agree to rezoning the entire site to "CA". The boundary of the area with conservation value needed to be further examined with the support of more information on the extent and distribution of the diverse tree species. In that regard, some Members considered that the Committee could partially agree to the application pending required information from the applicant. That said, a Member considered that it might be too demanding to ask the applicant to conduct a tree survey for the entire site given that the Government would not conduct such comprehensive assessment when designating "CA" zones.

27. On the other hand, more Members considered that the applicant failed to provide sufficient information to support the proposed rezoning. The information provided in the application (i.e. the tree species mainly along the southern boundary of the Site) did not provide sufficient basis for the Committee to agree to rezone the entire two-hectare site to "CA" zone. Taking into account AFCD's comments on the application, the GLLs, the existing condition of the relatively young trees within the Site, the fact that there was no imminent development pressure due to the geographical constraints and inaccessible location of the Site, the Vice-chairman and more Members were of the view that the current "GB" zone for the Site, which was also a conservation zoning with a general presumption against development, was appropriate and should be retained.

28. A Member opined that the Government should take a more proactive role in promoting nature conservation. The Member suggested and some Members agreed that where possible, AFCD should further study if the Site or which area within/around the Site covering the reforestation had high ecological value for rezoning to "CA".

29. The Chairman concluded that more Members did not agree with the application as more information on the ecological value of the Site was required to justify a "CA" zoning. In that regard, PlanD could liaise with AFCD and the applicant to see if more comprehensive

information on the tree species within and ecological value of the Site could be collated to ascertain the need for designating a “CA” zoning for the concerned area, where appropriate.

30. After deliberation, the Committee decided not to agree to the application for the following reason :

“the applicant fails to provide strong justifications in the submission to support the proposed rezoning. The current “Green Belt” zone for the application site, which is also a conservation zoning with a general presumption against development, is considered appropriate and should be retained.”

[The meeting was adjourned for a 5-minute break.]

Sha Tin, Tai Po and North District

Agenda Item 4

Section 12A Application

[Open Meeting]

Y/ST/56 Application for Amendment to the Approved Sha Tin Outline Zoning Plan No. S/ST/36, To rezone the application site from “Village Type Development” to “Other Specified Uses” annotated “Columbarium (2)”, Lots 35, 36 S.A, 36 RP, 38 S.A ss. 1, 38 S.A RP, 624, 676, 699 and 832 (Part) in D.D. 176, Wo Liu Hang Village, Fo Tan, Shatin, New Territories
(RNTPC Paper No. Y/ST/56)

31. The Secretary reported that the application site (the Site) was located in Fo Tan, 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.

32. The Committee noted that the applicants had requested deferment of consideration of the application. As the flats owned by Professor John C.Y. Ng and co-owned by Mr Vincent K.Y. Ho had no direct view of the Site, the Committee agreed that they could stay in the meeting.

33. The Committee noted that the applicants' representative requested on 23.11.2022 deferment of consideration of the application for two months so as to allow more time for preparation of further information to address departmental comments. It was the first time that the applicants requested deferment of the application.

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

Agenda Item 5

Section 12A Application

[Open Meeting]

Y/ST/58 Application for Amendment to the Approved Sha Tin Outline Zoning Plan No. S/ST/36, To rezone the application site from "Green Belt" and "Government, Institution or Community" to "Residential (Group B)3", Lot 380 RP (Part) in D.D. 186, Tung Lo Wan Hill Road, Sha Tin
(RNTPC Paper No. Y/ST/58)

35. The Secretary reported that the application site (the Site) was located in Sha Tin and AECOM Asia Company Limited (AECOM) was one of the consultants. The following Members had declared interests on the item :

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

Mr Vincent K.Y. Ho - co-owning with spouse a flat in Sha Tin and having current business dealings with AECOM;

Dr C.H. Hau - having past business dealings with AECOM; and

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

36. The Committee noted that the applicant had requested deferment of consideration of the application. As the flats owned by Professor John C.Y. Ng and co-owned by Mr Vincent K.Y. Ho had no direct view of the Site, and as Dr C.H. Hau, Dr Conrad T.C. Wong and Mr Vincent K.Y. Ho had no involvement in the application, the Committee agreed that they could stay in the meeting.

37. The Committee noted that the applicant's representative requested on 30.11.2022 deferment of consideration of the application for one month so as to allow more time for preparation of further information to address departmental comments. It was the first time that the applicant requested deferment of the application.

38. After deliberation, the Committee decided to defer a decision on the application as requested by the applicant pending the submission of further information from the applicant. The Committee agreed that the application should be submitted for its consideration within 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 one month was 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 6

[Open Meeting]

Proposed Amendments to the Approved Tai Tong Outline Zoning Plan No. S/YL-TT/18
(RNTPC Paper No. 10/22)

39. The Secretary reported that the proposed amendments mainly involved a public housing development to be developed by the Hong Kong Housing Authority (HKHA), of which the Housing Department (HD) was the executive arm, and supported by an Engineering Feasibility Study (EFS) conducted by the Civil Engineering and Development Department (CEDD). The following Members had declared interests on the item :

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| Mr Paul K.T. Au
<i>(as Chief Engineer
(Works), Home Affairs
Department)</i> | - | 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; |
| 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;

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

40. The Committee noted that according to the procedure and practice adopted by the Town Planning Board (the Board), as the proposed amendment for public housing development was the subject of amendment to the Outline Zoning Plan (OZP) proposed by the Planning Department (PlanD), the interests of Members in relation to HKHA and HD on the item only needed to be recorded and they could stay in the meeting. As Dr C.H. Hau had no involvement in the study conducted by CEDD, the Committee agreed that he could stay in the meeting.

Presentation and Question Sessions

41. The following government representatives and the consultants were invited to the meeting at this point :

PlanD

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

Mr Steven Y.H. Siu - Senior Town Planner/Tuen Mun and Yuen Long West

Mr Tony Y.C. Wu - Senior Town Planner/New Territories District Planning Division Headquarters (STP/NTHQ)

Mr Anson L.T. Kung - Town Planner/New Territories District
Planning Division Headquarters

CEDD

Mr Gabriel T.O. Woo - Project Team Leader/Housing (PTL/H),
Housing Projects 1 Unit, Civil Engineering
Office (HP1U, CEO)

Mr Andrew W.C. Lee - Senior Engineer, HP1U, CEO

Ms Karen W.Y. Chui - Engineer, HP1U, CEO

HD

Ms Regina M.L. Chang - Senior Planning Officer (SPO)

Ms Amanda K.S. Kwok - Senior Architect (SA)

Ms Janice S.M. Lo - Architect

Ms Ariel H.Y. Li - Civil Engineer

Binnies Hong Kong Limited (Binnies) (Consultant of CEDD)

Mr Norman N. Song

Mr Tony Y.K. Lee

Ms Esther S.P. Tong

Ms Eunice S.F. Lee

Ramboll Hong Kong Limited (Consultant of Binnies)

Ms Katie W.K. Yu

briefed Members on the background of the proposed amendments to the OZP, technical considerations, provision of Government institution and community (GIC) facilities and open space in the area, consultation conducted and departmental comments as detailed in the Paper. The proposed amendments were as follows:

- (a) Amendment Item A – to rezone an area near Chuk San Tsuen in Shap Pat Heung from “Agriculture” (“AGR”) to “Residential (Group A)1” (“R(A)”1) with a maximum plot ratio (PR) of 6.7 and maximum building height (BH) of 185mPD for public housing development; and
- (b) Amendment Item B – to rezone an area to the northeast of Kong Tau San Tsuen (adjoining the west of Amendment Item A site) from “AGR” to “Government, Institution or Community” (“G/IC”) for provision of a primary school.

43. As the presentation of PlanD’s representative had been completed, the Chairman invited questions from Members.

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

- (a) the basis for proposing BH restriction of 185mPD for the proposed public housing development;
- (b) the maximum overall PR of the proposed public housing development; and the reason why only a non-domestic PR of 0.2 was proposed;
- (c) whether the proposed development with a maximum BH of 185mPD would affect the surrounding wind environment; and whether the layout and building design of the proposed development could be improved to facilitate air ventilation, in particular at the pedestrian level; and
- (d) whether there was any scope to swap Tower 4 of the proposed public housing development with the proposed primary school site (Amendment Item B) to achieve better integration and a less congested layout in the housing site.

45. In response, Mr Tony Y.C. Wu, STP/NTHQ, PlanD, Mr Gabriel T.O. Woo, PTL/H, CEDD, Ms Regina M.L. Chang, SPO, HD, and Ms Amanda K.S. Kwok, SA, HD, and Ms Katie W.K. Yu, Ramboll, with the aid of some PowerPoint slides and plans, made the following main points :

- (a) the proposed BH restriction of 185mPD had taken into account the maximum overall PR of 6.7 and accommodation of additional gross floor area (GFA) and the higher storey height from possible adoption of modular integrated construction method with reference to Joint Practice Note No. 8. The conceptual scheme proposed a graduation of BH of the four towers from 182.8mPD to 161.5mPD. A maximum BH of 185mPD was proposed to allow more design flexibility;
- (b) the proposed development was subject to a maximum total PR of 6.7 (i.e. domestic PR of 6.5 and non-domestic PR of 0.2). The non-domestic PR of 0.2 was mainly for provision of commercial facilities to support the future residents of the proposed public housing development. Under the Notes of the “R(A)” zone, ancillary car park and facilities, GIC facilities and public transport facilities as required by the Government were proposed to be exempted from PR calculation for the “R(A)1” sub-zone. Such facilities would be located within the non-domestic portion of the proposed development and their impacts were addressed in the EFS;
- (c) having regard to the site constraints, the notional layout of the proposed public housing development had been carefully considered to facilitate air ventilation and to optimise visual permeability. According to the Air Ventilation Assessment – Expert Evaluation (AVA – EE) conducted under the EFS, the summer prevailing wind directions were from the south, south-southeast and south-southwest. With the incorporation of mitigation measures (such as building separation between the towers and access road, setbacks and stepped height profile), the low-rise school site to the west and the generally low-rise developments in the peripheral area, no significant adverse air ventilation impact from the proposed development on the surrounding wind environment was anticipated. An AVA initial study

would be conducted by HD at the detailed design stage to assess the effectiveness of the proposed mitigation measures and optimise the building layout; and

- (d) there were geotechnical constraints for swapping the proposed school site which was zoned “G/IC” and part of the public housing site as a fault line passing through the proposed school site and in the southern portion of the housing site was identified in the Preliminary Geotechnical Assessment. A further study would be conducted by CEDD to assess the geotechnical feasibility at the detailed design stage. Besides, the proposed primary school site and the proposed public housing site were separated by a public road which posed constraints for the layout and would necessitate redesign of the layout if the sites were swapped. Nevertheless, CEDD would convey Member’s suggestion on integration between the two sites for consideration of Education Bureau.

46. After deliberation, the Committee decided to :

- (a) agree to the proposed amendments to the approved Tai Tong Outline Zoning Plan (OZP) No. S/YL-TT/18 and that the draft Tai Tong OZP No. S/YL-TT/18A at Attachment II of the Paper (to be renumbered to S/YL-TT/19 upon exhibition) and its Notes at Attachment III of the Paper were suitable for exhibition for public inspection under section 5 of the Town Planning Ordinance; and
- (b) adopt the revised Explanatory Statement (ES) at Attachment IV of the Paper for the draft Tai Tong OZP No. S/YL-TT/18A (to be renumbered as S/YL-TT/19) as an expression of the planning intentions and objectives of the Board for various land use zonings on the OZP and agree that the revised ES was suitable for exhibition for public inspection together with the OZP.

47. Members noted that, as a general practice, the Secretariat of the Board would undertake detailed checking and refinement of the draft OZP including the Notes and ES, if

appropriate, before their publication under the Town Planning Ordinance. Any major revision would be submitted for the Board's consideration.

[The Chairman thanked the government representatives and the consultants for their attendance to answer Members' enquiries. They left the meeting at this point.]

Agenda Item 7

[Open Meeting]

Proposed Amendments to the Approved Yuen Long Outline Zoning Plan No. S/YL/25
(RNTPC Paper No. 11/22)

48. The Secretary reported that the proposed amendments mainly involved a public housing development to be developed by the Hong Kong Housing Authority (HKHA), of which the Housing Department (HD) was the executive arm, and supported by an Engineering Feasibility Study conducted by the Civil Engineering and Development Department (CEDD); and were to take forward the decisions of the Committee on two agreed s.12A applications No. Y/YL/16 submitted by Star Success International Limited and No. Y/YL/18 submitted by Winpo Development Limited, which was a subsidiary of New World Development Company Limited (NWD). The following Members had declared interests on the item :

Mr Paul K.T. Au - being a representative of the Director of
(*as Chief Engineer* Home Affairs who was a member of the
(*Works*), Home Affairs Strategic Planning Committee and the
Department) Subsidised Housing Committee of HKHA;

Dr C.H. Hau - currently conducting contract research project
with CEDD; 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;

- 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;
- Dr Conrad T.C. Wong - having current business dealings with HKHA;
- Mr Vincent K.Y. Ho - being a member of the Advisory Committee of New World Build for Good, which was founded by NWD; 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.

49. The Committee noted that according to the procedure and practice adopted by the Town Planning Board (the Board), as the proposed amendment for public housing development was the subject of amendment to the Outline Zoning Plan (OZP) proposed by the Planning Department (PlanD), the interests of Members in relation to HKHA and HD on the item only needed to be recorded and they could stay in the meeting. As Dr C.H. Hau's interest in relation to NWD was indirect, and as Dr C.H. Hau had no involvement in the study conducted by CEDD and Mr Vincent K.Y. Ho had no involvement in the proposed amendment item relating to NWD, the Committee agreed that they could stay in the meeting.

Presentation and Question Sessions

50. The following government representatives and the consultants were invited to the meeting at this point :

PlanD

- Mr Raymond H.F. Au - District Planning Officer/Tuen Mun and Yuen Long West
- Ms Carol K.L. Kan - Senior Town Planner/Tuen Mun and Yuen Long West (STP/TM&YLW)
- Mr Ajyum Distinction Chan - Town Planner/Tuen Mun and Yuen Long West
- Mr Tony Y.C. Wu - Senior Town Planner/New Territories District Planning Division Headquarters (STP/NTHQ)
- Mr Anson L.T. Kung - Town Planner/New Territories District Planning Division Headquarters

CEDD

- Mr Gabriel T.O. Woo - Project Team Leader/Housing, Housing Projects 1 Unit, Civil Engineering Office (HP1U, CEO)
- Mr Andrew W.C. Lee - Senior Engineer, HP1U, CEO
- Ms Karen W.Y. Chui - Engineer, HP1U, CEO

HD

- Ms Regina M.L. Chang - Senior Planning Officer
- Ms Charity K.W. Leung - Senior Architect
- Mr C.F. Yeung - Civil Engineer

Binnies Hong Kong Limited (Binnies) (Consultant of CEDD)

Mr Norman N. Song

Mr Tony Y.K. Lee

Ms Esther S.P. Tong

Ms Eunice S.F. Lee

Ramboll Hong Kong Limited (Consultant of Binnies)

Ms Katie W.K. Yu

51. With the aid of a PowerPoint presentation, Ms Carol K.L. Kan, STP/TM&YLV, briefed Members on the background of the proposed amendments to the OZP, technical considerations, provision of Government institution and community facilities and open space in the area, consultation conducted and departmental comments as detailed in the Paper. The proposed amendments were as follows:

- (a) Amendment Item A – to rezone a site at Tai Kei Leng from “Open Space” (“O”) and “Residential (Group B)” to “Residential (Group A)6” (“R(A)6”) with a maximum building height (BH) of 185mPD for public housing development;
- (b) Amendment Item B – to rezone a site at Lam Hi Road from “Other Specified Uses” (“OU”) annotated “Art Storage and Public Open Space” to “R(A)7” with a maximum BH of 90mPD for private subsidised housing development to take forward the decision of the Committee on an approved s.12A application (No. Y/YL/18);
- (c) Amendment Item C1 – to rezone a site at Wang Yip Street East from “OU” annotated “Business” to “Residential (Group E)2” with a maximum BH of 85mPD for private residential development to take forward the decision of the Committee on an approved s.12A application (No. Y/YL/16);
- (d) Amendment Item D1 – to rezone a site from “Comprehensive Development Area”, “Government, Institution or Community” and “O” to “R(A)8” to

reflect a completed residential development; and

- (e) Other Amendments – to reflect the adjusted zoning boundaries (Amendment Items C2 to C3), as-built conditions of the Drainage Services Department Yuen Long Ping Shun Street Staff Quarters (Amendment Item D2), the existing nullah and roads, footpaths and on-street vehicle park (Amendment Items D3 to D4).

52. As the presentation of PlanD's representative had been completed, the Chairman invited questions from Members.

53. Members had no question on the proposed amendments to the OZP.

54. After deliberation, the Committee decided to :

- (a) agree to the proposed amendments to the approved Yuen Long Outline Zoning Plan (OZP) No. S/YL/25 and that the draft Yuen Long OZP No. S/YL/25A at Attachment II of the Paper (to be renumbered to S/YL/26 upon exhibition) and its Notes at Attachment III of the Paper were suitable for exhibition for public inspection under section 5 of the Town Planning Ordinance; and
- (b) adopt the revised Explanatory Statement (ES) at Attachment IV of the Paper for the draft Yuen Long OZP No. S/YL/25A (to be renumbered to S/YL/26) as an expression of the planning intentions and objectives of the Board for various land use zonings on the OZP and agree that the revised ES was suitable for exhibition for public inspection together with the OZP."

55. Members noted that, as a general practice, the Secretariat of the Board would undertake detailed checking and refinement of the draft OZP including the Notes and ES, if appropriate, before their publication under the Town Planning Ordinance. Any major revision would be submitted for the Board's consideration.

[The Chairman thanked the government representatives and the consultants for their

attendance to answer Members' enquiries. They left the meeting at this point.]

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

Fanling, Sheung Shui and Yuen Long East District

Agenda Item 8

[Open Meeting]

Proposed Amendments to the Approved Kam Tin North Outline Zoning Plan

No. S/YL-KTN/9

(RNTPC Paper No. 9/22)

56. The Secretary reported that the proposed amendments mainly involved a public housing development to be developed by the Hong Kong Housing Authority (HKHA), of which the Housing Department (HD) was the executive arm, and supported by an Engineering Feasibility Study (EFS) conducted by the Civil Engineering and Development Department (CEDD). The following Members had declared interests on the item :

- | | | |
|--|---|--|
| Mr Paul K.T. Au
<i>(as Chief Engineer
(Works), Home Affairs
Department)</i> | - | 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; |
| 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; |

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

57. The Committee noted that according to the procedure and practice adopted by the Town Planning Board (the Board), as the proposed amendment for public housing development was the subject of amendment to the Outline Zoning Plan (OZP) proposed by the Planning Department (PlanD), the interests of Members in relation to HKHA and HD on the item only needed to be recorded and they could stay in the meeting. As Dr C.H. Hau had no involvement in the study conducted by CEDD, the Committee agreed that he could stay in the meeting.

Presentation and Question Sessions

58. The following government representatives and the consultants were invited to the meeting at this point :

PlanD

- Mr Wallace W.K. Tang - Senior Town Planner/Fanling, Sheung Shui and
Yuen Long East
- Ms Loree L.Y. Duen - Town Planner/Fanling, Sheung Shui and Yuen
Long East
- Mr Tony Y.C. Wu - Senior Town Planner/New Territories District
Planning Division Headquarters (STP/NTHQ)
- Mr Anson L.T. Kung - Town Planner/New Territories District
Planning Division Headquarters

CEDD

Mr Gabriel T.O. Woo - Project Team Leader/Housing (PTL/H),
Housing Projects 1 Unit, Civil Engineering
Office (HP1U, CEO)

Mr Andrew W.C. Lee - Senior Engineer (SE), HP1U, CEO

Ms Karen W.Y. Chui - Engineer, HP1U, CEO

HD

Ms Regina M.L. Chang - Senior Planning Officer

Mr John H.C. Lo - Senior Architect

Ms Anthea W.Y. Ling - Senior Architect

Mr Jack S.K. Cheng - Architect

Mr Himmy L.H. Wong - Civil Engineer

Binnies Hong Kong Limited (Binnies) (Consultant of CEDD)

Mr Norman N. Song

Mr Tony Y.K. Lee

Ms Esther S.P. Tong

Ms Eunice S.F. Lee

Ramboll Hong Kong Limited (Ramboll) (Consultant of Binnies)

Ms Katie W.K. Yu

59. With the aid of a PowerPoint presentation, Mr Tony Y.C. Wu, STP/NTHQ, briefed Members on the background of the proposed amendments to the OZP, technical considerations, provision of Government institution and community (GIC) facilities and open space in the area, consultation conducted and departmental comments as detailed in the Paper. The proposed amendments were as follows :

- (a) Amendment Items A and B – to rezone two areas at Mo Fan Heung and Fung Kat Heung in Sha Po from “Industrial (Group D)” (“I(D)”) and “Agriculture” to “Residential (Group A)” (“R(A)”) with a maximum plot ratio (PR) of 6.7 and a maximum building height (BH) of 185mPD for public housing development (Amendment Item A) and rezone a site to the south of the proposed “R(A)” site from “I(D)” to “Government, Institution or Community” for provision of GIC facilities to support the future population in the areas (Amendment Item B); and
- (b) Amendment C – to rezone an area covering the Shum Residence at Fung Kat Heung from “I(D)” to “Residential (Group C)3” (“R(C)3”) to reflect the existing use and as-built development bulk.

60. As the presentation of PlanD’s representative had been completed, the Chairman invited questions from Members.

61. Some Members raised the following questions :

Proposed Public Housing Development (Amendment Item A)

- (a) whether the proposed public housing development would cause visual impact on the private residential development (Park Yoho) in the surrounding area;
- (b) location of the proposed public transport interchange (PTI);
- (c) whether the wind environment of the surrounding areas and within the housing development would be adversely affected by the proposed development especially in summer; and

The Shum Residence (Amendment Item C)

- (d) whether heritage assessment on the Shum Residence which comprised Grade II historic buildings had been conducted and whether the local residents had been consulted on the proposal.

62. In response, Mr Tony Y.C. Wu, STP/NTHQ, PlanD, Mr Gabriel T.O. Woo, PTL/H, CEDD, Mr Andrew W.C. Lee, SE, CEDD, and Ms Katie W.K. Yu, Ramboll, with the aid of some PowerPoint slides and plans, made the following main points :

Proposed Public Housing Development (Amendment Item A)

- (a) as shown on Plan 7f of the Paper, Park Yoho was located at some distances to the south of the proposed public housing development. The Landscape and Visual Impact Assessment conducted under the EFS for the proposed development concluded that the visual impact arising from the proposed public housing development was considered acceptable with the implementation of recommended mitigation measures. HD would further consider the required design measures to mitigate the visual impact at the detailed design stage;
- (b) a covered PTI will be provided on ground floor of the podium in the southern portion of the proposed public housing development as shown on Plan 5 of the Paper;
- (c) according to the findings of the Air Ventilation Assessment (AVA) – Expert Evaluation conducted under the EFS, the summer prevailing wind mainly came from the south (S), south-southeast (SSE) and south-southwest (SSW) directions. Three building gaps were suggested to facilitate wind flow from the SSE direction. Although the proposed public housing development might potentially block some winds from the S and SSW directions, as the developments in the periphery of the site were mainly low-rise, wind diverted to the edge of the Site was able to flow to the downstream area. Thus, it was anticipated that the proposed development

would not cause significant adverse air ventilation impact on the surrounding wind environment with implementation of the recommended mitigation measures such as allowing appropriate building separations and setbacks from the site boundary. Besides, an AVA initial study would be further conducted at the detailed design stage to review the mitigation measures for air ventilation and optimise the building layout; and

The Shum Residence (Amendment Item C)

- (d) the Shum Residence comprised a complex of three Grade II historic buildings, namely the General House (上將府), Hip Wai House (協威樓) and Shum Ancestral Hall (沈氏家祠). The proposed rezoning to “R(C)3” was to reflect the existing domestic use and building bulk. These buildings, with building heights of one to two storeys, were built around 1930s and were in relatively good condition for domestic and ancestral hall uses. During consultation with the Yuen Long District Council, a member of the District Council who was also a descendant of Shum had raised concerns on preservation of the buildings. Various mitigation/preservation measures, including conducting baseline condition survey and baseline vibration impact assessment had been recommended under the EFS to ensure that the site formation and infrastructural works would not cause adverse impact on these historic buildings. In that regard, the Antiquities and Monuments Office had no adverse comment on the proposed amendment.

63. Members had no question to raise regarding the other proposed amendments to the OZP and generally considered that they were acceptable.

64. After deliberation, the Committee decided to :

- “(a) agree to the proposed amendments to the approved Kam Tin North Outline Zoning Plan (OZP) No. S/YL-KTN/9 and that the draft Kam Tin North OZP No. S/YL-KTN/9A at Attachment II of the Paper (to be renumbered to S/YL-KTN/10 upon exhibition) and its Notes at Attachment III of the Paper were suitable for exhibition for public inspection under section 5 of the

Town Planning Ordinance; and

- (b) adopt the revised Explanatory Statement (ES) at Attachment IV of the Paper for the draft Kam Tin North OZP No. S/YL-KTN/9A (to be renumbered to S/YL-KTN/10) as an expression of the planning intentions and objectives of the Board for various land use zonings on the OZP and agree that the revised ES was suitable for exhibition for public inspection together with the OZP.”

65. Members noted that, as a general practice, the Secretariat of the Board would undertake detailed checking and refinement of the draft OZP including the Notes and ES, if appropriate, before their publication under the Town Planning Ordinance. Any major revision would be submitted for the Board’s consideration.

[The Chairman thanked the government representatives and the consultants for their attendance to answer Members’ enquiries. They left the meeting at this point.]

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

Sai Kung and Islands District

[Ms Jane W.L. Kwan, Senior Town Planner/Sai Kung and Islands (STP/SKIs), Mr Matthew L.H. Tai and Ms Melissa C.H. Kwan, Town Planners/Sai Kung and Islands (TPs/SKIs), were invited to the meeting at this point.]

Agenda Item 9

Section 16 Application

[Open Meeting (Presentation and Question Sessions only)]

A/SK-HC/332 Proposed Hotel (Guesthouse) Ancillary to a Permitted Place of Recreation, Sports or Culture (Recreation Centre) in “Recreation” Zone, Lot 115 (Part) in D.D. 247, Ho Chung, Sai Kung, New Territories
(RNTPC Paper No. A/SK-HC/332B)

Presentation and Question Sessions

66. With the aid of a PowerPoint presentation, Mr Matthew L.H. Tai, TP/SKIs, 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.

67. Members had no question on the application.

Deliberation Session

68. 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 9.12.2026, and after the said date, the permission should cease to have effect unless before the said date, the development permitted was commenced or the permission was renewed. The permission was subject to the following conditions :

- “(a) the design and provision of the access road connecting between Ho Chung Road and the site (including vehicular access, pedestrian access and the road junction connecting to Ho Chung Road), car parking and loading/unloading facilities to the satisfaction of the Commissioner for Transport or of the TPB;
- (b) the submission of revised risk assessment report(s) in full to prove and

demonstrate that there is no material increase in pollution effect resulting from the proposed development and the implementation of the control, mitigation, preventive and contingency measures recommended therein to the satisfaction of the Director of Water Supplies or of the TPB;

- (c) the submission of a revised drainage impact assessment and the implementation of the mitigation measures identified therein to the satisfaction of the Director of Drainage Services or of the TPB; and
- (d) the provision of fire service installations and water supplies for fire-fighting to the satisfaction of the Director of Fire Services or of the TPB.”

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

Agenda Item 10

Section 16 Application

[Open Meeting (Presentation and Question Sessions only)]

A/SK-CWBS/42 Proposed Public Utility Installation (Poles and Underground Cables) and Associated Excavation of Land in “Conservation Area” Zone, Government Land in D.D. 230, Sheung Sze Wan, Sai Kung
(RNTPC Paper No. A/SK-CWBS/42A)

70. 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 for having current business dealings with CLP.

71. 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 at this point.]

Presentation and Question Sessions

72. With the aid of some plans, Ms Melissa C.H. Kwan, TP/SKIs, 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.

73. Members had no question on the application.

Deliberation Session

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

- “(a) the proposed installation with excavation of land is not in line with the planning intention of the “Conservation Area” zone which is to protect and retain the existing natural landscape, ecological or topographical features of the area for conservation, educational and research purposes. There is a general presumption against development within this zone. The applicant fails to demonstrate that the proposed installation is an essential infrastructure project with overriding public interest that warrants a departure from such planning intention; and
- (b) the applicant fails to demonstrate that the proposed installation with excavation of land would not cause adverse landscape impacts on the site and its surrounding areas.”

[The Chairman thanked Ms Jane W.L. Kwan, STP/SKIs, Mr Matthew L.H. Tai and Ms Melissa C.H. Kwan, TPs/SKIs, for their attendance to answer Members’ enquiries. They left the meeting at this point.]

Sha Tin, Tai Po and North District

[Ms Margaret H.Y. Chan, District Planning Officer/Shan Tin, Tai Po and North (DPO/STN), Ms Hannah H.N. Yick, Mr Harris K.C. Liu, Mr Tim T.Y. Fung and Mr Kevin K.W. Lau, Senior Town Planners/Shan Tin, Tai Po and North (STPs/STN), were invited to the meeting at this point.]

Agenda Item 11

[Open Meeting]

Proposed Amendments to the Approved Ma On Shan Outline Zoning Plan No. S/MOS/24
(RNTPC Paper No. 8/22)

75. The Secretary reported that some of the proposed amendment was to take forward the decision of the Committee on an approved s.12A application No. Y/MOS/6 submitted by Towerich Limited, which was a subsidiary of CK Hutchison Holdings Limited (CKHH). Dr Conrad T.C. Wong had declared an interest on the item for having current business dealings with CKHH. The Committee noted that Dr Conrad T.C. Wong had already left the meeting.

Presentation and Question Sessions

76. With the aid of a PowerPoint presentation, Ms Hannah H.N. Yick, STP/STN, briefed Members on the background of the proposed amendments to the Outline Zoning Plan (OZP), technical considerations, provision of Government institution and community facilities and open space in the area, consultation conducted and departmental comments as detailed in the Paper. The proposed amendments were as follows:

- (a) Amendment Item A – to rezone a site at On Chun Street from “Other Specified Uses” (“OU”) annotated “Hotel” to “Residential (Group A)12” for partial or wholesale conversion of an existing hotel to residential use or residential cum hotel uses to take forward the decision of the Committee on an approved s.12A application (No. Y/MOS/6);

- (b) Amendment Items B and C – to rezone two sites at Whitehead headland from “Comprehensive Development Area (2)” (“CDA(2)”) and “CDA(3)” to “Residential (Group C)4” (“R(C)4”) (Amendment Item B) and “R(C)5” (Amendment Item C) respectively to reflect two completed residential developments; and
- (c) Amendment Item D – to delete an obsolete footbridge alignment straddling Ma On Shan Road and rezone the area from “OU” annotated “Pedestrian Link with Retail Facilities” to an area shown as ‘Road’.

77. As the presentation of PlanD’s representative had been completed, the Chairman invited questions from Members.

78. Members had no question on the proposed amendments to the OZP.

79. After deliberation, the Committee decided to :

- (a) agree to the proposed amendments to the approved Ma On Shan Outline Zoning Plan (OZP) No. S/MOS/24 as shown on the draft Ma On Shan OZP No. S/MOS/24A at Attachment II of the Paper (to be renumbered as S/MOS/25 upon exhibition) and its Notes at Attachment III of the Paper were suitable for exhibition for public inspection under section 5 of the Town Planning Ordinance; and
- (b) adopt the revised Explanatory Statement (ES) at Attachment IV of the Paper for the draft Ma On Shan OZP No. S/MOS/24A (to be renumbered as S/MOS/25) as an expression of the planning intentions and objectives of the Board for various land use zonings on the OZP and agree that the revised ES was suitable for exhibition for public inspection together with the OZP.

80. Members noted that, as a general practice, the Secretariat of the Board would undertake detailed checking and refinement of the draft OZP including the Notes and ES, if appropriate, before their publication under the Town Planning Ordinance. Any major

revision would be submitted for the Board's consideration.

Agenda Item 12

Section 16 Application

[Open Meeting (Presentation and Question Sessions Only)]

A/NE-KLH/617 Proposed House (New Territories Exempted House - Small House) in
"Village Type Development" and "Green Belt" Zones, Lot 114 RP in
D.D. 9, Kau Lung Hang, Tai Po
(RNTPC Paper No. A/NE-KLH/617)

Presentation and Question Sessions

81. 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.

82. In response to a Member's enquiries, Mr Harris K.C. Liu, STP/STN, said that about 24% of the proposed small house footprint fell within the "Green Belt" ("GB") zone and the applicant had not provided information on the reason why the small house had to encroach on the "GB" zone. Mr Liu further clarified that the house on the left side of the site photo as shown on Plan A-4 of the Paper was the domestic structure to the southwest of the application site as shown on Plan A-2a of the Paper.

Deliberation Session

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

- “(a) the proposed development is not in line with the planning intention of the “Green Belt” 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 such planning intention; and

- (b) land is still available within the “Village Type Development” (“V”) zone of Kau Lung Hang and Yuen Leng Villages 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 13

Section 16 Application

[Open Meeting]

A/NE-KLH/618 Proposed Temporary Animal Boarding Establishment for a Period of 5 Years and Filling of Land in “Agriculture” Zone, Lots 917 (Part) and 942 (Part) in D.D. 7, Tai Po, New Territories
(RNTPC Paper No. A/NE-KLH/618)

84. The Committee noted that the applicant’s representative requested on 29.11.2022 deferment of consideration of the application for two months so as to allow more time for preparation of further information to address departmental comments. It was the first time that the applicant requested deferment of the application.

85. 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 14

Section 16 Application

[Open Meeting]

A/NE-TK/760 Temporary Shop and Services (Store) for a Period of 3 Years in
 “Recreation” Zone, Lots 1340 (Part) and 1366 in D.D. 17, Lo Tsz Tin,
 Tai Po, New Territories
 (RNTPC Paper No. A/NE-TK/760)

86. The Committee noted that the applicant’s representative requested on 30.11.2022 deferment of consideration of the application for two months so as to allow more time for preparation of further information to address departmental comments. It was the first time that the applicant requested deferment of the application.

87. 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 15

Section 16 Application

[Open Meeting]

A/NE-TK/765 Renewal of Planning Approval for Temporary Private Garden Ancillary to New Territories Exempted House for a Period of 3 Years in “Village Type Development” and “Agriculture” Zones, Lots 1738 S.B ss.3 (Part) and 1830 (Part) in D.D. 17 and Adjoining Government Land, Lung Mei, Tai Po
(RNTPC Paper No. A/NE-TK/765)

88. 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

89. 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 condition :

“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.”

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

Agenda Item 16

Section 16 Application

[Open Meeting]

A/NE-LK/148 Temporary Holiday Camp for a Period of 3 Years in “Village Type Development” Zone, Lots 2452 S.B (Part) and 2467 in D.D. 39, Shek Chung Au, Sha Tau Kok, New Territories
(RNTPC Paper No. A/NE-LK/148)

91. The Committee noted that the applicant’s representative requested on 21.11.2022 deferment of consideration of the application for two months so as to allow more time for preparation of further information to address departmental comments. It was the first time that the applicant requested deferment of the application.

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 17

Section 16 Application

[Open Meeting (Presentation and Question Sessions Only)]

A/NE-LYT/776 Proposed Public Utility Installation (High Voltage Pillar) in “Agriculture” Zone, Government Land in D.D. 76, Kan Tau Tsuen, Fanling, New Territories
(RNTPC Paper No. A/NE-LYT/776)

93. 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 for having current business dealings with CLP. The Committee noted that Dr Conrad T.C. Wong had already left the meeting.

Presentation and Question Sessions

94. With the aid of some plans, Mr Tim T.Y. Fung, 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 (PlanD) had no objection to the application.

[Mr Stephen L.H. Liu left the meeting during PlanD's presentation.]

95. Members had no question on the application.

Deliberation Session

96. 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 9.12.2026, 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 proposals for fire service installation and water supplies for fire-fighting to the satisfaction of the Director of Fire Services or of the TPB.”

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

Agenda Item 18

Section 16 Application

[Open Meeting (Presentation and Question Sessions Only)]

A/NE-TKL/706 Proposed Temporary Pets Park with Ancillary Facilities for a Period of
3 Years in “Agriculture” Zone, Lot 1115 (Part) in D.D. 82, Ping Che,
Ta Kwu Ling, New Territories
(RNTPC Paper No. A/NE-TKL/706A)

Presentation and Question Sessions

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

99. Two Members raised the following questions:

- (a) whether there was similar application for proposed pets park use; and
- (b) details of the proposed solar photovoltaic system.

100. In response, Mr Tim T.Y. Fung, STP/STN, made the following main points:

- (a) there was an application for proposed temporary holiday camp with ancillary pets garden and facilities in Ma Tso Lung which was rejected by the Committee in August 2022 as the proposed use was not in line with the planning intention of the “Green Belt” zone. The application site was located within “Agriculture” zone; and
- (b) the solar photovoltaic system would be installed on the rooftop of a temporary structure (annotated item 3 in Drawing A-1 of the Paper) at the application site to generate electricity for the operation of the proposed temporary pets park.

Deliberation Session

101. After deliberation, the Committee decided to approve the application on a temporary basis for a period of 3 years 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 operation from 6:00 p.m. to 10:00 a.m., as proposed by the applicant, is allowed on the site 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 on the site at any time during the planning approval period;
- (c) the submission of a drainage proposal within 6 months from the date of planning approval to the satisfaction of the Director of Drainage Services or of the TPB by 9.6.2023;
- (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 9.9.2023;
- (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 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 9.6.2023;
- (g) in relation to (f) 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 9.9.2023;

- (h) the implementation of traffic management measures, as proposed by the applicant, within 9 months from the date of planning approval to the satisfaction of the Commissioner for Transport or of the TPB by 9.9.2023;
- (i) 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;
- (j) if any of the above planning condition (c), (d), (f), (g) or (h) is not complied with by the specified date, the approval hereby given shall cease to have effect and shall on the same date be revoked without further notice; and
- (k) upon expiry of the planning permission, the reinstatement of the site to an amenity area to the satisfaction of the Director of Planning or of the TPB.”

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

Agenda Items 19 and 20

Section 16 Applications

[Open Meeting (Presentation and Question Sessions Only)]

A/NE-LT/731 Proposed House (New Territories Exempted House - Small House) in “Agriculture” Zone, Lot 218 S.B ss.3 in D.D. 8, Shui Wo Tsuen, Tai Po

A/NE-LT/732 Proposed House (New Territories Exempted House - Small House) in “Agriculture” Zone, Lot 218 S.B ss.4 in D.D. 8, Shui Wo Tsuen, Tai Po

(RNTPC Paper No. A/NE-LT/731A and 732A)

103. The Committee agreed that as the two s.16 applications each for a proposed house (New Territories Exempted House (NTEH) - Small House) were similar in nature and the application sites were located in close proximity to each other within the same

“Agriculture” zone, they could be considered together.

Presentation and Question Sessions

104. 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 Paper. The Planning Department did not support the applications.

105. Members had no question on the applications.

Deliberation Session

106. After deliberation, the Committee decided to reject the applications. The reasons for each of the applications 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 would not have adverse drainage impacts on the surrounding areas; and
- (c) land is still available within the “Village Type Development” (“V”) zones of Shui Wo (including Sha Pa), Ma Po Mei and Tai Mong Che which are 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 21

Section 16 Application

[Open Meeting (Presentation and Question Sessions Only)]

A/NE-LT/746 Temporary Private Vehicle Park (Private Cars Only) for a Period of 3 Years and Filling of Land in “Agriculture” Zone and area shown as ‘Road’, Lots 1055 S.B ss.5 RP and 1055 S.B ss.4 in D.D. 8, San Tong, Lam Tsuen, Tai Po
(RNTPC Paper No. A/NE-LT/746)

Presentation and Question Sessions

107. With the aid of some plans, Mr Kevin K.W. Lau, 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.

108. Members had no question on the application.

Deliberation Session

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

- “(a) the applied use is not in line with the planning intention of the “Agriculture” zone which is primarily to retain and safeguard good quality agricultural land/farm/fish ponds for agricultural purposes and to retain fallow arable land with good potential for rehabilitation for cultivation and other agricultural purposes. There is no strong planning justification in the submission for a departure from the planning intention, even on a temporary basis; and

- (b) the applicants fail to demonstrate that the use located within the water gathering ground would not cause adverse impact on the water quality in the area.”

[The Chairman thanked Ms Margaret H.Y. Chan, DPO/STN, Ms Hannah H.N. Yick, Mr Harris K.C. Liu, Mr Tim T.Y. Fung and Mr Kevin K.W. Lau, 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), and Ms Loree L.Y. Duen, Town Planner/Fanling, Sheung Shui and Yuen Long East (TP/FSYLE), were invited to the meeting at this point.]

Agenda Item 22

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, New Territories
(RNTPC Paper No. A/NE-KTS/514A)

110. The Committee noted that the applicants requested on 22.11.2022 deferment of consideration of the application for two months so as to allow more time for preparation of further information to address departmental comments. It was the second time that the applicants requested deferment of the application. Since the last deferment, the applicants had submitted further information to address departmental and public comments.

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

Agenda Item 23

Section 16 Application

[Open Meeting]

A/NE-KTS/517 Proposed Temporary Warehouse (excluding Dangerous Goods Godown) with Ancillary Office for a Period of 3 Years in "Recreation" Zone, Lots 2219 (Part) and 2220 (Part) in D.D. 92, Kwu Tung South, Sheung Shui, New Territories
(RNTPC Paper No. A/NE-KTS/517)

112. The Committee noted that the applicant's representative requested on 5.12.2022 deferment of consideration of the application for two months so as to allow more time for preparation of further information to address departmental comments. It was the first time that the applicant requested deferment of the application.

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 24

Section 16 Application

[Open Meeting]

A/YL-KTN/843 Temporary Public Vehicle Park (excluding Container Vehicle) for a Period of 5 Years in "Village Type Development" Zone, Lots 225 RP (Part) and 226 (Part) in D.D. 109, Kam Tin, Yuen Long, New Territories
(RNTPC Paper No. A/YL-KTN/843A)

114. The Committee noted that the applicant's representative requested on 1.12.2022 deferment of consideration of the application for two months so as to allow more time for preparation of further information to address departmental comments. It was the second time that the applicant requested deferment of the application. Since the last deferment, the applicant had submitted further information to address departmental comments.

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. 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.

Agenda Item 25

Section 16 Application

[Open Meeting]

A/YL-KTN/857 Proposed Temporary Place of Recreation, Sports or Culture (Hobby Farm) for a Period of 3 Years in “Agriculture” Zone, Lot 1170 RP in D.D. 109, Kam Tin, Yuen Long
(RNTPC Paper No. A/YL-KTN/857A)

116. The Committee noted that the applicant’s representative requested on 1.12.2022 deferment of consideration of the application for one month so as to allow more time for preparation of further information to address departmental comments. It was the second time that the applicant requested deferment of the application. Since the last deferment, the applicant had submitted further information to address departmental comments.

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 one month was allowed for preparation of the submission of further information. Since it was the second deferment and a total of two 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.

Agenda Item 26

Section 16 Application

[Open Meeting (Presentation and Question Sessions Only)]

A/YL-KTN/862 Proposed Two Houses (New Territories Exempted House - Small House) in “Agriculture” Zone, Lot 672 S.B (Part) in D.D. 109, Kam Tin North, Yuen Long, New Territories
(RNTPC Paper No. A/YL-KTN/862)

Presentation and Question Sessions

118. With the aid of some plans, Ms Loree L.Y. Duen, TP/FSYLE, briefed Members on the background of the application, the proposed developments, departmental and public comments, and the planning considerations and assessments as detailed in the Paper. The Planning Department did not support the application.

119. Members had no question on the application.

Deliberation Session

120. 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 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; and
- (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 more than 50% of the footprints of the two proposed Small Houses fall outside the “Village Type Development” (“V”)

zone and village ‘environs’ of Shui Tau Tsuen and Shui Mei Tsuen. There is no general shortage of land in meeting the demand for Small House development in the concerned “V” zone.

Agenda Item 27

Section 16 Application

[Open Meeting]

A/YL-KTN/863 Proposed Temporary Place of Recreation, Sports or Culture (Hobby Farm) for a Period of 5 Years and Filling of Land in “Agriculture” Zone, Lots 1467 (Part) and 1485 (Part) in D.D. 107, Kam Tin, Yuen Long, New Territories
(RNTPC Paper No. A/YL-KTN/863)

121. The Committee noted that the applicant’s representative requested on 24.11.2022 deferment of consideration of the application for two months so as to allow more time for preparation of further information to address departmental comments. It was the first time that the applicant requested deferment of the application.

122. 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-KTN/864 Proposed Temporary Holiday Camp with Ancillary Facilities for a Period of 3 Years and Filling of Land in “Agriculture” Zone, Lots 646 (Part), 648 (Part) and 655 (Part) in D.D. 109, Kam Tin North, Yuen Long
(RNTPC Paper No. A/YL-KTN/864)

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

Agenda Item 29

Section 16 Application

[Open Meeting]

A/YL-KTS/940 Proposed Temporary Animal Boarding Establishment for a Period of 5 Years and Filling of Land in “Agriculture” Zone, Lots 1023 S.A, 1023 RP, 1024 S.A and 1024 RP in D.D. 113, Ho Pui, Kam Tin, Yuen Long
(RNTPC Paper No. A/YL-KTS/940)

124. The Committee noted that the applicant’s representative requested on 6.12.2022 deferment of consideration of the application for two months so as to allow more time for preparation of further information to address departmental comments. It was the first time that the applicant requested deferment of the application.

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

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

Agenda Item 30

Section 16 Application

[Open Meeting]

A/YL-PH/932 Renewal of Planning Approval for Temporary Open Storage of Vehicles and Landscape Plant Materials for a Period of 3 Years in “Residential (Group D)” Zone, Lots 9 (Part) and 10 (Part) in D.D. 111, Pat Heung, Yuen Long
(RNTPC Paper No. A/YL-PH/932)

126. 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

127. 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 operation between 6:00 p.m. and 8:00 a.m., as proposed by the applicant, is allowed on the site during the planning approval period;

- (b) no operation on Sundays and public holidays, as proposed by the applicant, is allowed on the site during the planning approval period;

- (c) no heavy goods vehicles exceeding 30 tonnes, including container tractors/trailers, as defined in the Road Traffic Ordinance are allowed to be parked/stored on or enter/exit the site at any time during the planning approval period;

- (d) no 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;
- (e) the existing boundary fencing on the site shall be maintained at all times during the planning approval period;
- (f) the existing drainage facilities on the site shall be maintained at all times during the planning approval period;
- (g) the submission of condition records 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;
- (h) the existing fire service installations implemented on the site shall be maintained in efficient working order at all times during the planning approval period;
- (i) if any of the above planning condition (a), (b), (c), (d), (e), (f) 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
- (j) if the above planning condition (g) is not complied with by the specified date, the approval hereby given shall cease to have effect and shall be revoked immediately without further notice.”

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

Agenda Item 31

Section 16 Application

[Open Meeting]

A/YL-MP/331 Temporary Place of Recreation, Sports or Culture (Hobby Farm) for a Period of 5 Years and Associated Excavation and Filling of Land in “Open Space” Zone, Lot 24 in D.D. 101, Mai Po, Yuen Long
(RNTPC Paper No. A/YL-MP/331A)

129. The Secretary reported that the application site (the Site) was located in Mai Po. Mr K.W. Leung had declared an interest on the item for owning a property in Mai Po area. As the property owned by Mr K.W. Leung had no direct view of the Site, the Committee agreed that he could stay in the meeting.

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

Deliberation Session

131. After deliberation, the Committee decided to approve the application on a temporary basis for a period of 5 years until 9.12.2027 on the terms of the application as submitted to the Town Planning Board (TPB) and subject to the following conditions :

- “(a) no open storage, workshop activities or holiday camp, as proposed by the applicant, are allowed on the site at any time during the planning approval period;
- (b) no vehicle other than private car or light goods vehicle, as proposed by the applicant, is allowed to access the site at all times during the planning approval period;
- (c) no vehicle is allowed to queue back to or reverse onto/from public road at any time during the planning approval period;

- (d) the submission of a drainage proposal within 6 months from the date of planning approval to the satisfaction of the Director of Drainage Services or of the TPB by 9.6.2023;
- (e) in relation to (d) above, the implementation of the drainage proposal within 9 months from the date of planning approval to the satisfaction of the Director of Drainage Services or of the TPB by 9.9.2023;
- (f) the implemented drainage facilities within the site shall be maintained at all times during the planning approval period;
- (g) the submission of a fire service installations proposal within 6 months from the date of planning approval to the satisfaction of the Director of Fire Services or of the TPB by 9.6.2023;
- (h) in relation to (g) above, the implementation of the fire service installations proposal within 9 months from the date of planning approval to the satisfaction of the Director of Fire Services or of the TPB by 9.9.2023;
- (i) if any of the above planning condition (a), (b), (c) or (f) is not complied with during the planning approval period, the approval hereby given shall cease to have effect and shall be revoked immediately without further notice; and
- (j) if any of the above planning condition (d), (e), (g) or (h) is not complied with by the specified date, the approval hereby given shall cease to have effect and shall on the same date be revoked without further notice.”

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

Agenda Item 32

Section 16 Application

[Open Meeting]

A/YL-MP/334 Renewal of Planning Approval for Temporary Car Trading Use for a Period of 3 Years in “Residential (Group D)” and “Commercial/Residential” Zones, Lot 3250 S.B ss.44 (Part) in D.D. 104, Mai Po, Yuen Long
(RNTPC Paper No. A/YL-MP/334)

133. The Secretary reported that the application site (the Site) was located in Mai Po. Mr K.W. Leung had declared an interest on the item for owning a property in Mai Po area. As the property owned by Mr K.W. Leung had no direct view of the Site, the Committee agreed that he could stay in the meeting.

134. 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

135. 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) no operation between 7:00 p.m. and 9:00 a.m., as proposed by the applicant, is allowed on the site during the planning approval period;
- (b) no operation between 5:00 p.m. and 10:00 a.m. on Sundays, as proposed by the applicant, is allowed on the site during the planning approval period;
- (c) no operation on public holidays, as proposed by the applicant, is allowed on the site during the planning approval period;

- (d) no medium or heavy goods vehicles (i.e. exceeding 5.5 tonnes) including container trailers/tractors as defined in the Road Traffic Ordinance are allowed to be parked/stored on the site at any time during the planning approval period;
- (e) no vehicle is allowed to queue back to or reverse onto/from the site at any time during the planning approval period;
- (f) the maintenance of paving and boundary fencing within the site at all times during the planning approval period;
- (g) the existing fire service installations implemented on the site shall be maintained in efficient working order at all times during the planning approval period;
- (h) the existing drainage facilities implemented on the site shall be maintained at all times during the planning approval period; and
- (i) if any of the above planning condition (a), (b), (c), (d), (e), (f), (g) or (h) is not complied with during the planning approval period, the approval hereby given shall cease to have effect and shall be revoked immediately without further notice.”

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

Agenda Item 33

Section 16 Application

[Open Meeting]

A/YL-ST/626 Proposed Temporary Field Education Centre with Ancillary Shop and Services for a Period of 3 Years in “Conservation Area” Zone, Lot 1808 in D.D. 96, Lok Ma Chau, San Tin, Yuen Long
(RNTPC Paper No. A/YL-ST/626A)

137. The Committee noted that the applicant’s representative requested on 25.11.2022 deferment of consideration of the application for two months so as to allow more time for preparation of further information to address departmental comments. It was the second time that the applicant requested deferment of the application. Since the last deferment, the applicant had submitted further information to address departmental comments.

138. 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.

Agenda Item 34

Section 16 Application

[Open Meeting]

A/YL-ST/631 Proposed Temporary Public Vehicle Park (Excluding Container Vehicle) and Shop and Services for a Period of 5 Years in “Village Type Development” Zone, Lots 139 (Part) and 145 in D.D. 96 and Lots 302 and 303 in D.D. 99, Pun Uk Tsuen, San Tin, Yuen Long
(RNTPC Paper No. A/YL-ST/631)

139. The Committee noted that the applicant’s representative requested on 24.11.2022 deferment of consideration of the application for two months so as to allow more time for preparation of further information to address departmental comments. It was the first time that the applicant requested deferment of the application.

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 35

Section 16 Application

[Open Meeting]

A/YL-ST/632 Proposed Temporary Place of Recreation, Sports or Culture (Hobby Farm) for a Period of 5 Years and Associated Filling of Land in “Village Type Development” and “Green Belt” Zones, Lots 187, 188, 189, 190, 192, 193, 194, 195 and 196 in D.D. 96, San Tin, Yuen Long (RNTPC Paper No. A/YL-ST/632)

141. The Committee noted that the applicant’s representative requested on 24.11.2022 deferment of consideration of the application for two months so as to allow more time for preparation of further information to address departmental comments. It was the first time that the applicant requested deferment of the application.

142. 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.

[The Chairman thanked Mr Wallace W.K. Tang, STP/FSYLE, and Ms Loree L.Y. Duen, TP/FSYLE, for their attendance to answer Members’ enquiries. They left the meeting at this point.]

Tuen Mun and Yuen Long West District

[Ms Janet K.K. Cheung 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 36

Section 16 Application

[Open Meeting]

A/YL-HTF/1142 Proposed Temporary Recyclable Collection Centre for Metal and Plastic for a Period of 3 Years in “Residential (Group D)” and “Government, Institution or Community” Zones, Lots 182 S.A RP, 185 S.A, 185 S.B and 185 S.C in D.D. 128 and Adjoining Government Land, Ha Tsuen, Yuen Long, New Territories
(RNTPC Paper No. A/YL-HTF/1142)

143. The Committee noted that the applicant’s representative requested on 29.11.2022 deferment of consideration of the application for two months so as to allow more time for preparation of further information to address departmental comments. It was the first time that the applicant requested deferment of the application.

144. 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]

A/YL-LFS/446 Proposed Temporary Warehouse for Storage of Foods for a Period of 3 Years in “Residential (Group E)” Zone, Lots 2179, 2180, 2181 RP, 2191 and 2192 in D.D. 129, Lau Fau Shan, Yuen Long, New Territories
(RNTPC Paper No. A/YL-LFS/446)

145. 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 3 years based on the assessments set out in the Paper.

Deliberation Session

146. After deliberation, the Committee decided to approve the application on a temporary basis for a period of 3 years 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 food processing, washing or cooking, as proposed by the applicant, is allowed on the site during the planning approval period;

- (b) no vehicle is allowed to queue back to public road or reverse onto/from the public road 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 9.6.2023;

- (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 9.9.2023;

- (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 the planning approval to the satisfaction of the Director of Fire Services or of the TPB by 9.6.2023;
- (g) in relation to (f) 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 9.9.2023;
- (h) the submission of a run-in/out proposal within 6 months from the date of planning approval to the satisfaction of the Director of Highways or of the TPB by 9.6.2023;
- (i) in relation to (h) above, the implementation of the run-in/out proposal within 9 months from the date of planning approval to the satisfaction of the Director of Highways or of the TPB by 9.9.2023;
- (j) 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
- (k) if any of the above planning condition (c), (d), (f), (g), (h) or (i) is not complied with by the specified date, the approval hereby given shall cease to have effect and shall on the same date be revoked without further notice.”

147. 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]

A/HSK/418 Temporary Vehicle Repair Workshop and Open Storage of Construction Materials for a Period of 3 Years in “Open Space” Zone, Lot 1617 (Part), 1618 RP (Part) and 1619 RP (Part) in D.D. 125 and Adjoining Government Land, Hung Shui Kiu, Yuen Long
(RNTPC Paper No. A/HSK/418)

148. 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 3 years 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 3 years 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 operation from 8:00 p.m. to 8:00 a.m., as proposed by the applicant, is allowed on the site during the planning approval period;
- (b) no operation on Sundays and public holidays, as proposed by the applicant, is allowed on the site during the planning approval period;
- (c) 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 9.6.2023;
- (d) in relation to (c) 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 9.9.2023;
- (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 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 20.1.2023;
- (g) the submission of a fire service installations proposal within 6 months from the date of planning approval to the satisfaction of the Director of Fire Services or of the TPB by 9.6.2023;
- (h) in relation to (g) above, the implementation of the fire service installations proposal within 9 months from the date of planning approval to the satisfaction of the Director of Fire Services or of the TPB by 9.9.2023;
- (i) 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
- (j) if any of the above planning condition (c), (d), (f), (g) or (h) is not complied with by the specified date, the approval hereby given shall cease to have effect and shall on the same date be revoked without further notice.”

150. 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]

A/HSK/419 Renewal of Planning Approval for Temporary Public Vehicle Park (Private Cars and Light Goods Vehicles) for a Period of 3 Years in “Residential (Group A) 4” Zone, Lots 2404 RP (Part) and 2405 RP (Part) in D.D. 124, Tin Sam Road, Hung Shui Kiu, Yuen Long, New Territories
(RNTPC Paper No. A/HSK/419)

151. 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

152. After deliberation, the Committee decided to approve the application on a temporary basis for a period of 3 years and be renewed from 21.3.2023 to 20.3.2026 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 21.6.2023;

- (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.”

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

Agenda Item 40

Section 16 Application

[Open Meeting]

A/HSK/420 Temporary Recyclable Centre (Metal) for a Period of 3 Years in “Residential (Group A) 3” Zone, Lots 1842 (Part), 1844 (Part), 1845 (Part), 1846 (Part) and 1849 (Part) in D.D. 125 and Adjoining Government Land, Ha Tsuen, Yuen Long, New Territories
(RNTPC Paper No. A/HSK/420)

154. 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 3 years based on the assessments set out in the Paper.

Deliberation Session

155. After deliberation, the Committee decided to approve the application on a temporary basis for a period of 3 years 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 workshop activities including cleaning, burning, melting, crushing, shredding, breaking and washing of metal waste is allowed on the site 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 the planning approval to the satisfaction of the Director of Drainage Services or of the TPB by 9.3.2023;
- (d) 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 20.1.2023;
- (e) 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 9.9.2023;
- (f) if any of the above planning condition (a) or (b) is not complied with during the planning approval period, the approval hereby given shall cease to have effect and shall be revoked immediately without further notice; and
- (g) if any of the above planning condition (c), (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.”

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

Agenda Item 41

Section 16 Application

[Open Meeting]

A/YL-PS/670 Proposed Filling and Excavation of Land for Permitted Houses (New Territories Exempted Houses) in “Village Type Development” Zone and area shown as ‘Road’, Various Lots in D.D. 122, Ping Shan, Yuen Long, New Territories
(RNTPC Paper No. A/YL-PS/670)

157. The Committee noted that the applicant’s representative requested on 24.11.2022 deferment of consideration of the application for two months so as to allow more time for preparation of further information to address departmental comments. It was the first time that the applicant requested deferment of the application.

158. 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.

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

Agenda Item 42

Section 16 Application

[Open Meeting (Presentation and Question Sessions Only)]

A/TM-SKW/116 Proposed House (New Territories Exempted House) – Small House in “Village Type Development” and “Green Belt” Zones, Lot 280 RP in D.D. 385, Wu Uk Tsuen, Tai Lam Chung, Tuen Mun, New Territories (RNTPC Paper No. A/TM-SKW/116A)

Presentation and Question Sessions

159. With the aid of some plans, Ms Janet K.K. Cheung, 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 (PlanD) had no objection to the application.

160. In response to a Member’s enquiry on whether enforcement action would be undertaken by relevant government departments if the “Green Belt” portion of the application site (the Site) would not be used for garden purpose in future, Ms Janet K.K. Cheung, STP/TMYLW, said that the applicant had to submit a Small House grant application to Lands Department should the subject application be approved and conditions of the land grant would reflect the uses under the approved scheme.

Deliberation Session

161. 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 9.12.2026, 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.

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

Agenda Item 43

Section 16 Application

[Open Meeting]

A/TM/575 Columbarium in “Government, Institution or Community” Zone, Ground Floor of an Existing Building in Lot 792 (Part) in D.D. 131 and Adjoining Government Land, No. 145 Tsing Shan Tsuen, Tuen Mun (RNTPC Paper No. A/TM/575)

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

Agenda Item 44

Section 16 Application

[Open Meeting (Presentation and Question Sessions Only)]

A/YL-TT/548 Proposed Houses and Associated Excavation of Land in “Residential (Group D)” Zone, Lots 4989 RP, 4990 and 4991 in D.D. 116, Shung Ching San Tsuen, Tai Tong Road, Yuen Long, New Territories (RNTPC Paper No. A/YL-TT/548B)

Presentation and Question Sessions

164. With the aid of some plans, Mr Steven Y.H. Siu, STP/TMYLW, briefed Members on the background of the application, the proposed developments, departmental and public comments, and the planning considerations and assessments as detailed in the Paper. The Planning Department had no objection to the application.

165. Members had no question on the application.

Deliberation Session

166. 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 9.12.2026, 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 an updated Noise Impact Assessment and implementation of mitigation measures identified therein to the satisfaction of the Director of Environmental Protection or of the TPB;
- (b) the submission and implementation of a drainage proposal to the satisfaction of the Director of Drainage Services or of the TPB; and
- (c) the provision of water supplies for fire-fighting and fire service installations to the satisfaction of the Director of Fire Services or of the TPB.”

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

Agenda Item 45

Section 16 Application

[Open Meeting (Presentation and Question Sessions Only)]

A/YL-TT/575 Proposed Temporary Warehouse for Storage of Metal and Timber for a Period of 3 Years and Associated Filling of Land in “Agriculture” Zone, Lots 2113 (Part), 2114 (Part), 2115 (Part), 2116 (Part) and 2119 (Part) in D.D. 118, Yuen Long, New Territories
(RNTPC Paper No. A/YL-TT/575)

Presentation and Question Sessions

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

169. Members had no question on the application.

Deliberation Session

170. After deliberation, the Committee decided to approve the application on a temporary basis for a period of 3 years 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) 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 9.6.2023;
- (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 9.9.2023;
- (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 9.6.2023;
- (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 9.9.2023;
- (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, as proposed by the applicant, to the satisfaction of the Director of Planning or of the TPB.”

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

Agenda Item 46

Section 16 Application

[Open Meeting (Presentation and Question Sessions Only)]

A/YL-TT/576 Proposed Temporary Residential Institution (Transitional Housing) with Ancillary Facilities for a Period of 7 Years and Associated Excavation of Land in “Village Type Development” Zone, Government Land in D.D. 116, Former Wing On School, Shung Ching San Tsuen, Yuen Long, New Territories
(RNTPC Paper No. A/YL-TT/576)

Presentation and Question Sessions

172. 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.

173. Members had no question on the application.

Deliberation Session

174. After deliberation, the Committee decided to approve the application on a temporary basis for a period of 7 years until 9.12.2029 on the terms of the application as submitted to the Town Planning Board (TPB) and subject to the following conditions :

- “(a) the submission of an updated Noise Impact Assessment within 9 months from the date of planning approval to the satisfaction of the Director of Environmental Protection or of the TPB by 9.9.2023;
- (b) in relation to (a) above, the implementation of noise mitigation measures identified therein within 12 months from the date of planning approval to the satisfaction of the Director of Environmental Protection or of the TPB by 9.12.2023;
- (c) the submission of proposals for 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 9.9.2023;
- (d) in relation to (c) above, the implementation of the proposals for water supplies for fire-fighting and fire service installations within 12 months from the date of planning approval to the satisfaction of the Director of Fire Services or of the TPB by 9.12.2023;
- (e) the implementation of the accepted drainage proposal within 12 months from the date of planning approval to the satisfaction of the Director of Drainage Services or of the TPB by 9.12.2023;
- (f) in relation to (e) above, the implemented drainage facilities on the site shall be maintained at all times during the planning approval period;
- (g) if the above planning condition (f) is not complied with during the planning approval period, the approval hereby given shall cease to have effect and shall be revoked immediately without further notice; and
- (h) if any of the above planning condition (a), (b), (c), (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.”

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

Agenda Item 47

Section 16 Application

[Open Meeting (Presentation and Question Sessions Only)]

A/YL-TYST/1188 Temporary Shop and Services (Motor-Vehicle Showroom) for a Period of 3 Years in “Village Type Development” Zone, Lot 1543 (Part) in D.D. 121, Shan Ha Tsuen, Yuen Long, New Territories
(RNTPC Paper No. A/YL-TYST/1188)

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

Deliberation Session

177. After deliberation, the Committee decided to approve the application on a temporary basis for a period of 3 years 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) the implementation of the accepted 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 9.9.2023;
- (b) in relation to (a) above, the implemented drainage facilities on the site shall be maintained at all times during the planning approval period;
- (c) the submission of a fire service installations proposal within 6 months from the date of planning approval to the satisfaction of the Director of Fire Services or of the TPB by 9.6.2023;
- (d) in relation to (c) above, the implementation of the fire service installations

proposal within 9 months from the date of planning approval to the satisfaction of the Director of Fire Services or of the TPB by 9.9.2023;

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

178. 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 Ms Janet K.K. Cheung and Mr Steven Y.H. Siu, STPs/TMYLW, for their attendance to answer Members’ enquiries. They left the meeting at this point.]

Agenda Item 48

Any Other Business

[Open Meeting]

Request for Deferral of Consideration of the Application No. Y/I-DB/4 for Amendment to the Approved Discovery Bay Outline Zoning Plan No. S/I-DB/4, to rezone the application site to “Other Specified Uses” (“OU”) annotated “Marina”, “OU” annotated “Service Area with Residential Development Above”, Area B of “OU” annotated “Sports and Recreation Club (4)”, “Residential (Group C) 13” (“R(C)13”), “R(C)14”, “R(C)15”; to extend the Outline Zoning Plan boundary to include part of the sea area at Nim Shue Wan and as Area B of “OU” annotated “Sports and Recreation Club (4)” and “R(C)14”; to amend the Notes of the zones applicable to the site, including “OU” annotated “Marina”, “OU” annotated “(Sports and Recreation Club)” and “R(C)” zones, and to incorporate a set of new Notes for “OU” annotated “Service Area with Residential Development Above”, Discovery Bay, Lantau Island

179. The Secretary reported that a public comment from an individual was received on

25.11.2022 during the publication period of the s.12A application No. Y/I-DB/4. The commenter stated that he was the plaintiff of active legal proceedings against the applicant (Hong Kong Resort Company Limited) regarding the obligation of the applicant under the Deed of Mutual Covenant involving part of the application site (i.e. Area 10b). He requested the Committee to defer consideration of the application until the legal proceedings were completed, so as to avoid prejudicing the legal proceedings.

180. The Town Planning Board Guidelines No. 33A on “Deferment of Decision on Representations, Comments, Further Representations and Application Made under the Town Planning Ordinance” (TPB PG-No. 33A) was not applicable to deferral by third parties.

181. Having considered the circumstances of the subject deferral request, the Planning Department (PlanD) did not support the deferral request for the following reasons :

- (a) the request was made by a third party, i.e. not the applicant nor PlanD. The commenter’s request for deferral would affect the interest of the applicant of the subject application;
- (b) the application should be considered by the Committee in accordance with the statutory provisions under the Town Planning Ordinance (the Ordinance), and based on its own merits, taking into account all relevant planning considerations. Land ownership and the deed of mutual covenant were not material planning considerations for the application, and land administration and planning were under separate regimes. As such, the said on-going legal proceedings should not be accepted as a justification to accede to the request for deferral of consideration of the planning application; and
- (c) the applicant was the sole current land owner of the application site as defined under s.12A(25) of the Ordinance, i.e. the person whose name was registered in the Land Registry as that of an owner of the land to which the application relates, and hence the ‘Owner’s Consent/Notification’ Requirements under s.12A(3)(a)(i) of the Ordinance had been complied with.

182. The Chairman asked Members to consider whether the request for deferral of application No. Y/I-DB/4 should be acceded to. Members had no question to raise on the matter.

183. After deliberation, the Committee agreed not to defer consideration of application No. Y/I-DB/4 as requested by the commenter. The Secretariat would reply the commenter on the Committee's decision on the deferral request.

184. There being no other business, the meeting was closed at 7:20 p.m..