

TOWN PLANNING BOARD

Minutes of 712th Meeting of the Rural and New Town Planning Committee held at 2:30 p.m. on 3.2.2023

Present

Director of Planning (Atg)
Mr C.K. Yip

Chairman

Mr Stephen L.H. Liu

Vice-chairman

Dr C.H. Hau

Miss Winnie W.M. Ng

Mr K.W. Leung

Professor John C.Y. Ng

Dr Venus Y.H. Lun

Mr Vincent K.Y. Ho

Mr K.L. Wong

Chief Traffic Engineer/New Territories East,
Transport Department
Mr Ken K.K. Yip

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

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

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

Deputy Director of Planning/District (Atg)
Ms Lily Y.M. Yam

Secretary

Absent with Apologies

Dr Conrad T.C. Wong

Mrs Vivian K.F. Cheung

In Attendance

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

Town Planner/Town Planning Board
Mr Timothy T.C. Kau

Agenda Item 1

Confirmation of the Draft Minutes of the 711th RNTPC Meeting held on 13.1.2023

[Open Meeting]

1. The draft minutes of the 711th RNTPC meeting held on 13.1.2023 were confirmed without amendments.

Agenda Item 2

Matter Arising

[Open Meeting]

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

Sai Kung and Islands District

Agenda Item 3

Section 16 Application

[Open Meeting]

A/I-TCV/22

Proposed Temporary Public Vehicle Park (Private Cars and Light Goods Vehicles) for a Period of 3 Years in “Residential (Group C) 2” Zone, Lots 252 RP (Part), 267 (Part), 268, 269, 270 RP (Part), 271 RP (Part), 275 RP (part), 278 (Part), 279 (Part), 280 (Part) and 281 (Part) in D.D.1 TC, Tung Chung, Lantau Island
(RNTPC Paper No. A/I-TCV/22)

3. The Committee noted that the applicant’s representative requested on 6.1.2023 deferment of consideration of the application for two months so as to allow more time to address departmental comments. It was the first time that the applicant requested deferment of the application.

4. 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 4

Section 16 Application

[Open Meeting]

A/I-TCV/23 Proposed Temporary Public Vehicle Park (Private Cars and Light Goods Vehicles) for a Period of 3 Years in “Residential (Group C) 2” Zone, Lots 252 RP (Part), 253 RP, 255 (Part), 264 (Part), 265, 266, 267 (Part), 282 (Part), 283 (Part) and 284 (Part) in D.D.1 TC, Tung Chung, Lantau Island

(RNTPC Paper No. A/I-TCV/23)

5. The Committee noted that the applicant’s representative requested on 6.1.2023 deferment of consideration of the application for two months so as to allow more time to address departmental comments. It was the first time that the applicant requested deferment of the application.

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

[Mr K.L. Wong joined the meeting at this point.]

[Ms W.H. Ho and Ms Jane W.L. Kwan, Senior Town Planners/Sai Kung and Islands (STPs/SKIs), were invited to the meeting at this point.]

Agenda Item 5

Section 16 Application

[Open Meeting (Presentation and Question Sessions only)]

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

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

Presentation and Question Sessions

8. With the aid of some plans, Ms W.H. Ho, STP/SKIs, briefed Members on the background of the application, the proposed development, departmental comments, and the planning considerations and assessments as detailed in the Paper. The Planning Department had no objection to the application.

9. Members had no question on the application.

Deliberation Session

10. The Chairman remarked that the proposed development was an essential infrastructure of small scale and there were similar applications approved by the Committee within the same “Conservation Area” zone on the Outline Zoning Plan. The Committee also noted that the proposed pillar box aimed to support mobile generators to be deployed at the nearby lay-by along Lung Ha Wan Road, and the electricity generated would be transmitted to the nearby villages via underground cables. The proposal was intended to improve electricity supply in Ha Yeung and the surrounding area.

11. 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 3.2.2027, 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.

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

[Miss Winnie Ng joined the meeting at this point.]

Agenda Item 6

Section 16 Application

[Open Meeting]

A/SK-HC/341 Proposed House (New Territories Exempted House - Small House) in “Agriculture” Zone, Lot No. 679 RP in D.D. 244, Nam Pin Wai, Ho Chung, Sai Kung
(RNTPC Paper No. A/SK-HC/341)

13. The Committee noted that the applicant’s representative requested on 17.1.2023 deferment of consideration of the application for two months so as to allow more time to prepare further information to address departmental comments. It was the first time that the applicant requested deferment of the application.

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

Presentation and Question Sessions

15. With the aid of some plans, Ms Jane W.L. Kwan, STP/SKIs, briefed Members on the background of the application, the proposed development, departmental and public comments, and the planning considerations and assessments as detailed in the Paper. The Planning Department had no objection to the application.

16. Noting that the yacht club facilities would be opened for sharing with other eligible groups and non-members under the new lease, a Member enquired what eligible groups or non-members that would be. In response, Ms Jane W.L. Kwan, STP/SKIs, said that they covered non-government organisations and sports associations. The Chairman supplemented that private recreational lease holders would be required to open up their facilities to eligible outside bodies in the new private recreational leases under the prevailing policy.

Deliberation Session

17. The Chairman remarked that the yacht club was an existing use on the application site, which was zoned “Recreation” (“REC”) on the Outline Zoning Plan. Since the proposed new facilities were regarded as ‘Marina’ use (a Column 2 use under “REC” zone), planning permission from the Town Planning Board (TPB) was required. The proposed development was small in scale and the relevant government departments had no adverse comment on the application.

18. After deliberation, the Committee decided to approve the application, on the terms of the application as submitted to the TPB. The permission should be valid until 3.2.2027, and after the said date, the permission should cease to have effect unless before the said date, the development permitted was commenced or the permission was renewed. The permission was subject to the following condition :

“the provision of fire service installations and water supplies for firefighting to the satisfaction of the Director of Fire Services or of the TPB.”

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

[The Chairman thanked Ms W.H. Ho and Ms Jane W.L. Kwan, STPs/SKIs, for their attendance to answer Members’ enquiries. They left the meeting at this point.]

Sha Tin, Tai Po and North District

[Mr Kevin K.W. Lau, Mr Tim T.Y. Fung and Mr Harris K.C. Liu, Senior Town Planners/Sha Tin, Tai Po and North (STPs/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/747 Proposed House (New Territories Exempted House - Small House) in
“Agriculture” and “Village Type Development” Zones, Lot 561 S.F
ss.2 S.C in D.D. 8, Sha Pa, Lam Tsuen, Tai Po
(RNTPC Paper No. A/NE-LT/747)

Presentation and Question Sessions

20. With the aid of some plans, Mr Kevin K.W. Lau, STP/STN, briefed Members on

the background of the application, the proposed development, departmental and public comments, and the planning considerations and assessments as detailed in the Paper. The Planning Department (PlanD) had no objection to the application.

21. A Member, whilst supporting the application, observed from the aerial photo on Plan A-3 of the Paper that most of the approved planning applications for New Territories Exempted House (NTEH)/Small House (SH) were yet to be implemented.

Deliberation Session

22. The Chairman remarked that the application was considered generally in compliance with the Interim Criteria for Consideration of Application for NTEH/SH in New Territories in that there was insufficient land in the subject “Village Type Development” zone to meet SH demand. Regarding the Member’s observation, the Chairman invited PlanD to keep in view the implementation of approved SH applications in the area.

23. 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 3.2.2027, and after the said date, the permission should cease to have effect unless before the said date, the development permitted was commenced or the permission was renewed. The permission was subject to the following condition :

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

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

Agenda Item 9

Section 16 Application

[Open Meeting (Presentation and Question Sessions Only)]

A/NE-LT/748 Proposed House (New Territories Exempted House - Small House) in
 “Agriculture” Zone, Lot 1115 S.C RP in D.D. 19, Lam Tsuen San
 Tsuen, Tai Po
 (RNTPC Paper No. A/NE-LT/748)

Presentation and Question Sessions

25. With the aid of some plans, Mr Kevin K.W. Lau, STP/STN, briefed Members on the background of the application, the proposed development, departmental and public comments, and the planning considerations and assessments as detailed in the Paper. The Planning Department did not support the application.

26. Members had no question on the application.

Deliberation Session

27. The Chairman remarked that land was still available within the subject “Village Type Development” zone to meet Small House demand, and therefore no favourable consideration would be given to the application in accordance with the Interim Criteria for Consideration of Application for New Territories Exempted House/Small House in New Territories.

28. 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; and

- (b) land is still available within the “Village Type Development” (“V”) zone of San Tsuen Lo Wai and Lam Tsuen San Tsuen which is primarily intended for Small House development. It is considered more appropriate to concentrate the proposed Small House development within the “V” zones for more orderly development pattern, efficient use of land and provision of infrastructures and services.”

Agenda Item 10

Section 16 Application

[Open Meeting (Presentation and Question Sessions Only)]

A/NE-HLH/59 Temporary Open Storage of Construction Machinery and Materials for a Period of 3 Years in “Agriculture” Zone, Lot 189 RP (Part) in D.D. 87, Hung Lung Hang
(RNTPC Paper No. A/NE-HLH/59)

29. 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

30. After deliberation, the Committee decided to approve the application on a temporary basis for a period of 3 years until 3.2.2026 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., as proposed by the applicant, is allowed on the site during the planning approval period;
- (b) no operation on Sundays and public holidays, as proposed by the applicant, is allowed on the site during the planning approval period;

- (c) the submission of a 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 3.8.2023;
- (d) in relation to (c) above, the provision of drainage facilities within 9 months from the date of planning approval to the satisfaction of the Director of Drainage Services or of the TPB by 3.11.2023;
- (e) in relation to (d) above, the implemented drainage facilities within the site shall be maintained at all times during the planning approval period;
- (f) the provision of fire extinguisher(s) within 6 weeks from the date of planning approval to the satisfaction of the Director of Fire Services or of the TPB by 17.3.2023;
- (g) the submission of proposals for water supplies for fire-fighting and fire service installations within 6 months from the date of planning approval to the satisfaction of the Director of Fire Services or of the TPB by 3.8.2023;
- (h) in relation to (g) above, the provision of water supplies for fire-fighting and fire service installations within 9 months from the date of planning approval to the satisfaction of the Director of Fire Services or of the TPB by 3.11.2023;
- (i) if any of the above planning condition (a), (b) or (e) is not complied with during the planning approval period, the approval hereby given shall cease to have effect and shall be revoked immediately without further notice;
- (j) if any of the above planning condition (c), (d), (f), (g) or (h) is not complied with by the specified date, the approval hereby given shall cease to have effect and shall on the same date be revoked without further notice; and
- (k) upon expiry of the planning permission, the reinstatement of the site to an amenity area to the satisfaction of Director of Planning or of the TPB.”

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

Agenda Items 11 and 12

Section 16 Applications

[Open Meeting (Presentation and Question Sessions Only)]

A/NE-LYT/790 Proposed House (New Territories Exempted House - Small House) in “Agriculture” and “Village Type Development” Zones, Lots 614 S.A ss.2 and 614 S.B ss.2 in D.D.83, Kwan Tei, Fanling

A/NE-LYT/791 Proposed House (New Territories Exempted House - Small House) in “Agriculture” and “Village Type Development” Zones, Lots 614 S.A RP and 614 S.B RP in D.D.83, Kwan Tei, Fanling
(RNTPC Paper No. A/NE-LYT/790 and 791)

Presentation and Question Sessions

32. 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 Paper. The Planning Department had no objection to the applications.

33. Noting from Plan A-3 of the Paper that the application sites (the Sites) were surrounded by active farmlands of which some were also covered by Small House (SH) grants/New Territories Exempted House (NTEH) redevelopment applications by District Lands Office (DLO) of Lands Department (LandsD), and there were clusters of trees to the north of the Sites, a Member asked about the situation of those farmlands and the view of Agriculture, Fisheries and Conservation Department (AFCD) on the applications. In response, Mr Tim T.Y. Fung, STP/STN, said that the Sites were fallow agricultural land covered with grass/shrub and there were active agricultural land to their south as observed during a recent site visit. AFCD did not support the applications from agricultural perspective as the Sites possessed potential for agricultural rehabilitation. Nevertheless, the

Sites were the subject of two previously approved applications for the same use of ‘House (New Territories Exempted House – Small House)’. Besides, there were a number of SH applications approved by DLO of LandsD in the vicinity with some of them covered by valid planning permissions, while construction works of some of the approved SHs were yet to commence.

Deliberation Session

34. The Chairman remarked that favourable consideration could be given to the applications since the Sites were subject to previous applications submitted by the same applicants for the same use, which were approved by the Committee in 2016, and part of the Sites were located at the fringe of the “V” zone as well as the existing village cluster. With regard to the active agricultural activities within the subject “Village Type Development” (“V”) zone, the Chairman said that both ‘Agricultural Use’ and ‘NTEH’ were always permitted within the “V” zone. Should there be any NTEH/SH development within “Agriculture” zone, planning permission from the Town Planning Board (TPB) would be required and the relevant planning applications would be assessed in accordance with the Interim Criteria for Consideration of Application for New Territories Exempted House/Small House in New Territories.

35. After deliberation, the Committee decided to approve the applications, on the terms of the applications as submitted to the TPB. Each of the permissions should be valid until 3.2.2027, 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.”

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

Agenda Item 13

Section 16 Application

[Open Meeting (Presentation and Question Sessions Only)]

A/NE-KLH/619 Proposed House (New Territories Exempted House - Small House) in
“Green Belt” Zone, Government land in D.D. 9, Tai Wo Village, Tai
Po
(RNTPC Paper No. A/NE-KLH/619)

Presentation and Question Sessions

37. With the aid of some plans, Mr Harris K.C. Liu, STP/STN, briefed Members on the background of the application, the proposed development, departmental and public comments, and the planning considerations and assessments as detailed in the Paper. The Planning Department did not support the application.

38. Members had no question on the application.

Deliberation Session

39. The Chairman remarked that favourable consideration would not be given to the application in accordance with the Interim Criteria for Consideration of Application for New Territories Exempted House/Small House in New Territories in that land was still available within the subject “Village Type Development” zone to meet the Small House demand while the whole of application site (the Site) fell within “Green Belt” zone.

40. Regarding a Member’s observation that there was vegetation clearance and concrete paving within and abutting the Site, the Committee noted that while the Site fell within government land and was not subject to any enforcement action, the suspected unauthorised works would be referred to relevant government department(s) to follow up.

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

“(a) the proposed development is not in line with the planning intention of the

“Green Belt” zone, which is primarily for defining the limits of urban and sub-urban development areas by natural features and to contain urban sprawl as well as to provide passive recreational outlets. There is a general presumption against development within this zone. There is no strong planning justification in the submission for a departure from such planning intention; and

- (b) land is still available within the “Village Type Development” (“V”) zones of Kau Lung Hang, Yuen Leng and Tai Wo Villages which are primarily intended for Small House development. It is considered more appropriate to concentrate the proposed Small House development within the “V” zones for more orderly development pattern, efficient use of land and provision of infrastructure and services.”

Agenda Item 14

Section 16 Application

[Open Meeting (Presentation and Question Sessions Only)]

A/NE-SSH/146 Proposed Excavation of Land (Installation of Pole with Switchgear for Permitted Agricultural Use) in “Coastal Protection Area” Zone, Lots 578 (Part) and 580 (Part) in D.D. 209, Kei Ling Ha Lo Wai, Shap Sz Heung, Sai Kung
(RNTPC Paper No. A/NE-SSH/146)

Presentation and Question Sessions

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

43. In response to a Member’s question on the relationship between the proposed excavation area of 0.35m² and the delineation of the application site (the Site) boundary with an area of 58m², Mr Harris K.C. Liu, STP/STN, said that according to the applicant, the

application was for the proposed excavation of land with a total area of 0.35m² only and the Site with an area of 58m² covered an extended area for a safety clearance zone and a works area which would be subject to vegetation clearance during construction.

Deliberation Session

44. The Chairman remarked that the proposed development would serve an active farm and was small in scale, and there was no adverse comment from relevant government departments on the application.

45. 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 3.2.2027, 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.

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

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

Fanling, Sheung Shui and Yuen Long East District

Agenda Item 15

Section 16 Application

[Open Meeting]

A/YL-SK/339 Proposed Temporary Logistics Centre for a Period of 3 Years in
“Industrial (Group D)” Zone, Lots 574 S.A, 574 S.B (Part) and 574 RP
(Part) in D.D.114 and Adjoining Government Land, Shek Kong, Yuen
Long
(RNTPC Paper No. A/YL-SK/339)

47. The Committee noted that the applicant requested on 26.1.2023 deferment of consideration of the application for two months so as to allow more time for preparation of further information to address comments from the government departments. It was the first time that the applicant requested deferment of the application.

48. 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.

[Mr Anthony K.O. Luk, District Planning Officer/Fanling, Sheung Shui and Yuen Long East (DPO/FSYLE), Mr Wallace W.K. Tang and Ms Christine C.M. Cheung, Senior Town Planners/Fanling, Sheung Shui and Yuen Long East (STPs/FSYLE), were invited to the meeting at this point.]

Agenda Item 16

Section 16 Application

[Open Meeting (Presentation and Question Sessions Only)]

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

49. 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

50. After deliberation, the Committee decided to approve the application on a temporary basis for a period of 3 years until 3.2.2026 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 9:00 a.m., as proposed by the applicants, is allowed on the site during the planning approval period;
- (b) no operation on Sundays and public holidays, as proposed by the applicants, is allowed on the site during the planning approval period;
- (c) no vehicle repairing and other workshop activities are allowed to be carried out at any time during the planning approval period;
- (d) no medium or heavy goods vehicles exceeding 5.5 tonnes, including container tractors/trailers, as defined in the Road Traffic Ordinance are allowed to be parked/stored on or enter/exit the site at any time during the planning approval period;

- (e) no vehicle is allowed to queue back to or reverse onto/from public road at any time during the planning approval period;
- (f) the implemented drainage facilities shall be maintained at all times during the planning approval period;
- (g) 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 3.8.2023;
- (h) if any of the above planning condition (a), (b), (c), (d), (e) or (f) is not complied with during the planning approval period, the approved hereby given shall cease to have effect and shall be revoked immediately without further notice; and
- (i) if the above planning condition (g) is not complied by the specified date, the approved hereby given shall cease to have effect and shall on the same date be revoked without further notice.”

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

Agenda Item 16A

Additional Item

Section 16 Application

[Open Meeting (Presentation and Question Sessions Only)]

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

52. 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

53. After deliberation, the Committee decided to approve the application on a temporary basis for a period of 3 years until 3.2.2026 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 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 3.8.2023;
- (c) in relation to (b) 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 3.11.2023;
- (d) in relation to (c) above, the implemented drainage facilities on the site shall be maintained at all times during the planning approval period;
- (e) the 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 3.8.2023;
- (f) if any of the above planning condition (a) or (d) is not complied with during the planning approval period, the approval hereby given shall cease to have effect and shall be revoked immediately without further notice;
- (g) if any of the above planning condition (b), (c) 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.”

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

Agenda Item 17

Section 16 Application

[Open Meeting]

A/YL-KTN/874 Proposed Temporary Shop and Services, Wholesale Trade of Food Products and Ancillary Storage Facilities for a Period of 3 Years in “Comprehensive Development Area” Zone, Lot 3307 RP (Part), 3308 RP (Part), 3312 RP and 3313 RP in D.D.104, Long Ha, Yuen Long
(RNTPC Paper No. A/YL-KTN/874)

55. The Committee noted that the applicant requested on 1.2.2023 deferment of consideration of the application for two months so as to allow more time to prepare further information to address departmental comments. It was the first time that the applicant requested deferment of the application.

56. 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 18

Section 16 Application

[Open Meeting (Presentation and Question Sessions Only)]

A/YL-KTN/875 Proposed House (New Territories Exempted House - Small House) in
“Agriculture” Zone, Lot 1504 S.A in D.D. 107, Kam Tin, Yuen Long
(RNTPC Paper No. A/YL-KTN/875)

Presentation and Question Sessions

57. With the aid of some plans, Mr Wallace W.K. Tang, 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 did not support the application.

58. Members had no question on the application.

Deliberation Session

59. The Chairman remarked that the application site fell outside both the “Village Type Development” (“V”) zone and the ‘village environs’ whilst land was still available within the “V” zone to meet Small House demand. Hence, the proposed development did not comply with the Interim Criteria for Consideration of Application for New Territories Exempted House/Small House in New Territories.

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

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

- (b) the proposed development does not comply with the Interim Criteria for Consideration of Application for New Territories Exempted House/Small House in New Territories in that more than 50% of the footprint of the two proposed Small House fall outside the “Village Type Development” (“V”) zone and village ‘environs’ of Shui Tau Tsuen and Shui Mei Tsuen. There is no general shortage of land in meeting the demand for Small House development in the concerned “V” zone.”

Agenda Item 19

Section 16 Application

[Open Meeting]

A/YL-KTN/876 Proposed Temporary Eating Place (Restaurant and Outside Seating Accommodation) for a Period of 3 Years and Filling of Land in “Agriculture” Zone, Lots 913 RP (Part) and 920 RP in D.D. 107, Fung Kat Heung, Kam Tin, Yuen Long
(RNTPC Paper No. A/YL-KTN/876)

61. The Committee noted that the applicant’s representative requested on 30.1.2023 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.

62. 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 20

Section 16 Application

[Open Meeting]

A/YL-KTN/877 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 1467 (Part) and 1485 (Part) in D.D. 107, Kam Tin, Yuen Long
(RNTPC Paper No. A/YL-KTN/877)

63. The Committee noted that the applicant requested on 20.1.2023 deferment of consideration of the application for two months so as to allow more time to prepare further information to address departmental comments. It was the first time that the applicant requested deferment of the application.

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

Agenda Item 21

Section 16 Application

[Open Meeting]

A/YL-KTN/878 Temporary Shop and Services (Shop for Selling Vehicle Accessories, Building Materials and Convenience Store) for a Period of 5 Years in “Village Type Development” Zone, Lot 283 S.A RP (Part) in D.D. 109, Kam Tin Road, Kam Tin, Yuen Long
(RNTPC Paper No. A/YL-KTN/878)

65. The Committee noted that the applicant requested on 19.1.2023 deferment of consideration of the application for two months so as to allow more time to prepare further information in response to departmental comments. It was the first time that the applicant requested deferment of the application.

66. 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 22

Section 16 Application

[Open Meeting (Presentation and Question Sessions Only)]

A/YL-KTN/879 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, Lot 655 (Part) in D.D. 109, Kam Tin North, Yuen Long
(RNTPC Paper No. A/YL-KTN/879)

67. 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

68. After deliberation, the Committee decided to approve the application on a temporary basis for a period of 5 years until 3.2.2028 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 3.8.2023;

- (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 3.11.2023;

- (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 3.8.2023;

- (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 3.11.2023;
- (f) if the above planning condition (c) is not complied with during the planning approval period, the approval hereby given shall cease to have effect and shall be revoked immediately without further notice;
- (g) if any of the above planning condition (a), (b), (d) or (e) is not complied with by the specified date, the approval hereby given shall cease to have effect and shall on the same date be revoked without further notice; and
- (h) upon expiry of the planning permission, the reinstatement of the site to an amenity area to the satisfaction of the Director of Planning or of the TPB.”

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

Agenda Item 23

Section 16 Application

[Open Meeting (Presentation and Question Sessions Only)]

A/YL-NSW/293 Proposed Comprehensive Residential Development with Commercial Uses and Social Welfare Facilities in “Undetermined” Zone, Various Lots in D.D. 103 and D.D. 115, Nam Sang Wai, Yuen Long
(RNTPC Paper No. A/YL-NSW/293A)

Presentation and Question Sessions

70. With the aid of a Powerpoint presentation, 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 (PlanD) did not support the application.

Background and Planning Intention of the “Undetermined” (“U”) zone

71. Some Members raised the following questions:
- (a) whether there were any development restrictions for the subject “U” zone and assessment criteria for consideration of applications within the “U” zone;
 - (b) area of the application site (the Site) as compared with the total area of the “U” zone and the land status within the “U” zone; and
 - (c) background of a previously approved application within the “U” zone.
72. In response, Mr Anthony K.O. Luk, DPO/FSYLE made the following points:
- (a) according to the covering Notes of the Outline Zoning Plan (OZP), all uses or developments within the “U” zone, except for those specified in the covering Notes, required planning permission from the Town Planning Board (TPB). As stated in the Explanatory Statement (ES) of the OZP, the intention was to ensure the environment would not be adversely affected and that infrastructure, Government, institution and community (GIC) facilities and open space were adequately provided. Besides, development within the area had to be comprehensively planned as piecemeal development or redevelopment would have the effect of degrading the environment and thus jeopardising the long-term planning intention of the area. There was no plot ratio (PR) or building height restriction for the “U” zone;
 - (b) the Site, which occupied about 20% of the “U” zone, was mostly private land under fragmented ownership; and
 - (c) the planning application No. A/YL-NSW/292 for proposed conservation of historic building (Pun Uk) and provision of a Residential Care Home for the

Elderly was approved with conditions by the Committee in August 2022. That application site was located in a relatively small area situated in the western corner of the subject “U” zone of Tung Shing Lei and partly within the “Government, Institution or Community” zone. On the contrary, the Site covered a much larger area and was in a more prominent location within the “U” zone, which would unavoidably have adverse impact on the comprehensive land use review and the development potential of the public housing development under study.

Public Housing Development at Tung Shing Lei

73. Some Members raised the following questions:
- (a) noting that the “U” zone was the subject of an engineering feasibility study for potential public housing development at Tung Chung Lei (the Study) being undertaken by the Civil Engineering and Development Department (CEDD), what the study progress and development parameters, such as PR, of the potential public housing development were;
 - (b) whether the Housing Department (HD) had provided any elaboration on how the proposed development under the application (the proposed development) would jeopardise the development potential of the potential public housing development; and
 - (c) whether there was any indication on the location of the potential public housing development within the “U” zone in 2017 Policy Address and whether the concerned land owners had been notified about the initiative of the Policy Address.
74. In response, Mr Anthony K.O. Luk, DPO/FSYLE, made the following points:
- (a) the Study commenced in 2021 and the detailed land use proposal and development parameters for the potential public housing development in the “U” zone were being formulated. According to the prevailing policy, the maximum domestic PR for public housing developments in new towns

was 6.5 in general. However, the recommended development intensities of the potential public housing development would be subject to the findings of the Study, taken into account various considerations including traffic and infrastructural capacities. Also, the Site was subject to Shek Kong Airfield Height Restriction under which height limits were more stringent in the east towards the Shek Kong Airfield and relaxed in the west towards the Yuen Long Town. Upon completion of the Study, which was anticipated in 2023, PlanD would conduct comprehensive land use review for the “U” zone and propose amendments to the OZP based on the findings of the Study for the TPB’s consideration;

- (b) HD objected to the application in that the encroachment of the proposed development onto the potential public housing site would jeopardise the government’s intention and development potential for the public housing development. Besides, while having no adverse comment on the application, the Transport Department (TD) considered that the proposed access roads and associated traffic and transport facilities under the application and the public housing development under the Study were not compatible with each other; and
- (c) according to 2017 Policy Address, the subject “U” zone at Tung Shing Lei was identified as one of the potential sites for public housing development, for which there was no indication on the boundary or area involved. Under normal circumstance, the government would not notify the concerned land owners about the initiation of study as announced in the Policy Address. Upon completion of the Study, PlanD would conduct comprehensive land use review and propose amendments to the OZP, and the public would be consulted during the statutory plan-making process.

75. The Chairman remarked that in addition to the potential public housing development, other supporting facilities (including GIC and transport facilities) would be proposed within the “U” zone under the Study to achieve comprehensive development.

76. A Member further enquired whether HD, TD and other relevant departments had any comment on the proposed development on technical aspects, and whether there was any

possibility to co-locate the proposed development with the potential public housing development. In response, Mr Anthony K.O. Luk, DPO/FSYLE, said that all government departments consulted had no adverse comment on the technical aspects of the proposed development, such as traffic, infrastructure and visual. However, as mentioned before, HD objected to the application as the proposed development would jeopardise the development potential of the potential public housing development in the “U” zone.

Development Layout

77. Some Members raised the following questions by referring to the indicative layout plan submitted by the applicant (Drawing A-33 of the Paper):

- (a) the status of the developments and features (e.g. private and public housing developments, a lake and a green corridor) outside the Site as shown in the Drawing and how they would be implemented; and
- (b) the details and implementation of the proposed vehicular accesses under the application.

78. In response, Mr Anthony K.O. Luk, DPO/FSYLE made the following points:

- (a) the developments/features outside the Site as shown in Drawing A-33 were for indicative purpose only. The applicant intended to demonstrate that the “U” zone could be comprehensively planned and the proposed development would not pre-empt the potential public housing development in future. However, the applicant had not specified how those indicative developments/features outside the Site could be implemented. Besides, except the Visual Impact Assessment, the indicative developments (including the public housing development) outside the Site were not substantiated with any technical assessments by the applicant; and
- (b) according to the applicant, two vehicular accesses were proposed, including one connecting the Southern Site (C2B) with Castle Peak Road – Yuen Long in the south and one connecting the Northern Site (C2A) with Yuen

Long Highway to the north. The southern vehicular access was mainly on Government land and would be implemented by the applicant whilst the northern vehicular access which ran mainly on private land was indicative only and subject to the implementation of the potential public housing development. The Northern and Southern Sites would be connected by an underground internal road link outside the site boundary and across the viaduct of Tuen Ma Line.

79. The Chairman reiterated that the layout of the public housing developments and other proposed features outside the Site as shown in the Drawing submitted by the applicant were indicative only and did not reflect the recommendation of the Study.

Nature Conservation

80. Some Members raised the following questions:

- (a) noting that some green groups had raised objection to the application, whether the Agriculture, Fisheries and Conservation Department (AFCD) had any comment on the submitted Ecological Impact Assessment (EcoIA) and the relevant mitigation measures identified therein; and
- (b) whether there would be any filling of pond within the Site and whether there was any requirement for compensation of loss in wetland under the ES of the OZP.

81. In response, Mr Anthony K.O. Luk, DPO/FSYLE made the following points:

- (a) AFCD had no in-principle objection to the application or adverse comment on the findings and the proposed mitigation measures of the EcoIA report; and
- (b) the Site was located in the southern part of the OZP area, and fell outside the Wetland Conservation Area and Wetland Buffer Area. Hence, there was no requirement for wetland compensation for the Site under the “U”

zone or the ES of the OZP. According to the applicant, a semi-active pond (1.03 ha) and an abandoned pond (0.69 ha) were identified within the Site and an Eco-lake (1.06 ha) was proposed to compensate the loss of the ponds. As requested by AFCD, an approval condition for the submission of Fisheries Impact Assessment and implementation of mitigation measures would be imposed should the Committee decide to approve the application.

Deliberation Session

82. Members generally agreed with PlanD's recommendation that the "U" zone should be comprehensively planned and the application should be rejected on the consideration that the proposed development would pre-empt the comprehensive review of the "U" zone and jeopardise the potential public housing development, for which the Study was being carried out by CEDD.

83. A Member enquired on the background of a previously approved application for private housing development falling within the potential public housing site in Lam Tei. The Chairman explained that the application (No. A/TM-LTYT/381) was located within "Residential (Group E)" ("R(E)") zone on the Lam Tei and Yick Yuen OZP and planning intention of the zone was primarily for phasing out of existing industrial uses through redevelopment for residential use on application to the TPB, while there was a plan for public housing development within the "R(E)" zone. That application was approved having considered that the residential development proposed by the applicant was generally in line with the planning intention of the "R(E)" zone and the applicant had demonstrated the technical feasibility of the proposed development in the application. For the subject application, the Site fell within the "U" zone which was intended for comprehensively planned development in order to avoid piecemeal development. In this regard, the government was undertaking a study for public housing development and the land use of the "U" zone would be comprehensively reviewed. As such, the considerations of the two applications were different.

84. A Member opined that two fish ponds and an egretty within the Site were of high-ecological value and should be preserved. It was however noted that the two ponds would be affected by the proposed development and the Eco-lake proposed by the applicant

would compensate only one of the affected ponds in terms of size, which was considered unacceptable from ecological preservation point of view. There should be scope for the ongoing Study to allow a comprehensive review of the area and hence a better layout which could avoid affecting the areas with high-ecological value while delivering public housing development in the remaining area. Another Member remarked that the performance of nature conservation might be more satisfactory under private developments with appropriate monitoring mechanism.

85. Noting that the “U” zone was mostly private land and there was no adverse departmental comment from technical aspects on the application, two Members expressed that the Study could explore opportunities to develop part of the “U” zone for private housing or to allow collaboration with the applicant for earlier implementation and a more balanced housing/social mix. Another Member urged the government to provide details on the recommendations of the Study for public information as soon as possible. In this regard, the Chairman remarked that according to CEDD, the Study would be completed by 2023 and HD could be advised to timely make public the relevant details of the potential public housing development.

86. The Chairman remarked that the planning intention of the “U” zone was for comprehensively planned development as piecemeal development or redevelopment would have the effect of degrading the environment and thus jeopardising the long-term planning intention of the area. In this regard, despite the proposed development was technically feasible, it would undermine the comprehensive planning of the “U” zone, and the encroachment of the proposed development onto the public housing site would also jeopardise the government intention and development potential for public housing development thereat. Members’ suggestions and views were noted and would be conveyed to relevant departments, where appropriate.

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

“the “Undetermined” (“U”) zone is one of the potential sites for public housing development in the short to medium term which is subject to the findings of the on-going Study by the Civil Engineering and Development Department. The

encroachment of the proposed development onto the public housing site will jeopardise the government intention and development potential for public housing development at Tung Shing Lei. Subject to the findings of the Study, the “U” zone will be comprehensively reviewed and the approval of the application will undermine the comprehensive planning of the “U” zone.”

Agenda Item 24

Section 16 Application

[Open Meeting]

A/YL-MP/332 Proposed Public Utility Installation (Low Voltage Underground Cable) and associated Excavation and Filling of Land in “Conservation Area” Zone, Government Land in D.D. 101, Mai Po San Tsuen, Mai Po, Yuen Long
(RNTPC Paper No. A/YL-MP/332A)

88. The Secretary reported that the application site was located in Mai Po and the application was submitted by CLP Power Hong Kong Limited which was a subsidiary of CLP Holdings Limited (CLP). The following Members had declared interests on the item:

Mr K.W. Leung - owning a property in Fairview Park, Mai Po;
and

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

89. The Committee noted that the applicant had requested deferment of consideration of the application and Dr Conrad T.C. Wong had tendered an apology for not being able to attend the meeting. As the property owned by Mr K.W. Leung had no direct view of the application site, the Committee agreed that he could stay in the meeting.

90. The Committee noted that the applicant’s representative requested on 10.1.2023 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.

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

Agenda Item 25

Section 16 Application

[Open Meeting (Presentation and Question Sessions Only)]

A/YL-ST/618 Proposed Public Utility Installation (Pole and Pole Stay Erection) and associated Filling and Excavation of Land in "Conservation Area" and "Green Belt" Zones, Government Land in D.D. 96, San Tin, Yuen Long

(RNTPC Paper No. A/YL-ST/618B)

92. The Secretary reported that the application was submitted by CLP Power Hong Kong Limited, which was a subsidiary of CLP Holdings Limited (CLP). Dr Conrad T.C. Wong had declared an interest on the item as his firm had 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

93. 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 did not support the application.

94. Noting that the proposed development was in support of the intended fish farming at a nearby site within the “Conservation Area” (“CA”) zone, a Member enquired whether fish farming was permitted within the “CA” zone. In response, Ms Christine C.M. Cheung, STP/FSYLE, said that the intended fish farming, which would be operated by installation of two canvas tanks supported by wooden frame, was yet to be operated. Although ‘Agricultural Use (Fish Pond Culture)’ was always permitted with the “CA” zone, ‘Fish Pond Culture’ excluded such kind of fish rearing facilities according to the Definitions of Terms used in Statutory Plans published by the Town Planning Board.

[Dr Venus Y.H. Lun left the meeting at this point.]

Deliberation Session

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

- “(a) the proposed installation works and the associated excavation and filling of land are 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 in the Deep Bay Area and that of “Green Belt” (“GB”) zone which is to define 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. The applicant fails to demonstrate that the proposed development is essential to support a permitted use within the “CA” zone, which warrants a departure from the planning intentions of both “CA” and “GB” zones; and
- (b) the proposed installation works and the associated excavation and filling of land are not in line with Town Planning Board Guidelines No. 10 (TPB PG-No. 10) and TPB-PG No. 12 in that the applicant fails to demonstrate

that there are exceptional circumstances and strong planning grounds for the proposed development in the “GB” zone.”

Agenda Item 26

Section 16 Application

[Open Meeting (Presentation and Question Sessions Only)]

A/YL-ST/639 Proposed Temporary Warehouse for Storage of Used Private Vehicles for Sale and a Covered Works Area for a Period of 3 Years in “Residential (Group D)” Zone, Lots 52 RP (Part), 61 (Part), 62 (Part), 64 RP (Part) and 65 RP in D.D. 105 and Adjoining Government Land, San Tin, Yuen Long
(RNTPC Paper No. A/YL-ST/639)

96. 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

97. After deliberation, the Committee decided to approve the application on a temporary basis for a period of 3 years until 3.2.2026 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 9:00 a.m., as proposed by the applicant, is allowed on the site during the planning approval period;
- (b) no operation between 1:00 p.m. and 6:00 p.m. on Saturdays, as proposed by the applicant, is allowed on the site during the planning approval period;
- (c) no operation on Sundays and public holidays, as proposed by the applicant, is allowed on the site during the planning approval period;
- (d) no vehicle is allowed to queue back to or reverse onto/from public road at

any time during the planning approval period;

- (e) only private cars and light goods vehicles as defined in the Road Traffic Ordinance, as proposed by the applicant, are allowed to be parked/stored on or enter/exit the site at any time during the planning approval period;
- (f) no dismantling, maintenance, repairing, or other workshop activities shall be carried out on the site at any time 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 3.8.2023;
- (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 3.11.2023;
- (i) the submission of records 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 3.5.2023;
- (j) in relation to (i) above, the existing drainage facilities on the site shall be maintained at all times during the planning approval period;
- (k) if any of the above planning condition (a), (b), (c), (d), (e), (f) or (j) 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 (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.”

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

set out at Appendix IV of the Paper.

[The Chairman thanked Mr Anthony K.O. Luk, DPO/FSYLE, Mr Wallace W.K. Tang and Ms Christine C.M. Cheung, STPs/FSYLE, for their attendance to answer Members' enquiries. They left the meeting at this point.]

Tuen Mun and Yuen Long West District

[Ms Carol K.L. Kan and Mr Eric C.Y. Chiu, Senior Town Planner/Tuen Mun and Yuen Long West (STPs/TMYLW), were invited to the meeting at this point.]

Agenda Item 27

Section 16 Application

[Open Meeting (Presentation and Question Sessions Only)]

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

99. 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

100. After deliberation, the Committee decided to approve the application on a temporary basis for a period of 3 years until 3.2.2026 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 condition record within 3 months from the date of planning approval to the satisfaction of the Director of Drainage Services or of the TPB by 3.5.2023;

- (b) in relation to (a) above, the implemented drainage facilities on site shall be maintained at all times during the planning approval period;
- (c) the submission of a fire service installations proposal within 6 months from the date of planning approval to the satisfaction of the Director of Fire Services or of the TPB by 3.8.2023;
- (d) in relation to (c) 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 3.11.2023;
- (e) the submission of a run-in/out proposal within 6 months from the date of planning approval to the satisfaction of the Director of Highways or of the TPB by 3.8.2023;
- (f) in relation to (e) above, the implementation of the run-in/out proposal within 9 months from the date of the planning approval to the satisfaction of the Director of Highways or of the TPB by 3.11.2023;
- (g) if the above planning condition (b) is not complied with during the planning approval period, the approval hereby given shall cease to have effect and shall be revoked immediately without further notice; and
- (h) if any of the above planning condition (a), (c), (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.”

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

Agenda Item 28

Section 16 Application

[Open Meeting (Presentation and Question Sessions Only)]

A/YL-TT/581 Proposed Temporary Shop and Services for a Period of 3 Years in
“Residential (Group D)” Zone, Lots 4918 S.B RP (Part) and 4918 RP
(Part) in D.D. 116 and Adjoining Government Land, Tai Tong Road,
Yuen Long
(RNTPC Paper No. A/YL-TT/581)

102. 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

103. After deliberation, the Committee decided to approve the application on a temporary basis for a period of 3 years until 3.2.2026 on the terms of the application as submitted to the Town Planning Board (TPB) and subject to the following conditions :

- “(a) the submission of run-in/out proposal within 6 months from the date of planning approval to the satisfaction of the Director of Highways or of the TPB by 3.8.2023;

- (b) in relation to (a) above, the implementation of run-in/out proposal within 9 months from the date of planning approval to the satisfaction of the Director of Highways or of the TPB by 3.11.2023;

- (c) the submission of a drainage proposal within 6 months from the date of planning approval to the satisfaction of the Director of Drainage Services or of the TPB by 3.8.2023;

- (d) in relation to (c) above, the implementation of the drainage proposal within 9 months from the date of planning approval to the satisfaction of the Director of Drainage Services or of the TPB by 3.11.2023;

- (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 3.8.2023;
- (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 3.11.2023;
- (h) if the above planning condition (e) is not complied with during the planning approval period, the approval hereby given shall cease to have effect and shall be revoked immediately without further notice; and
- (i) if any of the above planning condition (a), (b), (c), (d), (f) or (g) is not complied with by the specified date, the approval hereby given shall cease to have effect and shall on the same date be revoked without further notice.”

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

Agenda Item 29

Section 16 Application

[Open Meeting (Presentation and Question Sessions Only)]

A/YL-TT/582 Proposed Temporary Animal Boarding Establishment for a Period of 3
Years and Associated Filling of Land in “Agriculture” Zone, Lot 1455
RP in D.D. 118, Tai Shu Ha Road West, Yuen Long
(RNTPC Paper No. A/YL-TT/582)

Presentation and Question Sessions

105. 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.

106. Members had no question on the application.

Deliberation Session

107. After deliberation, the Committee decided to approve the application on a temporary basis for a period of 3 years until 3.2.2026 on the terms of the application as submitted to the Town Planning Board (TPB) and subject to the following conditions :

- “(a) the animals shall be kept inside enclosed structures with soundproofing materials, mechanical ventilation and air-conditioning systems, between 9:00 a.m. and 6:00 p.m. only, as proposed by the applicant, during the planning approval period;

- (b) no public announcement system, whistle blowing, portable loudspeaker or any form of audio amplification system is allowed to be used at the site, as proposed by the applicant, at any time during the planning approval period;

- (c) the submission of a 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 3.8.2023;

- (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 3.11.2023;
- (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 3.8.2023;
- (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 3.11.2023;
- (h) if any of the above planning condition (a), (b) or (e) is not complied with during the planning approval period, the approval hereby given shall cease to have effect and shall be revoked immediately without further notice;
- (i) if any of the above planning condition (c), (d), (f) or (g) is not complied with by the specified date, the approval hereby given shall cease to have effect and shall on the same date be revoked without further notice; and
- (j) upon expiry of the planning permission, the reinstatement of the site to an amenity area to the satisfaction of the Director of Planning or of the TPB.”

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

Agenda Item 30

Section 16 Application

[Open Meeting]

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

109. The Committee noted that the applicant’s representative requested on 19.1.2023 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.

110. 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 31

Section 16 Application

[Open Meeting]

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

111. The Committee noted that the applicant’s representative requested on 18.1.2023 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.

112. 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 32

Section 16 Application

[Open Meeting]

A/TM/583 Proposed Minor Relaxation of Plot Ratio and Building Height Restrictions for Permitted Public Housing Development in “Residential (Group A) 24” and “Residential (Group A) 25” Zones, Site 4A (South) and Site 5, Tuen Mun Area 54
(RNTPC Paper No. A/TM/583)

113. The Secretary reported that the application was submitted by the Hong Kong Housing Authority (HKHA) and the Housing Department (HD) was the executive arm of HKHA. The following Members had declared interests on the item:

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

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

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

114. The Secretary reported that it was a deferral request submitted by the Planning Department (PlanD). The Committee noted that Dr Conrad T.C. Wong had tendered an apology for not being able to attend the meeting. As the interest of Mr Paul K.T. Au was direct, the Committee agreed that he could stay in the meeting but should refrain from participating in the discussion of the item. As Mr K.L. Wong had no involvement in the application, the Committee agreed that he could stay in the meeting.

115. The Secretary reported that the PlanD had recommended deferment of the

consideration of the application for one month so as to allow more time for relevant government departments to provide comments on the submitted further information. The justifications for deferment met the criteria for deferment as set out in the Town Planning Board Guidelines on Deferment of Decision on Representations, Comments, Further Representations and Application made under the Town Planning Ordinance (TPB PG-No. 33A) in that more time was required for relevant government departments to examine the further information, the deferment period was not indefinite and the deferment would not affect the interests of other relevant parties.

116. After deliberation, the Committee decided to defer a decision on the application as recommended by PlanD and agreed that the application should be submitted for its consideration within one month.

Agenda Items 33 and 34

Section 16 Applications

[Open Meeting (Presentation and Question Sessions Only)]

A/YL-TYST/1194 Proposed Temporary Shop and Services for a Period of 3 Years in “Residential (Group B) 1” and “Government, Institution or Community” Zones, Lots 2535 (Part), 2536 (Part) and 2357 (Part) in D.D. 124, Hung Shui Kiu, Yuen Long

A/YL-TYST/1195 Proposed Temporary Shop and Services for a Period of 3 Years in “Residential (Group B) 1” and “Government, Institution or Community” Zones, Lots 2536 (Part) and 2357 (Part) in D.D. 124, Hung Shui Kiu, Yuen Long
(RNTPC Paper No. A/YL-TYST/1194 and 1195)

117. The Committee noted that the applications were selected for streamlining arrangement and the Planning Department had no objection to the proposed temporary use under both applications based on the assessments set out in the Paper.

Deliberation Session

118. After deliberation, the Committee decided to approve the applications on a temporary basis for a period of 3 years until 3.2.2026, on the terms of the applications as submitted to the Town Planning Board (TPB) and subject to the following conditions :

Application No. A/YL-TYST/1194

- “(a) the submission of a revised drainage proposal within 6 months from the date of planning approval to the satisfaction of the Director of Drainage Services or of the TPB by 3.8.2023;
- (b) in relation to (a) above, the implementation of the revised drainage proposal within 9 months from the date of planning approval to the satisfaction of the Director of Drainage Services or of the TPB by 3.11.2023;
- (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 3.8.2023;
- (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 3.11.2023;
- (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.”

Application No. A/YL-TYST/1195

- “(a) the submission of a revised drainage proposal within 6 months from the date of planning approval to the satisfaction of the Director of Drainage Services or of the TPB by 3.8.2023;
- (b) in relation to (a) above, the implementation of the revised drainage proposal within 9 months from the date of planning approval to the satisfaction of the Director of Drainage Services or of the TPB by 3.11.2023;
- (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 3.8.2023;
- (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 3.11.2023;
- (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.”

119. The Committee also agreed to advise each of the applicants to note the advisory clauses as set out at Appendix IV of the Paper.

Agenda Item 35

Section 16 Application

[Open Meeting (Presentation and Question Sessions Only)]

A/YL-TYST/1196 Proposed Temporary Public Vehicle Park (Private Cars) for a Period of 3 Years in “Village Type Development” Zone, Lot 249 RP (Part) in D.D. 121, Tai Tao Tsuen, Yuen Long
(RNTPC Paper No. A/YL-TYST/1196)

120. 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

121. After deliberation, the Committee decided to approve the application on a temporary basis for a period of 3 years until 3.2.2026 on the terms of the application as submitted to the Town Planning Board (TPB) and subject to the following conditions :

- “(a) no vehicle without valid licences issued under the Road Traffic Ordinance, as proposed by the applicant, is allowed to be parked/stored on the site at any time during the planning approval period;
- (b) only private cars as defined in the Road Traffic Ordinance, as proposed by the applicant, are allowed to be parked/stored on or enter/exit the site at any time 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 3.8.2023;
- (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 3.11.2023;

- (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 3.8.2023;
- (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 3.11.2023;
- (h) if any of the above planning condition (a), (b) or (e) is not complied with during the planning approval period, the approval hereby given shall cease to have effect and shall be revoked immediately without further notice; and
- (i) if any of the above planning condition (c), (d), (f) or (g) is not complied with by the specified date, the approval hereby given shall cease to have effect and shall on the same date be revoked without further notice.”

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

Agenda Item 36

Section 16 Application

[Open Meeting]

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

123. The Committee noted that the applicant’s representative requested on 12.1.2023 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.

124. 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 37

Section 16 Application

[Open Meeting]

A/TM-TFT/1 Proposed Village Office in "Green Belt" Zone, Government Land near
Lot 572 in D.D. 395, Tin Fu Tsai, Tuen Mun
(RNTPC Paper No. A/TM-TFT/1)

125. The Committee noted that the applicant's representative requested on 13.1.2023 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.

126. 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 38

Section 16 Application

[Open Meeting (Presentation and Question Sessions Only)]

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

Presentation and Question Sessions

127. 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.

128. Members had no question on the application.

Deliberation Session

129. A Member, whilst having no objection to the application, suggested that recyclable collection centre use could be considered under streamlining arrangement for consideration in a group. The Chairman said that the selection criteria for streamlining arrangement were under refinement with a view to cover other relatively straightforward applications and the refined selection criteria would be submitted for Committee's consideration once available.

130. After deliberation, the Committee decided to approve the application on a

temporary basis for a period of 3 years until 3.2.2026 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) no washing, melting, burning or breaking 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 3.8.2023;
- (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 3.11.2023;
- (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 3.8.2023;
- (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 3.11.2023;
- (h) if any of the above planning condition (a), (b) or (e) is not complied with during the planning approval period, the approval hereby given shall cease to have effect and shall be revoked immediately without further notice; and

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

131. 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-HTF/1143 Proposed Temporary Shop and Services (Plant Showroom) and Plant Nursery with Ancillary Facilities for a Period of 3 Years in “Agriculture” Zone and Area Shown as ‘Road’, Lot 335 S.B in D.D. 128 and Adjoining Government Land, Yuen Long
(RNTPC Paper No. A/YL-HTF/1143)

132. The Committee noted that the applicant’s representative requested on 5.1.2023 deferment of consideration of the application for two months so as to allow more time to prepare further information to address departmental comments. It was the first time that the applicant requested deferment of the application.

133. 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]

A/YL-HTF/1147 Proposed Temporary Place of Recreation, Sports or Culture (Hobby Farm, Recreation Centre and Barbecue Site) with Ancillary Facilities for a Period of 3 Years and Associated Filling of Land in “Agriculture” Zone, Lots 404 (Part), 406 S.A, 406 RP, 407, 408, 409, 410, 411, 474, 475 S.A (Part) and 475 RP in D.D. 128 and Adjoining Government Land, Deep Bay Road, Yuen Long
(RNTPC Paper No. A/YL-HTF/1147)

134. The Committee noted that the applicant’s representative requested on 10.1.2023 deferment of consideration of the application for two months so as to allow more time to prepare further information to address departmental comments. It was the first time that the applicant requested deferment of the application.

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

Agenda Item 41

Section 16 Application

[Open Meeting (Presentation and Question Sessions Only)]

A/YL-LFS/447 Proposed Filling of Pond for Permitted Agricultural Use in “Village Type Development” Zone, Lot 1169 in D.D.129, Mong Tseng Wai, Lau Fau Shan, Yuen Long
(RNTPC Paper No. A/YL-LFS/447)

Presentation and Question Sessions

136. 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 (PlanD) did not support the application.

137. A Member enquired whether New Territories Exempted Houses (NTEH)/Small House (SH) within the subject “Village Type Development” (“V”) zone, which fell within the Wetland Conservation Area (WCA), required planning permission from the Town Planning Board (TPB) and the submission of an ecological impact assessment (EcoIA). In response, Mr Eric C.Y. Chiu, STP/TMYLW, explained that ‘House (NTEH)’ development was always permitted within the “V” zone, while filling of land/pond required planning permission from the TPB. Besides, except for some local and minor uses, an EcoIA would need to be submitted in accordance with the Town Planning Board Guideline No. 12C for Application for Developments within Deep Bay Area under Section 16 of the Town Planning Ordinance. For a previously approved application No. A/YL-LFS/216 for pond filling for a permitted NTEH, the applicant had submitted a drainage proposal and an ecological appraisal report to address the concerns from relevant departments.

138. In response to the same Member’s observation that the application site was covered by vegetation, Mr Eric C.Y. Chiu, STP/TMYLW, clarified that according to the information provided by the applicant and a recent site visit conducted by PlanD, the vegetation was overgrown above a pond of about 1m in depth.

139. The Chairman supplemented that filling of pond within the subject “V” zone required planning permission from the TPB, so as to ensure that there would not be any adverse drainage impact on the surrounding area. However, the applicant failed to demonstrate there would be no adverse drainage impact on the surrounding area and the Drainage Services Department had adverse comments on the application from drainage aspect. The Agriculture, Fisheries and Conservation Department also did not support the application from fishery and nature conservation viewpoints.

Deliberation Session

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

- “(a) the proposed pond filling, which falls within the Wetland Buffer Area, is not in line with the Town Planning Board 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” principles are not complied with, and the applicant fails to demonstrate that the proposed pond filling would not have negative off-site disturbance impact on the ecological value of the fish ponds and wetland within the Wetland Conservation Area; and
- (b) the applicant fails to demonstrate that the proposed pond filling would not have adverse drainage and landscape impacts on the surrounding areas.”

Agenda Item 42

Section 16 Application

[Open Meeting (Presentation and Question Sessions Only)]

A/YL-LFS/449 Temporary Storage of Construction Materials and Engineering
Machineries with Ancillary Workshop for a Period of 3 Years in
“Recreation” Zone, Lot 2227 (Part) in D.D. 129, Lau Fau Shan, Yuen
Long
(RNTPC Paper No. A/YL-LFS/449)

141. 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

142. After deliberation, the Committee decided to approve the application on a temporary basis for a period of 3 years until 3.2.2026 on the terms of the application as submitted to the Town Planning Board (TPB) and subject to the following conditions :

- “(a) no operation from 8:00 p.m. to 8:00 a.m., as proposed by the applicant, is allowed on the site during the planning approval period;
- (b) no operation on Sundays and public holidays, as proposed by the applicant, is allowed on the site during the planning approval period;
- (c) no vehicle exceeding 24 tonnes, including heavy goods vehicle and container trailer/tractor, as defined in the Road Traffic Ordinance, is allowed to enter/exit or to be parked/stored on the site at any time during the planning approval period;
- (d) 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 3.5.2023;

- (e) 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 3.8.2023;
- (f) in relation to (e) 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 3.11.2023;
- (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 3.8.2023;
- (i) in relation to (h) 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 3.11.2023;
- (j) 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
- (k) if any of the above planning condition (d), (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.”

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

Agenda Item 43

Section 16 Application

[Open Meeting (Presentation and Question Sessions Only)]

A/YL-LFS/450 Proposed Holiday Camp in “Coastal Protection Area” Zone, Lot 256
RP in D.D. 129, Tsim Bei Tsui, Yuen Long
(RNTPC Paper No. A/YL-LFS/450)

Presentation and Question Sessions

144. With the aid of some plans, Mr Eric C.Y. Chiu, STP/TMYLW, briefed Members on the background of the application, the proposed use, departmental and public comments, and the planning considerations and assessments as detailed in the Paper. The Planning Department did not support the application.

145. Members had no question on the application.

Deliberation Session

146. A Member noted from the Plans in the Paper that there was vegetation clearance at the application site. The Chairman remarked that should there be any unauthorised development, the Planning Department would follow up, where appropriate.

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

- “(a) the proposed use is not in line with the planning intention of the “Coastal Protection Area” zone, which is intended 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 development. There is a general presumption against development in this zone. There is no strong planning justification in the submission for a departure from such planning intention;

- (b) the proposed use, which falls within the Wetland Buffer 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 no ecological impact assessment is submitted to demonstrate the ecological impact of the proposed development and propose any mitigation measures; and
- (c) the applicant fails to demonstrate that the proposed development would not be susceptible to adverse environmental impact and would not have adverse landscape impacts on the surrounding areas.”

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Section 16 Application

[Open Meeting (Presentation and Question Sessions Only)]

A/YL-LFS/451 Temporary Open Storage of Construction Materials and Engineering Machineries for a Period of 3 Years in “Residential (Group E)” and “Recreation” Zones, Lots 2219 RP (Part) and 2226 (Part) in D.D.129 and Adjoining Government Land, Lau Fau Shan, Yuen Long
(RNTPC Paper No. A/YL-LFS/451)

148. The Committee noted that the application was selected for streamlining arrangement and the Planning Department considered that the temporary use could be tolerated for a period of 3 years based on the assessments set out in the Paper.

Deliberation Session

149. After deliberation, the Committee decided to approve the application on a temporary basis for a period of 3 years until 3.2.2026 on the terms of the application as submitted to the Town Planning Board (TPB) and subject to the following conditions :

- “(a) no operation from 8:00 p.m. to 8:00 a.m., as proposed by the applicant, is allowed on the site during the planning approval period;
- (b) no operation on Sundays and public holidays, as proposed by the applicant,

is allowed on the site during the planning approval period;

- (c) no vehicle exceeding 24 tonnes, including heavy goods vehicle and container trailer/tractor, as defined in the Road Traffic Ordinance, is allowed to enter/exit or to be parked/stored on the site at any time during the planning approval period;
- (d) 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 3.5.2023;
- (e) 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 3.8.2023;
- (f) in relation to (e) 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 3.11.2023;
- (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 provision of fire extinguisher(s) with a valid fire certificate (FS 251) within 6 weeks from the date of planning approval to the satisfaction of the Director of Fire Services or of the TPB by 17.3.2023;
- (i) 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 3.8.2023;
- (j) in relation to (i) 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 3.11.2023;

- (k) 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
- (l) if any of the above planning condition (d), (e), (f), (h), (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.”

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

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

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Any Other Business

151. There being no other business, the meeting was closed at 4:45 p.m..