

TOWN PLANNING BOARD

Minutes of 710th Meeting of the Rural and New Town Planning Committee held at 2:30 p.m. on 23.12.2022

Present

Director of Planning
Mr Ivan M.K. Chung

Chairman

Mr Stephen L.H. Liu

Vice-chairman

Dr C.H. Hau

Mr K.W. Leung

Professor John C.Y. Ng

Dr Venus Y.H. Lun

Mr K.L. Wong

Chief Traffic Engineer/New Territories West,
Transport Department
Mr M.Y. Tse

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

Miss Winnie W.M. Ng

Mr L.T. Kwok

Dr Conrad T.C. Wong

Mrs Vivian K.F. Cheung

Mr Vincent K.Y. Ho

In Attendance

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

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

Town Planner/Town Planning Board
Ms L.C. Cheung

Agenda Item 1

Confirmation of the Draft Minutes of the 709th RNTPC Meeting held on 9.12.2022

[Open Meeting]

1. The Secretary reported that subsequent to the circulation of the draft minutes of the 709th RNTPC meeting to Members, an amendment to paragraph 61(c) as shown on the visualiser was proposed by a Member. The Committee agreed that the minutes of the 709th RNTPC meeting held on 9.12.2022 were confirmed with incorporation of the said amendment.

Agenda Item 2

Matter Arising

[Open Meeting]

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

Tuen Mun and Yuen Long West District

Agenda Item 3

Section 12A Application

[Open Meeting]

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

3. The Secretary reported that as the Transport Department (TD) required more time to review and comment on the further information submitted by the applicant and it was pre-mature for the Planning Department (PlanD) to make recommendations and for the Committee to consider the application without the benefit of TD’s comments on traffic aspect of the application, PlanD requested deferment of consideration of the application until such information became available.

4. After deliberation, the Committee decided to defer a decision on the application as requested by PlanD. The Committee agreed that the application should be submitted for its consideration within three months after the comments from TD or relevant government department(s), if any, could be made available.

Agenda Item 4

Section 12A Application

[Open Meeting]

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

5. The Secretary reported that as the Transport Department (TD) required more time to review and comment on the further information submitted by the applicant and it was pre-mature for the Planning Department (PlanD) to make recommendations and for the Committee to consider the application without the benefit of TD’s comments on traffic aspect of the application, PlanD requested deferment of consideration of the application until such information became available.

6. After deliberation, the Committee decided to defer a decision on the application as requested by PlanD. The Committee agreed that the application should be submitted for its consideration within three months after the comments from TD or relevant government department(s), if any, could be made available.

Agenda Item 5

Section 12A Application

[Open Meeting]

Y/YL-LFS/12

Application for Amendment to the Approved Lau Fau Shan & Tsim Bei Tsui Outline Zoning Plan (OZP) No. S/YL-LFS/11 and Draft Tin Shui Wai OZP No. S/TSW/15, To rezone the application site from “Green Belt” to “Residential (Group A)1” on the Lau Fau Shan and Tsim Bei Tsui OZP and from “Open Space (1)” to “Residential (Group A)2” and an area shown as ‘Road’ on the Tin Shui Wai OZP , Various Lots in D.D. 129 and Adjoining Government Land, Lau Fau Shan, Yuen Long
(RNTPC Paper No. Y/YL-LFS/12)

7. The Secretary reported that AECOM Asia Company Limited (AECOM) was one of the consultants of the applicant. The following Members had declared interests on the item:

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

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

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

8. The Committee noted that the applicant had requested deferment of consideration of the application and Dr Conrad T.C. Wong and Mr Vincent K.Y. Ho had tendered apologies for not being able to attend the meeting. As Dr C.H. Hau had no involvement in the application, the Committee agreed that he could stay in the meeting.

9. The Committee noted that the applicant’s 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 applicant requested deferment of the application.

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

Sai Kung and Islands District

[Mr Keith L.C. Wu, Town Planner/Sai Kung and Islands (TP/SKIs), was invited to the meeting at this point.]

Agenda Item 6

Section 16 Application

[Open Meeting]

A/SK-HC/340 Proposed Comprehensive Residential Development (at Phase 2 Site) with Minor Relaxation of Building Height Restriction in "Comprehensive Development Area" Zone and area shown as 'Road', Various Lots in D.D. 244 and Adjoining Government Land, Ho Chung, Sai Kung
(RNTPC Paper No. A/SK-HC/340)

11. The Committee noted that the applicant's representative requested on 15.12.2022 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.

12. 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 7

Section 16 Application

[Open Meeting (Presentation and Question Sessions only)]

A/SLC/171 Proposed Public Utility Installation (Poles, Underground Cables and Overhead Cables) and Excavation and Filling of Land in "Coastal Protection Area" Zone, Government Land in D.D. 332L near Cheung Sha Ha Tsuen, Lantau

(RNTPC Paper No. A/SLC/171)

13. The Secretary reported that the application was submitted by CLP Power Hong Kong Limited (CLP) and CLPe Solutions Limited was the consultant of the applicant, which were subsidiaries of CLP Holdings Limited. Dr Conrad T.C. Wong had declared an interest on the item as his firm having current business dealings with CLP. The Committee noted that Dr Conrad T.C. Wong had tendered an apology for not being able to attend the meeting.

Presentation and Question Sessions

14. With the aid of some plans, Mr Keith L.C. Wu, 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.

15. Members had no question on the application.

Deliberation Session

16. After deliberation, the Committee decided to reject the application. The reason was :

“the proposed installation with excavation and filling of land is not in line with the planning intention of the “Coastal Protection Area” zone which is to conserve, protect and retain the natural coastlines and the sensitive coastal natural environment, including attractive geological features, physical landform or area of high landscape, scenic or ecological value, with a minimum of built environment. It is also intended to safeguard the beaches and their immediate hinterland and to prevent haphazard ribbon development along the South Lantau Coast. There is a general presumption against development in this zone. The applicant fails to demonstrate that the proposed installation is an essential infrastructural project with overriding public interest that warrants a departure from such planning intention.”

[The Chairman thanked Mr Keith L.C. Wu, TP/SKIs, for his attendance to answer Members’ enquiries. He left the meeting at this point.]

Sha Tin, Tai Po and North District

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

Agenda Item 8

Section 16 Application

[Open Meeting (Presentation and Question Sessions Only)]

A/NE-LT/733 Proposed House (New Territories Exempted House - Small House) in
 “Agriculture” and “Village Type Development” Zones, Lot 311 in
 D.D. 8, Tai Yeung Che Village, Lam Tsuen, Tai Po
 (RNTPC Paper No. A/NE-LT/733A)

Presentation and Question Sessions

17. With the aid of some plans, Mr Benson K.C. Lau, TP/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.

18. Members had no question on the application.

Deliberation Session

19. The Chairman remarked that the proposed Small House development did not comply with the Interim Criteria for Consideration of Application for NTEH/Small House in New Territories. After deliberation, the Committee decided to reject the application. The reasons were :

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

- (b) the proposed development does not comply with the Interim Criteria for Consideration of Application for New Territories Exempted House/Small

House in New Territories in that there is insufficient information to demonstrate that the proposed development located within water gathering ground would be able to be connected to the existing or planned sewerage system and would not cause adverse impact on the water quality in the area; and

- (c) land is still available within the “Village Type Development” (“V”) zone of Tai Mong Che and Ma Po Mei 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 infrastructures and services.”

Agenda Item 9

Section 16 Application

[Open Meeting]

A/NE-LT/734 Temporary Shop and Services with Ancillary Office for a Period of 3 Years in “Agriculture” Zone, Lots 1115, 1116 and 1119 in D.D. 7, Kau Liu Ha, Lam Tsuen, Tai Po
(RNTPC Paper No. A/NE-LT/734A)

20. 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

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

- “(a) no operation between 10:00 p.m. and 8:00 a.m., as proposed by the applicants, is allowed on the site during the planning approval period;

- (b) the submission of a drainage proposal within 6 months from the date of planning approval to the satisfaction of the Director of Drainage Services or of the TPB by 23.6.2023;
- (c) in relation of (b) above, the implementation of the drainage proposal within 9 months from the date of planning approval to the satisfaction of the Director of Drainage Services or of the TPB by 23.9.2023;
- (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 23.6.2023;
- (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 23.9.2023;
- (f) if the above planning condition (a) is not complied with during the planning approval period, the approval hereby given shall cease to have effect and shall be revoked immediately without further notice;
- (g) if any of the above planning condition (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; and
- (h) upon expiry of the planning permission, the reinstatement of the site to an amenity area to the satisfaction of the Director of Planning or of the TPB.”

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

Agenda Items 10 to 12

Section 16 Applications

[Open Meeting (Presentation and Question Sessions Only)]

A/NE-PK/170 Proposed House (New Territories Exempted House - Small House) in
“Agriculture” Zone, Lot 1588 S.G in D.D. 91, Kai Leng, Sheung Shui

A/NE-PK/171 Proposed House (New Territories Exempted House - Small House) in
“Agriculture” Zone, Lot 1588 S.H in D.D. 91, Kai Leng, Sheung Shui

A/NE-PK/172 Proposed House (New Territories Exempted House - Small House) in
“Agriculture” Zone, Lot 1588 S.I in D.D. 91, Kai Leng, Sheung Shui
(RNTPC Paper No. A/NE-PK/170 to 172)

23. The Committee agreed that as the three s.16 applications for proposed house (New Territories Exempted House - Small House (SH)) were similar in nature and the application sites were located in close proximity to one another within the same “Agriculture” zone, they could be considered together.

Presentation and Question Sessions

24. With the aid of some plans, Mr Harris K.C. Liu, 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 had no objection to the applications.

25. Noting that some s.16 applications for SH developments for consideration in the meeting were submitted due to lapsing of previous planning permissions given the prolonged SH grant application process, a Member asked about the reason for such prolonged process. In response, Mr Harris K.C. Liu, STP/STN, said that according to the applicants, longer time had been taken by the Government to process their SH grant applications given the need to address local objections and the delay in document submissions due to outbreak of COVID-19.

Deliberation Session

26. A Member raised concerns on the lengthy processing time for SH grant applications and suspected if delaying the process was a tactics adopted by applicants. At the Chairman's invitation, Ms Jane K.C. Choi, Assistant Director/Regional 3, Lands Department (LandsD) stated that processing time for SH grant application varied case by case given specific circumstances and complexity of individual case. In vetting SH grant application, LandsD would verify the applicant's eligibility, handle local objections and negotiate with the applicant to resolve any of the technical issue. For some cases, due to strong local objections and applicant's delayed actions, longer processing time would be required.

27. Whilst not objecting to the applications, a Member noted that the subject applications involved cross-village SH applications and was suspicious that there might be selling of indigenous villagers' rights to build SH. The existing SH policy and mechanism might not be effective in tackling the issue of selling of rights to build SH and the Government might need to explore better means to deal with the issue.

28. After deliberation, the Committee decided to approve the applications, on the terms of the applications as submitted to the Town Planning Board (TPB). Each of the permissions should be valid until 23.12.2026, and after the said date, the permissions should cease to have effect unless before the said date, the developments permitted were commenced or the permissions were renewed. Each of the permissions was subject to the following condition :

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

29. The Committee also agreed to advise each of the applicant to note the advisory clauses as set out at Appendix VII of the Papers.

Agenda Items 13 and 14

Section 16 Applications

[Open Meeting]

A/NE-TK/755 Proposed Temporary Eating Place with Ancillary Facilities for a Period of 5 Years in “Open Space” Zone, Lots 1343 S.B ss.1 (Part), 1343 S.B RP, 1346 S.B ss.1 (Part), 1346 S.B RP, 1347 S.A (Part), 1347 RP, 1349, 1350, 1351 RP, 1352 S.A, 1355 RP, 1356 RP and 1361 RP (Part) in D.D. 17 and Adjoining Government Land, Ting Kok, Tai Po

A/NE-TK/756 Proposed Temporary Eating Place with Ancillary Facilities for a Period of 5 Years in “Open Space” Zone, Lots 1352 RP and 1353 RP in D.D. 17, Ting Kok, Tai Po
(RNTPC Paper No. A/NE-TK/755A and 756A)

30. The Committee noted that the applicants’ representative requested on 9.12.2022 deferment of consideration of the applications 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 applications. Since the last deferment, the applicants had submitted further information to address departmental comments.

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

Agenda Item 15

Section 16 Application

[Open Meeting]

A/NE-FTA/220 Proposed Temporary Cold Storage for Poultry and Distribution Centre for a Period of 3 Years and Filling of Land for Site Formation Works in “Agriculture” Zone, Lots 471 S.B RP (Part), 472, 473, 474, 475, 476, 483, 501, 502, 504 S.B, 505 and 506 S.B RP in D.D. 89 and Adjoining Government Land, Man Kam To Road, Sha Ling
(RNTPC Paper No. A/NE-FTA/220)

32. The Committee noted that the applicant’s representative requested on 9.12.2022 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.

33. 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 16

Section 16 Application

[Open Meeting]

A/NE-LYT/766 Proposed Temporary Public Vehicle Park (Private Car and Light Goods Vehicle Only) for a Period of 3 Years in “Agriculture” Zone, Lot 466 (Part) in D.D.83, Kwan Tei, Fanling
(RNTPC Paper No. A/NE-LYT/766A)

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

Agenda Items 17 to 25

Section 16 Applications

[Open Meeting (Presentation and Question Sessions Only)]

A/NE-LYT/778 Proposed House (New Territories Exempted House - Small House) in “Agriculture” Zone, Lot 1773 S.B ss.1 in D.D. 76, Leng Tsui Tsuen, Fanling

A/NE-LYT/779 Proposed House (New Territories Exempted House - Small House) in “Agriculture” Zone, Lot 1773 S.B ss.2 in D.D. 76, Leng Tsui Tsuen, Fanling

A/NE-LYT/780 Proposed House (New Territories Exempted House - Small House) in “Agriculture” and “Village Type Development” Zones, Lot 1773 S.B ss.4 in D.D. 76, Leng Tsui Tsuen, Fanling

A/NE-LYT/781 Proposed House (New Territories Exempted House - Small House) in “Agriculture” Zone, Lot 1823 S.B in D.D.76, Leng Tsui Tsuen, Fanling

A/NE-LYT/782 Proposed House (New Territories Exempted House - Small House) in “Agriculture” Zone, Lot 1823 S.C in D.D.76, Leng Tsui Tsuen, Fanling

A/NE-LYT/783	Proposed House (New Territories Exempted House - Small House) in “Agriculture” Zone, Lot 1823 S.D in D.D.76, Leng Tsui Tsuen, Fanling
A/NE-LYT/784	Proposed House (New Territories Exempted House - Small House) in “Agriculture” Zone, Lot 1823 S.E in D.D.76, Leng Tsui Tsuen, Fanling
A/NE-LYT/785	Proposed House (New Territories Exempted House - Small House) in “Agriculture” Zone, Lot 1823 S.F in D.D.76, Leng Tsui Tsuen, Fanling
A/NE-LYT/786	Proposed House (New Territories Exempted House - Small House) in “Agriculture” Zone, Lot 1823 S.G in D.D.76, Leng Tsui Tsuen, Fanling (RNTPC Paper No. A/NE-LYT/778 to 786)

35. The Committee agreed that as the nine s.16 applications for proposed house (New Territories Exempted House (NTEH) - Small House (SH)) were similar in nature and the application sites were located in close proximity to one another within the same “Agriculture” zone (a minor portion of Application No. A/NE-LYT/780 fell within the “Village Type Development” zone), they could be considered together.

Presentation and Question Sessions

36. With the aid of some plans, Mr Tim T.Y. Fung, STP/STN, briefed Members on the background of the applications, the proposed developments, departmental and public comments, and the planning considerations and assessments as detailed in the Papers. The Planning Department had no objection to the applications.

37. Members had no question on the applications.

Deliberation Session

38. The Committee noted that all of the nine applicants of the applications resided overseas and had appointed an attorney to act on their behalves for submitting the planning

applications. The Chairman remarked that there was no requirement on the applicant's resident status under the planning application mechanism. As for SH grant application, Ms Jane K.C. Choi, Assistant Director/Regional 3, Lands Department (LandsD), supplemented that applicant applying for grant to build SH on Government Land should be a usual resident of Hong Kong and his resident status would be verified by LandsD in processing the application. However, such requirement was not applicable to applicant applying for grant to build SH on his own private land.

39. While suspecting that the applications involved villa-type development and selling of indigenous villagers' rights to build SH, a Member reiterated the same concern that the existing SH policy and mechanism adopted by the Government might not be effective in tackling the said issues and the Government might need to explore better means to deal with them. Another Member opined that the SH policy was originally intended to facilitate an indigenous villager to build a SH for his self-use. The policy allowing a person residing overseas the right to build a SH was contradictory to the original intent and was subject to abuse. Another Member echoed the views above and further questioned whether a villa-type development was suitable in the "Agriculture" zone.

40. The Chairman remarked that the subject applications generally complied with the Interim Criteria for Consideration of Application for NTEH/SH in New Territories and could be approved. For the concerns on the suspected selling of rights to build SH and whether villa-type development could be allowed for SH would be considered by LandsD in processing SH applications under the lands administration regime. Members' concern on the eligibility of indigenous villagers who were non-usual residents of Hong Kong in granting rights to build SH would be recorded in the meeting minutes and conveyed to the Development Bureau.

41. After deliberation, the Committee decided to approve the applications, on the terms of the applications as submitted to the Town Planning Board (TPB). Each of the permissions should be valid until 23.12.2026, and after the said date, the permissions should cease to have effect unless before the said date, the developments permitted were commenced or the permissions were renewed. Each of the permissions was subject to the following conditions :

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

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

Agenda Item 26

Section 16 Application

[Open Meeting (Presentation and Question Sessions Only)]

A/NE-MUP/173 Proposed House (New Territories Exempted House - Small House) in “Agriculture”, “Green Belt” and “Village Type Development” Zones, Lot 569 S.A in D.D. 46, Loi Tung Village, Sha Tau Kok
(RNTPC Paper No. A/NE-MUP/173)

Presentation and Question Sessions

43. 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 did not support the application.

44. Members had no question on the application.

Deliberation Session

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

- “(a) the proposed development is not in line with the planning intention of the “Agriculture” zone which is primarily to retain and safeguard good quality

agricultural land/farm/fish ponds for agricultural purposes and to retain fallow arable land with good potential for rehabilitation for cultivation and other agricultural purposes. There is no strong planning justification in the submission for a departure from the planning intention;

- (b) the proposed development is not in line with the planning intention of the “Green Belt” (“GB”) zone, which is primarily for defining the limits of urban and sub-urban development areas by natural features and to contain urban sprawl as well as to provide passive recreational outlets. There is a general presumption against development within this zone. There is no strong justification in the submission for a departure from the planning intention;
- (c) the proposed development does not comply with the Town Planning Board Guidelines No. 10 for Application for Development within “GB” zone under section 16 of the Town Planning Ordinance and the Interim Criteria for consideration of Application for New Territories Exempted House/Small House in New Territories in that the proposed development would affect the existing natural landscape on the surrounding environment; and
- (d) land is still available within the “Village Type Development” (“V”) zone of Loi Tung Village for Small House development. It is considered more appropriate to concentrate the proposed Small House development within the “V” zone for more orderly development pattern, efficient use of land and provision of infrastructures and services.”

Agenda Item 27

Section 16 Application

[Open Meeting]

A/NE-TKL/710 Proposed Temporary Cargo Handling and Forwarding Facility (Logistics Centre) for a Period of 3 Years in “Agriculture” and “Open Storage” Zones, Lot 506 RP in D.D. 83 and Adjoining Government Land, Ta Kwu Ling
(RNTPC Paper No. A/NE-TKL/710)

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

47. The Committee noted that the applicant had requested deferral of consideration of the application and Dr Conrad T.C. Wong had tendered an apology for being unable to attend the meeting.

48. The Committee noted that the applicant’s representative requested on 28.11.2022 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.

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

Agenda Item 28

Section 16 Application

[Open Meeting]

A/NE-TKLN/48 Proposed Temporary Animal Boarding Establishment with Ancillary Facilities for a Period of 5 Years in “Green Belt” Zone, Lots 410 S.B ss.2 and 410 S.B RP in D.D. 78, Tsung Yuen Ha, Ta Kwu Ling North
(RNTPC Paper No. A/NE-TKLN/48)

50. The Committee noted that the applicant’s representative requested on 9.12.2022 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.

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

Agenda Item 29

Section 16 Application

[Open Meeting]

A/NE-TKLN/49 Proposed Temporary Animal Boarding Establishment (Dog Kennel) for
a Period of 3 Years in “Agriculture” Zone, Lot 955 in D.D. 78, Heung
Yuen Wai
(RNTPC Paper No. A/NE-TKLN/49)

52. The Committee noted that the applicant’s representative requested on 9.12.2022 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.

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

Agenda Item 30

Section 16 Application

[Open Meeting]

A/NE-WKS/20 Proposed Temporary Place of Recreation, Sports or Culture (Hobby Farm) with Ancillary Facilities for a Period of 5 Years and Filling of Land in “Agriculture” Zone, Lots 1758 (Part), 1759 (Part), 1760 (Part) and 1763 (Part) in D.D. 78, Nga Yiu Ha, Ta Kwu Ling
(RNTPC Paper No. A/NE-WKS/20)

54. The Committee noted that the applicant’s representative requested on 9.12.2022 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.

55. 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 Harris K.C. Liu and Mr Tim T.Y. Fung, STPs/STN, and Mr. Benson K.C. Lau, TP/STN, for their attendance to answer Members’ enquiries. They left the meeting at this point.]

Fanling, Sheung Shui and Yuen Long East District

[Mr Patrick M.Y Fung, Mr Richard Y.L. Siu, and Ms Christine C.M. Cheung, Senior Town Planners/Fanling, Sheung Shui and Yuen Long East (STPs/FSYLE), were invited to the meeting at this point.]

Agenda Item 31

Section 16 Application

[Open Meeting (Presentation and Question Sessions Only)]

A/FSS/288 Proposed Social Welfare Facility (Residential Care Home for the Elderly) and Flat with Minor Relaxation of Building Height Restriction in “Village Type Development” Zone and area shown as ‘Road’, Lots 834 and 838 RP in D.D. 52 and adjoining Government Land, Tin Ping Road, Sheung Shui
(RNTPC Paper No. A/FSS/288A)

Presentation and Question Sessions

56. With the aid of a Powerpoint presentation, Mr Patrick M.Y Fung, STP/FSYLE, briefed Members on the background of the application, the proposed development, departmental and public comments, and the planning considerations and assessments as detailed in the Paper. The Planning Department (PlanD) had no objection to the application.

57. Some Members raised the following questions:

- (a) noting that there was no village environs (VE) for recognised village associated with the “Village Type Development” (“V”) zone where the application site (the Site) was located, the background on designation of the “V” zone and whether PlanD had any plan to review it;

- (b) the reason why the proposed building height (BH) of 7 storeys for the proposed Residential Care Home for the Elderly (RCHE) was considered acceptable given the existing 3-storey BH restriction of the “V” zone;
- (c) noting that the proposed development might separate the “V” zone into east and west portions, whether approval of the application would adversely affect the integrity of the existing Tin Ping Shan Tsuen; and
- (d) details of the vehicular access arrangement for the western part of Tin Ping Shan Tsuen.

58. In response, Mr Patrick M.Y Fung, STP/FSYLE, with reference to some Powerpoint slides, made the following main points:

- (a) despite the absence of VE, the concerned “V” zone had been designated since the gazettal of the first Fanling/Sheung Shui Outline Zoning Plan (OZP) which was intended for reserving suitable land for Small House (SH) development to allow for expansion of the nearby recognised village of Sheung Shui Heung. Under the current policy, in the absence of VE or ‘Village Expansion Area’, SH grant application in the concerned “V” zone would generally not be accepted for processing by the Lands Department. Notwithstanding that, as the planning intention of the “V” zone being a reserve of land for meeting future SH demand was still considered appropriate and valid for the concerned area, the “V” zone should be retained;
- (b) the Site was surrounded by low to medium-rise government, institution and community uses, including Sheung Shui Fire Station (4-storey), Fung Kai Innovative School (7-storey), Construction Industry Council Training Academy Sheung Shui Training Centre (9-storey), as well as a high-rise residential development, i.e. Tsui Lai Garden (27 to 29-storey). The proposed RCHE block with a BH of 7 storeys, which was in line with the maximum height limit of 24m measuring from the site formation level for RCHE use under the Building (Planning) Regulations, was considered

compatible with the height profile of the area. According to the visual assessment submitted by the applicant, the proposed development would not incur any significant adverse visual impacts on the surroundings;

- (c) Tin Ping Shan Tsuen, which was not a recognised village, was mainly occupied by temporary domestic structures and squatters. There were at present no other known new/planned developments in the area. The proposed development with RCHE and residential flats was considered not incompatible with the existing domestic nature of Tin Ping Shan Tsuen and would unlikely alter the rural character and integrity of the area; and
- (d) at present there was no proposal on access arrangement for the western part of Tin Ping Shan Tsuen.

Deliberation Session

59. The Chairman recapitulated that the subject “V” zone had been designated since the gazettal of the first OZP and it was primarily intended to reserve suitable land for village expansion. Flexibility in the use of the land within the “V” zone was also allowed through application for planning permission by relevant parties. The current application was to seek permission to amend the previously approved scheme (Application No. A/FSS/279) by increasing BH of the proposed RCHE block from 4 storeys to 7 storeys which could optimize the utilization of the Site. The submission demonstrated that the proposed development was compatible with the surroundings in terms of land use and visual impact.

60. Whilst not objecting to the application, a Member opined that the proposed development with BH of 7 storeys might not be visually compatible with the surroundings, considering in particular that the Fung Kai School complex to the north of the Site was mainly with BHs of 1 to 3 storeys.

61. Another Member indicated no objection to the application as the proposed RCHE could better utilize the valuable land resource and the proposed BH of 7 storeys was considered not unacceptable. The same Member however opined that with the emergence

of other uses in the area, the function of the “V” zone for SH development would be weakened that the “V” zone might no longer serve its original planning intention.

62. 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 23.12.2026, 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 vehicular access to the satisfaction of the Commissioner for Transport or of the TPB; and
- (b) the design and provision of parking facilities and loading/unloading spaces to the satisfaction of the Commissioner for Transport or of the TPB.”

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

Agenda Item 32

Section 16 Application

[Open Meeting (Presentation and Question Sessions Only)]

A/YL-SK/337 Proposed Temporary Holiday Camp with Ancillary Facilities for a Period of 3 Years in “Agriculture” Zone, Lots 1001 (Part), 1002 (Part) and 1006 (Part) in D.D. 106, Lots 627 (Part), 629 S.B (Part), and 630 (Part) in D.D. 112, Shui Lau Tin Tsuen, Shek Kong, Yuen Long
(RNTPC Paper No. A/YL-SK/337)

Presentation and Question Sessions

64. With the aid of a Powerpoint presentation, Mr Richard Y.L. Siu, STP/FSYLE, 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 (PlanD) considered that the proposed temporary use could be

tolerated for a period of three years.

65. Two Members raised the following questions:

- (a) noting that the application site (the Site) was in close proximity to Shek Kong Barracks, whether the Security Bureau (SB) had adverse comment on the application;
- (b) noting that there were some tents erected on site, whether the proposed temporary holiday camp had already been in operation without planning permission and whether enforcement action against such use existing thereon had been undertaken; and
- (c) clarification of the annotation 'grass-paved area' as shown in Drawing A-1 of the Paper.

66. In response, Mr Richard Y.L. Siu, STP/FSYLE, made the following main points:

- (a) SB was not consulted on the application;
- (b) while there were some temporary structures found on the Site, the proposed use was yet to be operated and the Site was not subject to planning enforcement action; and
- (c) according to the applicant's submission and as shown in the site photos, the 'grass-paved area' was grassed and erected with tents.

Deliberation Session

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

- “(a) 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 23.6.2023;
- (b) in relation to (a) above, the implementation of the drainage proposal within 9 months from the date of planning approval to the satisfaction of the Director of Drainage Services or of the TPB by 23.9.2023;
- (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 23.6.2023;
- (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 23.9.2023;
- (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; and
- (g) if any of the above planning condition (a), (b), (d) or (e) is not complied with by the specified date, the approval hereby given shall cease to have effect and shall on the same date be revoked without further notice.”

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

Agenda Item 33

Section 16 Application

[Open Meeting]

A/YL-KTN/865 Proposed Temporary Eating Place and Shop and Services for a Period of 3 Years in “Village Type Development” Zone, Lot 244 S.G in D.D. 109, Kam Tin, Yuen Long
(RNTPC Paper No. A/YL-KTN/865)

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

Deliberation Session

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

- “(a) 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 23.6.2023;

- (b) in relation to (a) above, the implementation of the drainage proposal within 9 months from the date of planning approval to the satisfaction of the Director of Drainage Services or of the TPB by 23.9.2023;

- (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 23.6.2023;

- (e) in relation to (d) above, the implementation of the accepted fire service installations proposal within 9 months from the date of planning approval to the satisfaction of the Director of Fire Services or of the TPB by 23.9.2023;
- (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; and
- (g) if any of the above planning condition (a), (b), (d) or (e) is not complied with by the specified date, the approval hereby given shall cease to have effect and shall on the same date be revoked without further notice.”

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

Agenda Item 34

Section 16 Application

[Open Meeting]

A/YL-KTN/866 Temporary Storage of Tail Lift for a Period of 3 Years in “Other Specified Uses” annotated “Railway Reserve” Zone, Lots 382, 418 RP, 419 S.A ss.1 RP and 420 S.B RP (Part) in D.D. 107, Yuen Long
(RNTPC Paper No. A/YL-KTN/866)

72. The Committee noted that the applicant requested on 20.12.2022 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.

73. 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-KTN/867 Temporary Animal Boarding Establishment with Ancillary Facilities for a Period of 5 Years and Filling of Land in "Agriculture" Zone, Lots 1464 (Part), 1486 (Part) and 1494 (Part) in D.D. 107 and adjoining Government Land, Kam Tin, Yuen Long
(RNTPC Paper No. A/YL-KTN/867)

74. The Committee noted that the applicant's representative requested on 14.12.2022 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.

75. 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 36

Section 16 Application

[Open Meeting]

A/YL-PH/933 Proposed Temporary Vehicle Park (Medium and Heavy Goods Vehicle) and Open Storage (Operation Tools and Materials) for a Period of 3 Years and Filling of Land in “Residential (Group D)” Zone, Lot 82 S.B ss.1 (Part) in D.D.108, Fan Kam Road, Pat Heung, Yuen Long
(RNTPC Paper No. A/YL-PH/933)

76. The Committee noted that the applicant’s representative requested on 14.12.2022 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.

77. 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-NSW/305 Proposed Temporary Public Vehicle Park (excluding Container Vehicle) for a Period of 5 Years and associated Filling and Excavation of Land in “Village Type Development” Zone, Lots 3671 S.A, 3672 S.A, 3673 S.A and 3674 RP in D.D.104, Pok Wai, Yuen Long
(RNTPC Paper No. A/YL-NSW/305)

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

Deliberation Session

79. After deliberation, the Committee decided to approve the application on a temporary basis for a period of 5 years until 23.12.2027 on the terms of the application as submitted to the Town Planning Board (TPB) and subject to the following conditions :

- “(a) no vehicle is allowed to queue back to or reverse onto/from public road at any time during the planning approval period;
- (b) only private cars and light goods vehicles, as defined in the Road Traffic Ordinance, are allowed to be parked/stored on or enter/exit the site at any time during the planning approval period;
- (c) no vehicle without valid licence issued under the Road Traffic (Registration and Licensing of Vehicles) Regulations is allowed to be parked/stored on the site at any time during the planning approval period;
- (d) the implementation of the accepted fire service installations proposal within 6 months from the date of planning approval to the satisfaction of the Director of Fire Services or of the TPB by 23.6.2023;

- (e) the submission of a drainage proposal within 6 months from the date of planning approval to the satisfaction of the Director of Drainage Services or of the TPB by 23.6.2023;
- (f) in relation to (e) above, the implementation of the drainage proposal within 9 months from the date of planning approval to the satisfaction of the Director of Drainage Services or of the TPB by 23.9.2023;
- (g) in relation to (f) above, the implemented drainage facilities on the site shall be maintained at all times during the planning approval period;
- (h) if any of the above planning condition (a), (b), (c) or (g) is not complied with during the planning approval period, the approval hereby given shall cease to have effect and shall be revoked immediately without further notice; and
- (i) if any of the above planning condition (d), (e) or (f) is not complied with by the specified date, the approval hereby given shall cease to have effect and shall on the same date be revoked without further notice.”

80. 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/YL-NTM/450 Proposed Temporary Shop and Services (Sales of Gardening and Construction Materials) for a Period of 5 Years in “Residential (Group C)” Zone, Lots 1392 RP (Part), 1395 RP, 1396, 1397RP (Part) and 1401 (Part) in D.D. 105 and Adjoining Government Land, Ngau Tam Mei, Yuen Long
(RNTPC Paper No. A/YL-NTM/450)

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

Deliberation Session

82. After deliberation, the Committee decided to approve the application on a temporary basis for a period of 5 years until 23.12.2027 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. on Mondays to Saturdays, as proposed by the applicant, is allowed on the site during the planning approval period;
- (b) no operation on Sundays and public holidays, as proposed by the applicant, is allowed on the site during the planning approval period;
- (c) 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 23.6.2023;

- (e) 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 23.9.2023;
- (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) 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 23.6.2023;
- (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 23.9.2023;
- (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.”

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

Agenda Item 39

Section 16 Application

[Open Meeting]

A/YL-NTM/451 Proposed Temporary Reinforcing Steel Processing Workshop and Precast Concrete Structures Workshop with Ancillary Office for a Period of 1 Year in “Residential (Group C)” Zone, Lots 1455, 1464, 1465, 1466, 1470, 1471, 1522 (Part), 1523 and 1524 in D.D. 105 and Adjoining Government Land, Ngau Tam Mei, Yuen Long
(RNTPC Paper No. A/YL-NTM/451)

84. The Committee noted that the applicant’s representative requested on 12.12.2022 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.

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 40

Section 16 Application

[Open Meeting (Presentation and Question Sessions Only)]

A/YL-ST/633 Proposed Houses in “Village Type Development” Zone, Government
Land in D.D. 102, Wing Ping Tsuen, San Tin, Yuen Long
(RNTPC Paper No. A/YL-ST/633)

Presentation and Question Sessions

86. With the aid of some plans, Ms Christine C.M. Cheung, STP/FSYLE, briefed Members on the background of the application, the proposed development, departmental and public comments, and the planning considerations and assessments as detailed in the Paper. The Planning Department had no objection to the application.

87. In response to a Member’s enquiry on whether the application was for small house development, Ms Christine C.M. Cheung, STP/FSYLE, confirmed that the application was intended for private residential development (i.e. house) in accordance with the condition under the concerned land grant.

Deliberation Session

88. 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 23.12.2026, 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 a drainage proposal and implementation of drainage facilities to the satisfaction of the Director of Drainage Services or of the TPB; and
- (b) the provision of water supply for firefighting and fire service installations to the satisfaction of the Director of Fire Services or of the TPB.”

89. 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-ST/634 Proposed Temporary Shop and Services (Convenience Store) with Ancillary Office for a Period of 3 Years in “Village Type Development” Zone, Lots 3057 RP (Part) and 3058 RP (Part) in D.D.102, San Tin, Yuen Long
(RNTPC Paper No. A/YL-ST/634)

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

Deliberation Session

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

- “(a) no vehicle is allowed to queue back to or reverse onto/from public road at any time during the planning approval period;
- (b) 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 23.6.2023;
- (c) in relation to (b) 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 23.9.2023;

- (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 23.6.2023;
- (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 23.9.2023;
- (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 any of the above planning condition (a) 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
- (h) if any of the above planning condition (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.”

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

[The Chairman thanked Mr Patrick M.Y Fung, Mr Richard Y.L. Siu and Ms Christine C.M. Cheung, STPs/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, Mr Eric C.Y. Chiu and Ms Carol K.L. Kan, Senior Town Planners/Tuen Mun and Yuen Long West (STPs/TMYLW), were invited to the meeting at this point.]

Agenda Item 42

Section 16 Application

[Open Meeting]

A/HSK/393 Temporary Open Storage of Construction Material and Machinery with Ancillary Parking of Special Purpose Vehicle and Office for a Period of 3 Years in “Government, Institution or Community”, “Open Space” Zones and area shown as ‘Road’, Lots 1080 (Part), 1083 (Part), 1084 (Part), 1085 (Part), 1087 (Part), 1088 (Part), 1089 (Part), 1090 (Part), 1091 RP (Part), 1104 (Part) and 1109 (Part) in D.D.124, Hung Shui Kiu, Yuen Long
(RNTPC Paper No. A/HSK/393A)

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

Agenda Item 43

Section 16 Application

[Open Meeting]

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

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

Deliberation Session

95. After deliberation, the Committee decided to approve the application on a temporary basis for a period of 5 years until 23.12.2027 on the terms of the application as submitted to the Town Planning Board (TPB) and subject to the following conditions :

- “(a) no operation from 6:00 p.m. to 9:00 a.m. from Mondays to Saturdays, as proposed by the applicant, is allowed on the site during the planning approval period;
- (b) no operation on Sundays and public holidays, as proposed by the applicant, is allowed on the site during the planning approval period;
- (c) no workshop activities outside the enclosed structures, as proposed by the applicant, during the planning approval period;
- (d) no cleaning, washing, polishing, pulverizing, melting and burning activity is allowed on the site during the planning approval period;
- (e) all open storage or stockpiling of metal stock shall be fully and properly covered at all times on the site during the planning approval period;
- (f) the submission of a drainage proposal within 6 months from the date of the planning approval to the satisfaction of the Director of Drainage Services or of the TPB by 23.6.2023;
- (g) in relation to (f) above, the implementation of the drainage proposal within 9 months from the date of the planning approval to the satisfaction of the Director of Drainage Services or of the TPB by 23.9.2023;
- (h) in relation to (g) above, the implemented drainage facilities on the site shall be maintained at all times during the planning approval period;
- (i) the submission of a fire service installations proposal and water supplies for

firefighting within 6 months from the date of planning approval to the satisfaction of the Director of Fire Services or of the TPB by 23.6.2023;

- (j) in relation to (i) above, the implementation of the fire service installations proposal and water supplies for firefighting within 9 months from the date of the planning approval to the satisfaction of the Director of Fire Services or of the TPB by 23.9.2023;
- (k) if any of the above planning condition (a), (b), (c), (d), (e) or (h) is not complied with during the planning approval period, the approval hereby given shall cease to have effect and shall be revoked immediately without further notice; and
- (l) if any of the above planning condition (f), (g), (i) or (j) is not complied with by the specified date, the approval hereby given shall cease to have effect and shall on the same date be revoked without further notice.”

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

Agenda Item 44

Section 16 Application

[Open Meeting]

A/HSK/407

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

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

Deliberation Session

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

- “(a) no operation from 6:00 p.m. to 9:00 a.m. from Mondays to Saturdays, as proposed by the applicant, is allowed on the site during the planning approval period;
- (b) no operation on Sundays and public holidays, as proposed by the applicant, is allowed on the site during the planning approval period;
- (c) no washing, polishing, pulverizing, melting and burning activity is allowed on the site during the planning approval period;
- (d) all open storage or stockpiling of metal stock shall be fully and properly covered at all times on the site during the planning approval period;
- (e) the submission of a drainage proposal within 6 months from the date of planning approval to the satisfaction of the Director of Drainage Services or of the TPB by 23.6.2023;
- (f) in relation to (e) above, the implementation of the drainage proposal within 9 months from the date of the planning approval to the satisfaction of the Director of Drainage Services or of the TPB by 23.9.2023;
- (g) in relation to (f) above, the implemented drainage facilities on the site shall be maintained at all times during the planning approval period;
- (h) the submission of a fire service installations proposal within 6 months from the date of planning approval to the satisfaction of the Director of Fire Services or of the TPB by 23.6.2023;

- (i) in relation to (h) 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 23.9.2023;
- (j) if any of the above planning condition (a), (b), (c), (d) or (g) is not complied with during the planning approval period, the approval hereby given shall cease to have effect and shall be revoked immediately without further notice; and
- (k) if any of the above planning condition (e), (f), (h) or (i) is not complied with by the specified date, the approval hereby given shall cease to have effect and shall on the same date be revoked without further notice.”

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

Agenda Item 45

Section 16 Application

[Open Meeting]

A/HSK/421

Proposed Temporary Open Storage of Containers with Ancillary Logistics Uses, Vehicle Repair Workshop, Container Repair Workshop and Parking of Container Tractors for a Period of 3 Years in “Government, Institution or Community”, “Open Space”, “Residential (Group A) 3” Zones and area shown as ‘Road’, Lots 1816, 1817, 1818, 1819 (Part), 1820, 1821, 1822, 1823, 1824 S.B RP (Part) and 1825 (Part) in D.D. 125 and Adjoining Government Land, Ha Tsuen
(RNTPC Paper No. A/HSK/421)

100. 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

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

- “(a) the existing drainage facilities 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 planning approval to the satisfaction of the Director of Drainage Services or of the TPB by 23.3.2023;
- (c) 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 3.2.2023;
- (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 23.6.2023;
- (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 23.9.2023;
- (f) if the above planning condition (a) is not complied with during the planning approval period, the approval hereby given shall cease to have effect and shall be revoked immediately without further notice; and
- (g) if any of the above planning condition (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.”

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

Agenda Item 46

Section 16 Application

[Open Meeting]

A/HSK/422 Proposed Temporary Shop and Services (Retail Shop for Pet Goods) for a Period of 3 Years in “Open Space” and “Other Specified Uses” annotated “Enterprise and Technology Park” Zones, Lot 1326 (Part) in D.D. 124, Ha Tsuen, Yuen Long
(RNTPC Paper No. A/HSK/422)

103. 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

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

- “(a) 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 23.6.2023;
- (b) in relation to (a) above, the implementation of the drainage proposal within 9 months from the date of planning approval to the satisfaction of the Director of Drainage Services or of the TPB by 23.9.2023;
- (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 23.6.2023;
- (e) in relation to (d) above, the implementation of the fire service installations proposal within 9 months from the date of the planning approval to the satisfaction of the Director of Fire Services or of the TPB by 23.9.2023;
- (f) if any of the above planning condition (c) is not complied with during the planning approval period, the approval hereby given shall cease to have effect and shall be revoked immediately without further notice; and
- (g) if any of the above planning condition (a), (b), (d) or (e) is not complied with by the specified date, the approval hereby given shall cease to have effect and shall on the same date be revoked without further notice.”

105. 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]

A/TM/573

Proposed Minor Relaxation of Plot Ratio Restriction for Permitted Information Technology and Telecommunications Industries Use in “Other Specified Uses” annotated “Business” Zone, No. 3 Kin Tai Street, Tuen Mun

(RNTPC Paper No. A/TM/573)

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

Agenda Item 48

Section 16 Application

[Open Meeting]

A/TM/576 Proposed House (New Territories Exempted House) in “Government, Institution or Community” Zone, Lots 583 S.B, 583 S.C and 583 RP in D.D.131, Tsing Shan Tsuen, Tuen Mun
(RNTPC Paper No. A/TM/576A)

107. The Committee noted that the applicant’s representative requested on 8.12.2022 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 and public comments.

108. 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 49

Section 16 Application

[Open Meeting (Presentation and Question Sessions Only)]

A/TM-SKW/117 Filling of Land for Permitted Agricultural Use in “Green Belt” Zone,
Lots 1379 (Part), 1380 (Part) and 1381 (Part) in D.D. 375, So Kwun
Wat, Tuen Mun
(RNTPC Paper No. A/TM-SKW/117A)

Presentation and Question Sessions

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

110. In response to a Member’s question, Ms Janet K.K. Cheung, STP/TMYLW, explained that placing gravels on land was regarded as ‘filling of land’ and planning permission was required for such operation in “Green Belt” zone.

Deliberation Session

111. After deliberation, the Committee decided to approve the application, on the terms of the application as submitted to the Town Planning Board (TPB), and no time clause on commencement was proposed as the ‘filling of land’ operation under the application had already been completed. The permission was subject to the following condition :

“no part of the site shall be filled other than gravel to a depth exceeding 0.1m, as proposed by the applicant.”

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

Agenda Item 50

Section 16 Application

[Open Meeting]

A/TM-LTY Y/442 Temporary Public Vehicle Park (Private Cars Only) for a Period of 3 Years in “Residential (Group C)” Zone, Lot 827 RP (Part) in D.D. 130, Fuk Hang Tsuen, Lam Tei, Tuen Mun
(RNTPC Paper No. A/TM-LTY Y/442)

113. The Committee noted that the applicant’s representative requested on 14.12.2022 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.

114. 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 51

Section 16 Application

[Open Meeting]

A/YL-PS/671 Temporary Eating Place and Shop and Services for a Period of 3 Years
in “Village Type Development” Zone, Lot 357 in D.D. 122, Ping Shan,
Yuen Long
(RNTPC Paper No. A/YL-PS/671)

115. 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

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

- “(a) 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 23.6.2023;

- (b) in relation to (a) 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 23.9.2023;

- (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 23.6.2023;

- (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 23.9.2023;

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

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

Agenda Item 52

Section 16 Application

[Open Meeting]

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

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

119. 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 53

Section 16 Application

[Open Meeting]

A/YL-TYST/1189 Temporary Eating Place for a Period of 3 Years in "Government, Institution or Community" and "Residential (Group B) 1" Zones, Lots 2519 RP (Part), 2520 RP and 2521 (Part) in D.D. 124, Hung Shun Road, Hung Shui Kiu, Yuen Long
(RNTPC Paper No. A/YL-TYST/1189)

120. 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

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

- “(a) 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 23.6.2023;
- (b) in relation to (a) above, the implementation of the drainage proposal within 9 months from the date of planning approval to the satisfaction of the

Director of Drainage Services or of the TPB by 23.9.2023;

- (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 revised fire service installations proposal within 6 months from the date of planning approval to the satisfaction of the Director of Fire Services or of the TPB by 23.6.2023;
- (e) in relation to (d) above, the implementation of the revised 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 23.9.2023;
- (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; and
- (g) if any of the above planning condition (a), (b), (d) or (e) is not complied with by the specified date, the approval hereby given shall cease to have effect and shall on the same date be revoked without further notice.”

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

Agenda Item 54

Section 16 Application

[Open Meeting (Presentation and Question Sessions Only)]

A/YL-HTF/1144 Proposed Temporary Recyclable Collection Centre for Metal and Plastic for a Period of 3 Years in “Residential (Group D)” Zone, Lots 175 (Part), 176 (Part), 177 (Part), 178 S.A, 178 S.B, 179 and 181 in D.D.128 and adjoining Government Land, Ha Tsuen, Yuen Long
(RNTPC Paper No. A/YL-HTF/1144)

Presentation and Question Sessions

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

124. Some Members raised the following questions:

- (a) noting that only storage without workshop activities was allowed on the application site (the Site) under approval condition (b) as recommended in the Paper, the details on operation of the proposed use;
- (b) noting in the aerial photo on Plan A-3 of the Paper that there were some mature trees at the north-western corner of the Site, whether tree felling would be required for the proposed use and the details of proposed landscape treatment/compensatory planting; and
- (c) noting that the Site was zoned “Residential (Group D)” (“R(D)”), the reason why the Site was not used for residential development.

125. In response, Mr Eric C.Y. Chiu, STP/TMYLW, made the following main points:

- (a) according to the applicant, the proposed recyclable collection centre was for temporary storage of the collected metal and plastic materials awaiting transportation to other locations for further recycling processes. No

workshop activities, as per those listed in approval condition (b) which might cause nuisance to the surroundings, would be carried out at the Site;

- (b) with reference to the proposed layout plan in Drawing A-2 of the Paper, the north-western part of the Site would be used for vehicular manoeuvring, and thus tree felling would be required. The applicant, however, did not submit any information regarding landscape treatment/compensatory planting; and
- (c) the use of the Site was subject to the land owner's decision and usually driven by market. It was not uncommon for the land owner/operator to propose temporary use for better utilization of land resources in the interim before any long-term development was confirmed.

Deliberation Session

126. The Committee noted that the Site had been used for open storage of construction materials without planning permission and was subject to on-going planning enforcement action. A Member was of the view that such 'built first, apply later' practice was undesirable and should not be encouraged. The Committee also noted that, under the current application, the recyclable materials would be stored within enclosed structures instead of being placed in the open air.

127. A Member opined that there was no information in the submission to illustrate the treatment of the existing trees nor submission of landscape proposal, and hence the potential landscape impact arising from the proposed use could not be ascertained. To address Member's concern, the Chairman suggested and the Committee agreed to include additional approval conditions on the submission and implementation of landscape proposal.

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

- “(a) no medium or heavy goods vehicles exceeding 5.5 tonnes, as defined under the Road Traffic Ordinance, are allowed to enter/be parked on the site, as proposed by the applicant, at all times during the planning approval period;
- (b) only storage of metal and plastic, and no cleaning, burning, melting, crushing, shredding, breaking and washing of metal or plastic waste, 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 23.6.2023;
- (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 23.9.2023;
- (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 planning approval to the satisfaction of the Director of Fire Services or of the TPB by 23.6.2023;
- (g) in relation to (f) above, the implementation of the fire service installations proposal within 9 months from the date of planning approval to the satisfaction of the Director of Fire Services or of the TPB by 23.9.2023;
- (h) the submission of a landscape proposal within 6 months from the date of planning approval to the satisfaction of the Director of Planning or of the TPB by 23.6.2023;
- (i) in relation to (h) above, the implementation of the landscape proposal within 9 months from the date of planning approval to the satisfaction of the Director of Planning or of the TPB by 23.9.2023

- (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.”

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

Agenda Item 55

Section 16 Application

[Open Meeting]

A/YL-HTF/1145 Proposed House and Excavation of Land in “Residential (Group D)”
Zone, Lot 182 S.B in D.D.128, Ha Tsuen, Yuen Long
(RNTPC Paper No. A/YL-HTF/1145)

130. The Committee noted that the applicant’s representative requested on 12.12.2022 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.

131. 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 56

Section 16 Application

[Open Meeting (Presentation and Question Sessions Only)]

A/YL-LFS/448 Proposed Filling of Pond for Permitted Agricultural Use (Fish Pond Culture) in “Conservation Area” Zone, Lot 1 S.L RP (Part) in D.D. 126, Lau Fau Shan, Yuen Long
(RNTPC Paper No. A/YL-LFS/448)

Presentation and Question Sessions

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

133. Members had no question on the application.

Deliberation Session

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

- “(a) the proposed pond filling is not in line with the planning intention of the “Conservation Area” (“CA”) zone which is to conserve the ecological value of wetland and fish ponds which form an integral part of the wetland ecosystem, and any change in use within this zone has to adopt the “no-net-loss in wetland” principle. The applicant fails to demonstrate that the proposed pond filling is required to support the conservation of the ecological integrity of the wetland ecosystem or the development is an essential infrastructure project with overriding public interest;

- (b) the proposed pond filling, which falls within the Wetland Conservation Area, is not in line with the Town Planning Board (TPB) Guidelines for ‘Application for Developments within Deep Bay Area under Section 16 of the Town Planning Ordinance’ (TPB PG-No. 12C) in that the “no-net-loss in wetland” principle is not complied with, and no ecological impact assessment has been submitted to demonstrate that no on-site and/or off-site disturbance impact would be resulted, or that such impacts could be fully mitigated through positive measure;
- (c) the applicant fails to demonstrate that the proposed pond filling would not have significant adverse drainage, landscape and traffic impacts on the surrounding areas; and
- (d) approval of the application would set an undesirable precedent for similar applications within the “CA” zone and the cumulative effect of approving such similar applications would result in a general degradation of the ecology and natural environment of the area.”

Agenda Item 57

Section 16 Application

[Open Meeting (Presentation and Question Sessions Only)]

A/YL/297

Proposed Religious Institution with Ancillary Shop and Services, Eating Place and Office in “Residential (Group A)” Zone, G/F (Part) and 1/F (Part), Ho Shun Lee Building, 9 Fung Yau Street South, Yuen Long

(RNTPC Paper No. A/YL/297)

Presentation and Question Sessions

135. With the aid of some plans, Ms Carol K.L. Kan, STP/TMYLW, briefed Members on the background of the application, the proposed use, departmental and public comments, and the planning considerations and assessments as detailed in the Paper. The Planning

Department had no objection to the application.

136. Members had no question on the application.

Deliberation Session

137. After deliberation, the Committee decided to approve the application, on the terms of the application as submitted to the Town Planning Board (TPB). The permission should be valid until 23.12.2026, 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 provision of fire service installations and water supplies for firefighting to the satisfaction of the Director of Fire Services or of the TPB;
- (b) the submission of a sewerage impact assessment to the satisfaction of the Director of Environmental Protection or of the TPB;
- (c) the submission of an air quality impact assessment report and implementation of the recommendations identified therein to the satisfaction of the Director of Environmental Protection or of the TPB; and
- (d) the implementation and maintenance of the drainage/sewerage facilities for the development to the satisfaction of the Director of Drainage Services or of the TPB.”

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

Agenda Item 58

Section 16 Application

[Open Meeting]

A/YL-TT/565 Temporary Shop and Services for a Period of 3 Years in “Village Type Development” Zone, Lots 1259 S.C ss.1 (Part), 1299 S.B (Part) and 1300 RP (Part) in D.D. 117 and Adjoining Government Land, Tai Tong Shan Road, Tai Tong, Yuen Long
(RNTPC Paper No. A/YL-TT/565A)

139. 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

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

- “(a) 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 23.6.2023;
- (b) in relation to (a) above, the implementation of the drainage proposal within 9 months from the date of planning approval to the satisfaction of the Director of Drainage Services or of the TPB by 23.9.2023;
- (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 23.6.2023;

- (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 23.9.2023;
- (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; and
- (g) if any of the above planning condition (a), (b), (d) or (e) is not complied with by the specified date, the approval hereby given shall cease to have effect and shall on the same date be revoked without further notice.”

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

Agenda Item 59

Section 16 Application

[Open Meeting]

A/YL-TT/577 Proposed Temporary Animal Boarding Establishment for a Period of 3 Years in “Agriculture” Zone, Lots 1444 and 1445 RP in D.D. 118, Tai Tong, Yuen Long
(RNTPC Paper No. A/YL-TT/577)

142. The Committee noted that the applicant requested on 14.12.2022 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.

143. 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 60

Section 16 Application

[Open Meeting (Presentation and Question Sessions Only)]

A/YL-TT/578 Temporary Warehouse for Storage of Construction Equipment for a Period of 3 Years in "Village Type Development" Zone, Lot 936 in D.D. 118, No.66 Nam Hang Tsuen, Yuen Long
(RNTPC Paper No. A/YL-TT/578)

Presentation and Question Sessions

144. With the aid of some plans, Ms Carol K.L. Kan, STP/TMYLW, briefed Members on the background of the application, the applied use, departmental and public comments, and the planning considerations and assessments as detailed in the Paper. The Planning Department did not support the application.

145. Members had no question on the application.

Deliberation Session

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

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

- (b) the applied use is not compatible with the surrounding residential character.”

Agenda Item 61

Section 16 Application

[Open Meeting]

A/YL-TT/579 Religious Institution (Temple) in “Agriculture” Zone, Lots 1445 RP (Part), 1446, 1609 (Part), 1610 (Part), 1612 S.B ss.1 and 1612 S.B RP (Part) in D.D. 116 and Adjoining Government Land, Tai Tong, Yuen Long
(RNTPC Paper No. A/YL-TT/579)

147. The Committee noted that the applicant requested on 15.12.2022 deferment of consideration of the application for two months so as to allow more time to provide supplementary information. It was the first time that the applicant requested deferment of the application.

148. 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 Ms Janet K.K. Cheung, Mr Eric C.Y. Chiu and Ms Carol K.L. Kan, STPs/TMYLW, for their attendance to answer Members’ enquiries. They left the meeting at this point.]

Agenda Item 62

Any Other Business

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