

TOWN PLANNING BOARD

**Minutes of 715th Meeting of the
Rural and New Town Planning Committee held at 2:30 p.m. on 17.3.2023**

Present

Director of Planning
Mr Ivan M.K. Chung

Chairman

Dr C.H. Hau

Miss Winnie W.M. Ng

Mr K.W. Leung

Professor John C.Y. Ng

Dr Venus Y.H. Lun

Dr Conrad T.C. Wong

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

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

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

Secretary

Absent with Apologies

Mr Stephen L.H. Liu

Vice-chairman

Mrs Vivian K.F. Cheung

In Attendance

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

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

Town Planner/Town Planning Board
Mr Alex M.K. Choi

Agenda Item 1

Confirmation of the Draft Minutes of the 714th RNTPC Meeting held on 3.3.2023

[Open Meeting]

1. The draft minutes of the 714th RNTPC meeting held on 3.3.2023 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 12A Application

[Open Meeting (Presentation and Question Sessions Only)]

Y/SK-HC/5 Application for Amendment to the Approved Ho Chung Outline Zoning Plan No. S/SK-HC/11, To rezone the application site from “Conservation Area” and “Village Type Development” to “Village Type Development”, Lot 764 in D.D. 249 and Adjoining Government Land, Wang Che, Sai Kung
(RNTPC Paper No. Y/SK-HC/5)

Presentation and Question Sessions

3. The following representatives from the Planning Department (PlanD), the applicant and his representatives were invited to the meeting at this point :

PlanD

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

Mr Matthew L.H. Tai - Town Planner/Sai Kung & Islands (TP/SKIs)

Applicant

Mr Yip Tin Leung

Applicant’s Representatives

Mr Raymond Yip

Albert So Surveyors Limited

Dr Albert So

Dr Wong Tsz Choi

Mr William Wong

Mr Calvin Leung

Cinotech Consultants Limited

Dr Colman Wong

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

5. With the aid of a PowerPoint presentation, Mr Matthew Tai, TP/SKIs, briefed Members on the background of the application, the proposed rezoning of the application site (the Site), departmental and public comments, and the planning considerations and assessments as detailed in the Paper. PlanD had no in-principle objection to the application.

6. The Chairman then invited the applicant's representatives to elaborate on the application. With the aid of a PowerPoint presentation, Dr Wong Tsz Choi, the applicant's representative, made the following main points :

- (a) the application was to rezone the Site from "Conservation Area" ("CA") (about 92.7%) and "Village Type Development" ("V") (about 7.3%) to "V" for a proposed New Territories Exempted House (NTEH) (Small House). The Site fell entirely within the Village 'Environs' ("VE") of Kai Ham. The private lot within the Site (i.e. Lot 764 in D.D. 249) was granted for Small House development on 17.6.1994 shortly after gazettal of the first Ho Chung Outline Zoning Plan (OZP) on 20.5.1994. As the majority of the Site had been zoned "CA" since the first OZP which had no provision for planning application for NTEH, the applicant proposed to rezone the Site to "V" to exercise his legitimate development right for a Small House development;
- (b) the zoning of the majority of the Site as "CA" had deprived the applicant of a fair opportunity to develop a Small House on the Site. The adjacent lot (Lot 763) that was granted for Small House development on the same day and zoned "V", was already developed in around 1998;
- (c) the proposed 3-storey Small House was compatible with the surrounding area, given that the Site was located at the periphery of the "V" zone with a cluster of Small Houses nearby. The footprint of the Small House would be within the the private lot and the government land (about 47.2% of the Site) was included purely for carrying out site formation works,

including construction of a platform, retaining walls and associated drainage facilities;

- (d) the proposed Small House was technically feasible, there would be no insurmountable environmental impacts, no trees would be affected and the additional traffic generated was tolerable. Concerned government departments had no objection to the application; and
- (e) the Site had unique history and the application was to recognise the development right under the lease. Hence, agreement to the application would not set an undesirable precedent and should be given sympathetic consideration.

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

8. A Member raised the following questions:

- (a) noting the lease of the Site (Lot 764) was granted for Small House development shortly after gazettal of the first Ho Chung OZP, the reason for zoning the majority of the Site as "CA";
- (b) noting that the Site fell within the Water Gathering Grounds (WGG) and was not served by public sewerage system, elaborations on the operation of underground sewage holding tank and how it could prevent pollution of the WGG; and
- (c) regarding an adverse public comment stating that land was still available within "V" zone in the vicinity, information on the demand for and number of outstanding applications for Small Houses for the concerned village.

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

- (a) as the first OZP was drawn up before the use of digitalization, the zoning

boundaries were not very precise with the majority of the Site included under the “CA” zone. Had there been digitalization at the time, the entire Site should be included within the “V” zone where Small House development was always permitted; and

- (b) regarding land availability, according to the latest estimate by PlanD, there was land available for about 66 Small House sites in the “V” zone. Based on the information provided by Lands Department, there were seven outstanding Small House applications within the ‘VE’ of Kai Ham (including Wang Che), but no figure on the 10-year Small House demand forecast had been provided by the Indigenous Inhabitant Representative. Therefore, while land available within the “V” zone could fully meet the outstanding Small House applications, there was no basis to estimate whether land within the “V” zone concerned was available to cater for the long-term Small House demand.

10. Regarding sewerage treatments, Dr Colman Wong, the applicant’s representative, said that as the Site was located within WGG, the use of a septic tank and soakaway system was to be avoided. The sewage generated from the proposed Small House would be stored in an underground holding tank which would be regularly cleared by a licensed contractor for further treatment outside the WGG. The sewerage impact and risk assessment conducted to evaluate the safety and potential sewage risks to the WGG for using the underground holding tank revealed that with the implementation of preventive measures (e.g. an alarm system to alert the resident of any leakage of sewage so that immediate actions could be taken), no adverse environmental impact was anticipated.

11. As the applicant’s representatives had no further points to raise and there were no further questions from Members, the Chairman informed them that the hearing procedures for the application had been completed and the Committee would deliberate on the application in their absence and inform the applicant of the Committee’s decision in due course. The Chairman thanked the applicant and his representatives and PlanD’s representatives for attending the hearing. They left the meeting at this point.

Deliberation Session

12. The Chairman recapitulated that as the relevant OZP was first prepared before the use of digitalization, the land use zoning boundaries were broad-brush and might not fully tally with individual lot boundaries. For the subject case, the majority of the Site with Small House development right was zoned “CA” since the first OZP. There was no provision for s.16 application for NTEH development in the “CA” zone, and the applicant had to submit a s.12A application to rezone the Site to “V”. Relevant technical assessments submitted demonstrated that there were no insurmountable problems, including the sewage treatment proposal and there was no objection nor adverse comment from relevant government departments. Should the Committee agree to the rezoning application, the proposed amendment to the OZP would be submitted to the Board for consideration prior to gazetting and the statutory consultation process would be undertaken in accordance with the Town Planning Ordinance.

13. A Member asked if similar zoning boundary issues were commonly found in other OZPs. In response, the Chairman said that there were similar discrepancies in other OZPs prepared in or before 1990s but such discrepancies were gradually rectified with digitalization of OZPs with more precise and accurate zoning boundaries.

14. After deliberation, the Committee decided to agree in-principle to the application. The proposed amendment to the Ho Chung OZP, together with the revised Notes and Explanatory Statement, would be submitted to the Committee for consideration prior to gazetting under section 5 of the Town Planning Ordinance.

Sha Tin, Tai Po and North District

Agenda Item 4

Section 12A Application

[Open Meeting]

Y/TP/37 Application for Amendment to the Approved Tai Po Outline Zoning Plan No. S/TP/30, To rezone the application site from “Village Type Development” to “Government, Institution or Community (3)”, Lots 738 S.C and 738 S.C ss.1 in D.D. 6 and adjoining Government Land, 74-75 Kam Shan Road, Tai Po
(RNTPC Paper No. Y/TP/37)

15. The Committee noted that the applicant’s representative requested on 24.2.2023 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.

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

Fanling, Sheung Shui and Yuen Long East District

Agenda Item 5

Section 12A Application

[Open Meeting (Presentation and Question Sessions Only)]

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

(RNTPC Paper No. Y/FSS/19A)

Presentation and Question Sessions

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

PlanD

Mr Anthony K.O. Luk	- District Planning Officer/Fanling, Sheung Shui and Yuen Long East (DPO/FSYLE)
Mr Patrick M.Y. Fung	- Senior Town Planner/Fanling, Sheung Shui and Yuen Long East (STP/FSYLE)
Mr Todd T.W. Wan	- Town Planner/Fanling, Sheung Shui and Yuen Long East (TP/FSYLE)

Applicant’s Representatives

Ove Arup & Partners Hong Kong Limited (ARUP)

Ms Theresa W.S. Yeung

Ms Natalie M.Y. Leung

Ms Anna T.Y. Lok

ADI Limited

Ms Elsa M.K. Kwong

Mr H.S. Iu

Ramboll Hong Kong Limited
Mr Simon K.W. Lai

CTA Consultants Limited
Mr Kelvin C.W. Leung
Mr W.K. Kwong

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

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

20. The Chairman then invited the applicant's representatives to elaborate on the application. With the aid of a PowerPoint presentation, Ms Theresa W.S. Yeung, the applicant's representative, made the following main points :

The Site

- (a) the Site was located at the fringe of the Fanling/Sheung Shui New Town and was sandwiched between Fanling Highway and Castle Peak Road-Kwu Tung;
- (b) the Site was partly occupied by Oi Yuen Villa, which was a private residence built in 1919. The architecture of Oi Yuen Villa represented a blend of Tudor and Classical styles. A number of dignitaries had been received as guests in Oi Yuen Villa in the past. It had been listed as a Grade 1 historic building by the Antiquities Advisory Board since 2017;
- (c) the Site was the subject of a previous planning application (No. A/FSS/156) approved by the Board in 2003 with an approved Master Layout Plan (MLP) for 51 low-rise residential buildings providing 95 flats. The implementation of that approved MLP would involve the demolition

of Oi Yuen Villa;

The Proposal

- (d) the proposed rezoning of the Site from “CDA” to “CDA(1)” was to facilitate a private residential development with a residential care home for the elderly (RCHE) (the proposal). According to the indicative scheme, the proposed maximum domestic and non-domestic plot ratios (PRs) were 4.3 and 0.09 respectively and the maximum building height (BH) was 130 meters above Principal Datum (mPD). There would be a total of 969 flats and a 100-place privately-operated RCHE to meet the needs of the ageing population. The proposal would be tentatively completed in 2028;
- (e) Oi Yuen Villa was proposed to be preserved in-situ for use as residents’ clubhouse. A salient design and site planning consideration was to enable the old and new buildings to integrate harmoniously to create a pleasant living environment for the future residents;

Planning Considerations

- (f) the proposed development parameters were compatible with the existing and/or planned developments in the vicinity. To the immediate east of the Site was the planned public housing development at Tai Tau Leng zoned “Residential (Group A)10” (“R(A)10”) with a maximum PR of 6.8 and a maximum BH of 130 mPD. To the further southeast was a site for a high-density private residential development with a maximum PR of 6 and a maximum BH of 130mPD, and an existing medium density residential development, i.e. Eden Manor (with PR of 3.6 and a BH of 25 storeys);
- (g) 14 sites were rezoned from “Green Belt”, “Open Space”, “Government, Institution or Community”, “Other Specified Uses” and “Industrial” to “R(A)” in the district since 2019 with PRs ranging from 4.55 to 6.5.

Amongst these 14 sites, two of them were intended for private residential developments;

- (h) the relevant technical assessments submitted had demonstrated that the indicative scheme was technically feasible with no insurmountable problems, and there was no objection nor adverse comment from relevant government departments; and
- (i) the proposed rezoning of the Site as “CDA(1)” zone was to ensure proper planning control from the Town Planning Board over the implementation of the scheme. The proposed Notes for the “CDA(1)” zone set out the provision of a 100-place RCHE at the Site and in-situ preservation of Oi Yuen Villa as statutory requirements.

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

Landscape and Ecological Aspects

22. Some Members raised the following questions:

- (a) with reference to the aerial photos taken in 2003 to 2015, the Site was once largely covered with lush trees, but a lot of trees were subsequently felled, whether there was any record of the trees felled in that period;
- (b) whether it was acceptable for the tree survey currently submitted by the applicant to use the current situation with many trees already felled as baseline;
- (c) the key considerations for the tree proposed to be felled at the Site;
- (d) noting that some of the trees proposed to be felled were large and would be compensated with smaller and ornamental tree species on a compensation ratio of 1:1, whether the tree compensation proposed was considered adequate; and

- (e) being an wooded area over a long period of time, the Site would have inherited some ecological value as an established habitat for birds and other insects, whether ecological impact assessment was conducted to ascertain the impacts of the proposal on those habitats and whether the tree compensation proposal could conserve the ecological value of the Site.

23. In response, Mr Anthony K.O. Luk, DPO/FSYLE, with the aid of some PowerPoint slides, made the following main points concerning questions (a) and (b) above:

- (a) the Site was originally rezoned from “Green Belt” to “CDA” in 1990. The Site was the subject of several s.16 planning applications, including an application (No. A/FSS/156) with a development scheme for low-rise residential development approved by the Board in 2003 (the Approved Scheme), which involved felling of a substantial number of trees due to the extensive site coverage of the low-rise house development. Relevant building plans were approved for the approved scheme. Compared with the aerial photos taken around 2015 and 2016, there was tree felling at the Site; and
- (b) the tree survey submitted under the current application was based on the situation when the tree survey was conducted in November 2021 as baseline. Compared with the Approved Scheme, additional 71 trees, including 3 additional very important trees, were proposed to be retained. Both the approved scheme and the current proposal would transplant 14 trees. More trees were proposed for retention as the current proposal had taller buildings and lower site coverage.

24. A Member said that without tree survey for the period from 2003 to 2015, there was no way to ascertain if very important trees had already been felled. The assessment based on the baseline situation would distort the ‘before tree-felling’ condition and the proposed 1:1 compensation ratio would be misleading. In response, Mr Anthony K.O. Luk, DPO/FSYLE, said that the applicant did not submit tree survey for the period from 2003 to 2015. Apart from landscape impact, the assessment of the rezoning application had taken

into account a number of considerations, including the current site conditions, the merits of the proposal including the preservation of the Grade 1 historic building, technical considerations and housing needs, etc.

25. Ms Theresa W.S. Yeung and Ms Elsa M.K. Kwong, the applicant's representatives, with the aid of some PowerPoint slides, made the following main points concerning questions (c) to (e) above:

- (a) as they were not the applicant's representatives between 2003 and 2015, there was no information readily available on trees that were felled on the Site;
- (b) the applicant had endeavoured to retain as many trees as possible. 113 trees with 80% being native trees would be retained in-situ, 14 trees would be transplanted and 256 trees would be felled with due regard to the health conditions, size and tree species, and the conflict with the proposed layout. About half of the trees proposed to be felled were small local trees of lower value (e.g. *Leucaena leucocephala* (銀合歡) and *Macaranga tanarius var. tomentosa* (血桐));
- (c) the compensated trees at a ratio of 1:1 would unavoidably be smaller than the trees proposed to be felled. With careful management, the compensated trees would grow larger and mature over time; and
- (d) as most of the trees to be retained were native trees, and coupled with the compensated trees in different mix, the biodiversity of the Site was expected to be enhanced. The Site was zoned "CDA" for development with an approved scheme and within a residential neighbourhood. As it was not zoned for conservation and was not in proximity to country parks, no ecological impact assessment was conducted. Nevertheless, in the subsequent s.16 stage, relevant measures to enhance the ecological value of the Site, e.g. selecting appropriate tree species with a view to enhancing the urban bio-diversity, could be considered.

[Miss Winnie W.M. Ng joined the meeting during the question and answer session.]

Design Aspect

26. A Member asked about the ways in which the applicant could address the advice of Chief Town Planner/Urban Design and Landscape of PlanD that further design measures should be explored for enhancing the visual permeability and promoting visual interest to minimize the possible visual impact on the neighbourhood.

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

- (a) as the Site was located in an urban fringe setting of Fanling/Sheung Shui New Town, the proposal would inevitably cause visual changes to the surrounding neighbourhood. To minimize the adverse visual impact, the applicant proposed five 15m to 28m-wide building gaps between some building blocks in the indicative scheme as shown in Drawing Z-2 of the Paper to enhance the visual permeability; and
- (b) if the subject s.12A application was agreed, the applicant was still required to submit a MLP under the proposed “CDA” zoning through a s.16 application for the Board’s consideration. Design measures to further mitigate visual impacts would be considered by the applicant at the s.16 stage.

28. Ms Theresa W.S. Yeung, the applicant’s representative, supplemented that the current scheme was indicative and would be refined in the detailed design stage. The building gaps and visual corridors would be reviewed and further design features such as better landscaping design to enhance visual interest, tree buffers along the site boundary, softening of sharp edges, rooftop and vertical greening and the use of natural tone in building façade, etc. could be considered. The refined scheme would be submitted in the MLP to be considered by the Board at s.16 stage.

Traffic Aspect

29. Some Members raised the following questions:
- (a) the ways to address the local objection regarding the worsening of the existing problem of inadequate public transport services due to increase in population in the proposed development;
 - (b) whether the Traffic Impact Assessment (TIA) submitted by the applicant had evaluated the traffic impact based on the current traffic infrastructure, given that the existing road network in the district had already been overloaded; and
 - (c) whether the provision of a large number of car parking spaces would generate a lot of traffic and the ways to address the traffic impact.
30. In response, Mr Anthony K.O. Luk, DPO/FSYLE, with the aid of some PowerPoint slides, made the following main points in relation to questions (a) and (b):
- (a) more public transport services would be provided along the Castle Peak Road - Kwu Tung and in the planned Tai Tau Leng public housing development to the immediate east of the Site. The TIA submitted by the applicant had taken into account the impact of the proposed development on the demand for the public transport services; and
 - (b) the existing road network was more congested at the Tai Tau Leng Roundabout and Kai Leng Roundabout on Fanling Highway, as they were the main junctions serving both local traffic in the North District and traffic to the urban areas. The Government had programme to improve the carrying capacities of the two roundabouts by 2032 tentatively by building by-passes to divert part of the local traffic. The TIA submitted by the applicant had taken account of those traffic improvement works and concluded that the proposed development would not bring insurmountable traffic impact to the surrounding areas.

31. A Member observed that the proposal would be tentatively completed in 2028, before completion of the traffic improvement works in 2032. Another Member enquired whether the proposal would be implemented in phases so as to better tie in with the completion of the traffic improvement works. In response, Mr Anthony K.O. Luk, DPO/FSYLE, said that the applicant had not proposed any phasing for the development at the current stage. However, the applicant would be required to submit a phasing plan with revised TIA in the subsequent MLP submission. Mr Kelvin C.W. Leung, the applicant's representative, supplemented that the applicant had undertaken with the Transport Department (TD) that population in-take of the residential development would only commence after the completion of the said traffic improvement works subject to further consideration of the TIA at the s.16 stage.

32. Regarding question (c), Ms Theresa W.S. Yeung, the applicant's representative, said that the number of trips generated was correlated with the number of residents and might not have direct correlation with the number of car parking spaces provided. The proposed car park provision was in accordance with the requirements of the Hong Kong Planning Standards and Guidelines. The car parks were proposed to be located in the basement to reduce internal roads above ground and reduce air and noise pollution. The traffic impact of the proposal was assessed under the submitted TIA, which received no adverse comments from TD. A revised TIA would be submitted with the MLP at the s.16 stage taking account of the latest programme of Government infrastructure projects in the area and the refined development scheme. Relevant measures to alleviate any traffic impact of the proposal could be imposed as approval conditions on the subsequent s.16 application.

Environmental Aspect

33. A Member enquired the ways to address the environmental nuisance mentioned in the adverse public comments. In response, Mr Anthony K.O. Luk, DPO/FSYLE, said that some of the adverse comments were from the local residents in the nearby developments. The applicant was well-aware of the interface issue with the adjacent residential developments, namely Golf Parkview and Eden Manor, and two 7m and 13m-wide building setbacks from the south-western and northern site boundaries respectively were proposed. In addition, the applicant would have to comply with the relevant environmental ordinances

with regard to environmental impact during the construction stage. The Environmental Protection Department had no objection to the proposal.

Others

34. A Member asked whether public access to the preserved Oi Yuen Villa would be required by the Government. In response, Mr Anthony K.O. Luk, DPO/FSYLE, said that whether historic building on private sites would be opened for public access and appreciation was generally a decision to be made by the applicant. For the subject case, since Oi Yuen Villa was located in the center of the Site for a private residential development, the applicant had no intention to open it up for public access due to privacy concern.

35. As the applicant's representatives had no further points to raise and there were no further questions from Members, the Chairman informed them that the hearing procedures for the application had been completed and the Committee would deliberate on the application in their absence and inform the applicant of the Committee's decision in due course. The Chairman thanked the applicant's representatives and PlanD's representative for attending the hearing. They left the meeting at this point.

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

[The meeting was adjourned for a 10-minute break.]

Deliberation Session

36. The Secretary reported that Miss Winnie W.M. Ng had declared an interest on the item for being a personal friend of the applicant. As Miss Ng's interest was direct, the Committee agreed that she should be invited to leave the meeting temporarily for the deliberation session.

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

37. The Chairman invited Members to consider whether the rezoning application

should be agreed and the main considerations were:

- (a) the Site was zoned “CDA” and intended for comprehensive development. Under the proposed “CDA(1)” zoning, s.16 planning application was required and details such as tree felling, compensation and landscape proposal, car park provision and traffic impact, design refinement to further mitigate visual impacts, other technical assessments etc. would be further vetted by relevant Government departments and considered by the Board;
- (b) for traffic concerns, road improvement works were planned in the North District, and the submitted TIA confirmed that there would be no insurmountable traffic impacts and TD had no adverse comments. At the s.16 stage, relevant approval condition might be considered to require no occupation of the proposed residential development before completion of the traffic improvement works; and
- (c) on compatibility with the surrounding environment, the Site was located at the fringe of the existing Fanling/Sheung Shui new town. Taking account of the planned public housing projects in the area and the Northern Metropolis in the wider context, the proposal would not be considered incompatible with the surrounding environment that would be characterised by higher-density developments in the future.

38. Taking account of the above consideration, PlanD had no in-principle objection to the rezoning application. Should the Committee agree to the rezoning application, the proposed amendments to the OZP would be submitted to the Board for consideration prior to gazetting and the statutory consultation process would be undertaken in accordance with the Town Planning Ordinance.

39. A Member said that there was no major concern on the planning aspect of the rezoning application. However, a lot of trees on the Site had been felled, such that the tree felling and compensation proposal could use the current condition as baseline, which severely underestimated the landscape impacts and reduced the trees required to be compensated. As

such an approach was unacceptable and would create an undesirable precedent, the Member indicated objection to the application. The Member also indicated that the applicant should endeavour to provide a better landscape proposal at the s.16 stage, including improving the quantity and quality of tree compensation to enhance urban biodiversity and ecological consultants should be engaged. The applicant could also consider engaging non-government organisations to plant trees off-site as compensation.

40. Other Members generally had no in-principle objection to the rezoning application in terms of land use and the proposed PR and BH as it could optimise land resources and was generally compatible with the future planning context. The following concerns/advices were raised:

- (a) the approach of felling trees to create a de facto lower baseline was not acceptable. The tree compensation proposal should be improved in quantity and quality and should enhance urban biodiversity;
- (b) the indicative scheme was a wall of building blocks around the Site with limited visual permeability. The design should be enhanced to improve visual permeability and to open up more effective visual corridors; and
- (c) ways to enhance the overall sustainability by adopting green building designs and low-carbon buildings should be explored.

41. The Chairman said that Members generally considered that the application could be agreed in-principle and the applicant was advised to seriously address the concerns set out above and those raised in the question and answer session at the s.16 stage.

42. After deliberation, the Committee decided to agree in-principle to the application. The proposed amendments to the Fanling/Sheung Shui OZP, together with the revised Notes and Explanatory Statement, would be submitted to the Committee for consideration prior to gazetting under section 5 of the Town Planning Ordinance.

Agenda Item 6

Section 12A Application

[Open Meeting]

Y/YL-KTN/4 Application for Amendment to the Draft Kam Tin North Outline Zoning Plan No. S/YL-KTN/10, To rezone the application site from “Residential (Group C) 2” and “Open Space” to “Residential (Group C)3” and amend the Notes of the zone applicable to the site, Lots 121, 137, 138, 139, 144, 145, 519 RP (Part) and 520 RP in D.D. 110 and Adjoining Government Land, Kam Tin Road, Shek Kong, Yuen Long (RNTPC Paper No. Y/YL-KTN/4)

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

Sai Kung and Islands District

Agenda Item 7

Section 16 Application

[Open Meeting]

A/I-DB/9 Proposed Place of Recreation, Sports or Culture (Swimming Pool) in “Open Space” Zone, Area N8, Lot 385 RP & Ext. (Part) in D.D. 352, Discovery Bay
(RNTPC Paper No. A/I-DB/9)

44. The Committee noted that the applicant’s representative requested on 10.3.2023 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.

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

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

Sha Tin, Tai Po and North District

Agenda Item 8

Section 16 Application

[Open Meeting]

A/NE-TK/764 Temporary Eating Place (Extension and Outside Seating Accommodation of a Restaurant) for a Period of 3 Years in "Village Type Development" Zone, Lot 327 S.B (Part) in D.D. 28 and Adjoining Government Land, Lung Mei, Tai Po
(RNTPC Paper No. A/NE-TK/764A)

46. The Committee noted that the applicant's representative requested on 6.3.2023 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 and public comments.

47. 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 9

Section 16 Application

[Open Meeting]

A/NE-TK/770 Proposed House (New Territories Exempted House - Small House) in
 “Green Belt” Zone, Government Land in D.D. 28, Tai Mei Tuk, Tai Po
 (RNTPC Paper No. A/NE-TK/770)

48. The Committee noted that the applicant requested on 28.2.2023 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.

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

Agenda Item 10

Section 16 Application

[Open Meeting]

A/NE-TKL/708 Temporary Logistics Centre for a Period of 3 Years in “Open Storage” and “Agriculture” Zones, Lots 456 RP, 459, 460, 461, 462 and 2229 RP in D.D. 83, Kwan Tei, Fanling
(RNTPC Paper No. A/NE-TKL/708B)

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

51. 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

52. After deliberation, the Committee decided to approve the application on a temporary basis for a period of 3 years until 17.3.2026 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 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 17.9.2023;

- (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 17.12.2023;

- (c) in relation to (b) above, the implemented drainage facilities on the site should be maintained at all times during the planning approval period;

- (d) the submission of proposals for water supplies for fire-fighting and fire service installations within 6 months from the date of planning approval to the satisfaction of the Director of Fire Services or of the TPB by 17.9.2023;
- (e) in relation to (d) above, the implementation of proposals for water supplies for fire-fighting and fire service installations within 9 months from the date of planning approval to the satisfaction of the Director of Fire Services or of the TPB by 17.12.2023;
- (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.”

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

Agenda Item 11

Section 16 Application

[Open Meeting]

A/NE-TKL/715 Proposed Temporary Rural Workshop (Furniture Processing) with Ancillary Warehouse for a Period of 3 Years in “Agriculture” Zone, Lots 2264 and 2265 (Part) in D.D. 76, Ta Kwu Ling
(RNTPC Paper No. A/NE-TKL/715)

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

55. The Committee noted that the applicant requested on 2.3.2023 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.

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.

Fanling, Sheung Shui and Yuen Long East District

Agenda Item 12

Section 16 Application

[Open Meeting]

A/YL-KTN/888 Renewal of Planning Approval for Temporary Private Vehicle Park for Light Goods Vehicles for a Period of 3 Years in "Agriculture" Zone, Lots 375 S.C RP (Part) and 376 RP (Part) in D.D. 110, Kam Tin North, Yuen Long
(RNTPC Paper No. A/YL-KTN/888)

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

Deliberation Session

58. After deliberation, the Committee decided to approve the application on a temporary basis for a period of 3 years and be renewed from 21.3.2023 until 20.3.2026 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 on Sundays and public holidays, as proposed by the applicant, is allowed on the site during the planning approval period;
- (c) no medium or heavy goods vehicles exceeding 5.5 tonnes, including container trailers/tractors, as defined in the Road Traffic Ordinance, are allowed to be parked/stored on or enter/exit the site at any time during the planning approval period;
- (d) a notice should be posted at a prominent location of the site to indicate that no medium or heavy goods vehicles exceeding 5.5 tonnes, including container trailers/tractors, as defined in the Road Traffic Ordinance are allowed to be parked/stored on or enter/exit the site at all times during the planning approval period;
- (e) the existing drainage facilities implemented on the site shall be maintained at all times during the planning approval period;
- (f) the submission of a record of the existing drainage facilities implemented on the site within 3 months from the date of commencement of the renewed planning approval to the satisfaction of the Director of Drainage Services or of the TPB by 21.6.2023;
- (g) the existing fire service installations implemented on the site shall be maintained in efficient working order at all times during the planning

approval period;

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

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

Agenda Item 13

Section 16 Application

[Open Meeting]

A/YL-KTN/889 Proposed Temporary Animal Boarding Establishment with Ancillary Facilities for a Period of 5 Years and Filling of Land in “Agriculture” Zone, Lots 1356 (Part), 1359 (Part) and 1360 (Part) in D.D. 109, Kam Tin, Yuen Long
(RNTPC Paper No. A/YL-KTN/889)

60. 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

61. After deliberation, the Committee decided to approve the application on a temporary basis for a period of 5 years until 17.3.2028 on the terms of the application as submitted to the Town Planning Board (TPB) and subject to the following conditions :

- “(a) no operation between 6:00 p.m. and 8:00 a.m. (except overnight animal boarding), as proposed by the applicant, is allowed on the site during the planning approval period;
- (b) all dogs shall be kept inside the enclosed animal boarding establishment structures on the site from 6:00 p.m. to 8:00 a.m., as proposed by the applicant, during the planning approval period;
- (c) no public announcement system, whistle blowing, portable loudspeaker or any form of audio amplification system is allowed to be used on the site, as proposed by the applicant, during the planning approval period;
- (d) the submission of a drainage proposal within 6 months from the date of planning approval to the satisfaction of the Director of Drainage Services or of the TPB by 17.9.2023;
- (e) in relation to (d) above, the implementation of the drainage proposal within 9 months from the date of planning approval to the satisfaction of the Director of Drainage Services or of the TPB by 17.12.2023;
- (f) in relation to (e) above, the implemented drainage facilities on the site shall be maintained at all times during the planning approval period;
- (g) 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 17.9.2023;
- (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 17.12.2023;
- (i) if any of the above planning condition (a), (b), (c) or (f) is not complied with during the planning approval period, the approval hereby given shall

cease to have effect and shall be revoked immediately without further notice;

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

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

Agenda Item 14

Section 16 Application

[Open Meeting]

A/YL-KTS/948 Renewal of Planning Approval for Temporary Shop and Services (Real Estate Agency) for a Period of 3 Years in “Village Type Development” Zone, Lot 1486 S.C. RP (Part) in D.D. 106 and Adjoining Government Land, Kam Sheung Road, Yuen Long
(RNTPC Paper No. A/YL-KTS/948)

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

Deliberation Session

64. After deliberation, the Committee decided to approve the application on a temporary basis for a period of 3 years and be renewed from 21.3.2023 until 20.3.2026 on the terms of the application as submitted to the Town Planning Board (TPB) and subject to the following conditions :

- “(a) no operation between 9:00 p.m. and 9:00 a.m., as proposed by the applicant, is allowed on the site during the planning approval period;
- (b) the submission of a record of the existing drainage facilities implemented on the site within 3 months from the date of commencement of the renewed planning approval to the satisfaction of the Director of Drainage Services or of the TPB by 21.6.2023;
- (c) the existing drainage facilities implemented on the site shall be maintained at all times during the planning approval period;
- (d) the existing fire service installations implemented on the site shall be maintained in efficient working order at all times during the planning approval period;
- (e) if any of the above planning condition (a), (c) or (d) is not complied with during the planning approval period, the approval hereby given shall cease to have effect and shall be revoked immediately without further notice; and
- (f) if the above planning condition (b) is not complied with by the specified date, the approval hereby given shall cease to have effect and shall on the same date be revoked without further notice.”

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

Agenda Item 15

Section 16 Application

[Open Meeting]

A/YL-PH/938 Renewal of Planning Approval for Temporary Public Vehicle Park (excluding container vehicle) for a Period of 3 Years in “Village Type Development” Zone, Lots 1956 S.A RP (Part) and 1956 S.B RP (Part) in D.D. 111, Pat Heung, Yuen Long
(RNTPC Paper No. A/YL-PH/938)

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

Deliberation Session

67. After deliberation, the Committee decided to approve the application on a temporary basis for a period of 3 years and be renewed from 25.4.2023 until 24.4.2026 on the terms of the application as submitted to the Town Planning Board (TPB) and subject to the following conditions :

- “(a) no operation between 10:00 p.m. and 7:00 a.m., as proposed by the applicant, is allowed on the site during the planning approval period;

- (b) no medium or heavy goods vehicles exceeding 5.5 tonnes, including container tractors/trailers, as defined in the Road Traffic Ordinance are allowed to be parked/stored on or enter/exit the site at any time during the planning approval period;

- (c) no vehicles without valid licences issued under the Road Traffic (Registration and Licensing of Vehicles) Regulations are allowed to be parked/stored on the site at any time during the planning approval period;

- (d) a notice should be posted at a prominent location of the site to indicate that 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 all times during the planning approval period;

- (e) the existing fire service installations implemented on the site shall be maintained in efficient working order at all times during the planning approval period;
- (f) the existing drainage facilities implemented on the site shall be maintained at all times during the planning approval period;
- (g) the submission of a record of the existing drainage facilities implemented on the site within 3 months from the date of commencement of the renewed planning approval to the satisfaction of the Director of Drainage Services or of the TPB by 25.7.2023;
- (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 approval 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 with by the specified date, the approval hereby given shall cease to have effect and shall on the same date be revoked without further notice.”

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

Agenda Item 16

Section 16 Application

[Open Meeting]

A/YL-NSW/306 Temporary Vehicle Maintenance Workshop, Retail Shop for Car Components/Accessories and Convenience Store with Ancillary Uses for a Period of 3 Years in “Undetermined” Zone, Lots 766 S.A, 766 S.C and 767 in D.D. 115, Au Tau, Yuen Long
(RNTPC Paper No. A/YL-NSW/306)

69. The Committee noted that the applicant’s representative requested on 10.3.2023 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.

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

Agenda Item 17

Section 16 Application

[Open Meeting]

A/YL-ST/641 Proposed Temporary Place of Recreation, Sports or Culture (Hobby Farm) for a Period of 5 Years and Associated Filling of Land in “Village Type Development” and “Green Belt” Zones, Lots 187, 188 (Part), 189 (Part), 190, 192 (Part), 193 (Part), 194 (Part), 195 (Part) and 196 in D.D. 96, San Tin, Yuen Long
(RNTPC Paper No. A/YL-ST/641)

71. The Committee noted that the applicant’s representative requested on 27.2.2023 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.

72. 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.

Tuen Mun and Yuen Long West District

[Mr Alexander W.Y. Mak, Senior Town Planner/Tuen Mun and Yuen Long West (STP/TMYLW), was invited to the meeting at this point.]

Agenda Item 18

Section 16 Application

[Open Meeting]

A/HSK/426 Proposed Temporary Public Vehicle Park (Heavy Goods Vehicle and Container Vehicle) for a Period of 3 Years in “Residential (Group A) 2” and “Open Space” Zones and Area Shown as ‘Road’, Lots 1547 RP (Part), 1548 S.A (Part), 1548 S.B RP(Part), 1566, 1567, 1568 (Part), 1569, 1573, 1574, 1575, 1576 (Part), 1580, 1581, 1582 (Part), 1593, 1594, 1595, 1596 (Part), 1597 (Part), 1598 (Part), 1599 (Part) and 1600 (Part) in D.D. 124, Hung Shui Kiu, Yuen Long
(RNTPC Paper No. A/HSK/426A)

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

Deliberation Session

74. After deliberation, the Committee decided to approve the application on a temporary basis for a period of 3 years until 17.3.2026 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 drainage impact assessment within 6 months from the date of the planning approval to the satisfaction of the Director of Drainage Services or of the TPB by 17.9.2023;
- (b) in relation to (a) above, the implementation of the mitigation measures identified in the approved drainage impact assessment within 9 months from the date of the planning approval to the satisfaction of the Director of Drainage Services or of the TPB by 17.12.2023;
- (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 17.9.2023;
- (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 17.12.2023;
- (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.”

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

Agenda Item 19

Section 16 Application

[Open Meeting]

A/HSK/430

Renewal of Planning Approval for Temporary Open Storage of Construction Machinery and Construction Materials for a Period of 3 Years in “Residential (Group A) 3” Zone, Lots 93 S.A (Part), 771 S.B RP (Part), 772 S.A (Part), 774 S.B RP (Part), 775 S.A RP (Part) and 775 S.B RP (Part) in D.D. 125 and Adjoining Government Land, Ha Tsuen, Yuen Long

(RNTPC Paper No. A/HSK/430)

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

Deliberation Session

77. After deliberation, the Committee decided to approve the application on a temporary basis for a period of 3 years and be renewed from 21.3.2023 to 20.3.2026 on the terms of the application as submitted to the Town Planning Board (TPB) and subject to the following conditions :

- “(a) the existing drainage facilities implemented on the site shall be maintained at all times during the planning approval period;
- (b) the submission of a condition record of the existing drainage facilities implemented on the site within 3 months from the date of commencement of the renewed planning approval to the satisfaction of the Director of Drainage Services or of the TPB by 21.6.2023;
- (c) the existing fire service installations implemented on the site shall be maintained at all times during the planning approval period;
- (d) if any of the above planning condition (a) or (c) is not complied with during the planning approval period, the approval hereby given shall cease to have effect and shall be revoked immediately without further notice; and
- (e) if the above planning condition (b) is not complied with by the specified date, the approval hereby given shall cease to have effect and shall on the same date be revoked without further notice.”

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

Agenda Item 20

Section 16 Application

[Open Meeting]

A/HSK/431 Renewal of Planning Approval for Temporary Shop and Services (Real Estate Agency) for a Period of 3 Years in “Village Type Development” Zone, Lots 1028 S.A ss.1 (Part) and 1030 S.D in D.D. 125, Sik Kong Tsuen, Yuen Long
(RNTPC Paper No. A/HSK/431)

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

Deliberation Session

80. After deliberation, the Committee decided to approve the application on a temporary basis for a period of 3 years and be renewed from 22.3.2023 until 21.3.2026 on the terms of the application as submitted to the Town Planning Board (TPB) and subject to the following conditions :

- “(a) the existing drainage facilities implemented on the site shall be maintained at all times during the planning approval period;

- (b) the existing trees on the site shall be maintained at all times during the planning approval period;

- (c) the submission of a condition record of the existing drainage facilities implemented on the site within 3 months from the date of commencement of the renewed planning approval to the satisfaction of the Director of Drainage Services or of the TPB by 22.6.2023;

- (d) the existing fire service installations implemented on the site shall be maintained at all times during the planning approval period;

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

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

Agenda Item 21

Section 16 Application

[Open Meeting]

A/TM-SKW/118 Renewal of Planning Approval for Temporary Private Vehicle Park for Private Cars and Light Goods Vehicles (Excluding Container Vehicles) for a Period of 3 Years in “Village Type Development” Zone, Lot 241 in D.D. 385, Tai Lam Chung, Tuen Mun
(RNTPC Paper No. A/TM-SKW/118)

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

Deliberation Session

83. After deliberation, the Committee decided to approve the application on a temporary basis for a period of 3 years and be renewed from 21.3.2023 until 20.3.2026 on the terms of the application as submitted to the Town Planning Board (TPB) and subject to the following conditions :

- “(a) only private cars and light goods vehicles as defined in the Road Traffic Ordinance are allowed to be parked on or enter/exit the site at any time

during the planning approval period;

- (b) no vehicle without valid licence issued under the Road Traffic (Registration and Licensing of Vehicles) Regulations is allowed to be parked/stored on or enter/exit the site at any time during the planning approval period;
- (c) a notice shall be posted at a prominent location of the site to indicate that only private cars and light goods vehicles as defined in the Road Traffic Ordinance are allowed to be parked on or enter/exit the site at any time during the planning approval period;
- (d) no vehicle is allowed to queue back to or reverse onto/from the site at any time during the planning approval period;
- (e) the existing drainage facilities implemented on the site shall be maintained at all times during the planning approval period;
- (f) the existing fire service installations implemented on the site shall be maintained in efficient working order at all times during the planning approval period; and
- (g) if any of the above planning condition (a), (b), (c), (d), (e) or (f) is not complied with during the planning approval period, the approval hereby given shall cease to have effect and shall be revoked immediately without further notice.”

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

Agenda Item 22

Section 16 Application

[Open Meeting]

A/YL-HTF/1149 Proposed Temporary Open Storage of Metal Waste and Logistics Centre with Ancillary Office for a Period of 3 Years in “Residential (Group D)” Zone, Lots 136 (Part), 141 (Part) and 142 (Part) in D.D.128 and Adjoining Government Land, Ha Tsuen, Yuen Long
(RNTPC Paper No. A/YL-HTF/1149)

85. The Committee noted that the applicant’s representative requested on 23.2.2023 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.

86. 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 23

Section 16 Application

[Open Meeting]

A/YL-HTF/1150 Proposed Temporary Warehouse (Storage of Construction Materials, Metal and Electronic Parts) and Open Storage of Construction Materials for a Period of 3 Years in “Agriculture” and “Residential (Group D)” Zones, Lots 130 (Part), 260 (Part), 261 (Part), 268 (Part), 131 and 132 (Part) in D.D.128 and Adjoining Government Land, Ha Tsuen, Yuen Long
(RNTPC Paper No. A/YL-HTF/1150)

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

Deliberation Session

88. After deliberation, the Committee decided to approve the application on a temporary basis for a period of 3 years until 17.3.2026 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, is allowed to enter/exit or to be parked/stored on the site at any time during the planning approval period;
- (b) no workshop activities, as proposed by the applicant, are allowed on the site at any time during the planning approval period;
- (c) the submission of a drainage proposal within 6 months from the date of the planning approval to the satisfaction of the Director of Drainage Services or of the TPB by 17.9.2023;
- (d) in relation to (c) above, the implementation of the drainage proposal within 9 months from the date of the planning approval to the satisfaction of the

Director of Drainage Services or of the TPB by 17.12.2023;

- (e) in relation to (d) above, the implemented drainage facilities on the site shall be maintained at all times during the planning approval period;
- (f) the provision of fire extinguisher(s) within 6 weeks from the date of planning approval to the satisfaction of the Director of Fire Services or of the TPB by 28.4.2023;
- (g) the submission of a fire service installations proposal within 6 months from the date of the planning approval to the satisfaction of the Director of Fire Services or of the TPB by 17.9.2023;
- (h) in relation to (g) 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 17.12.2023;
- (i) if any of the above planning condition (a), (b) or (e) is not complied with during the planning approval period, the approval hereby given shall cease to have effect and shall be revoked immediately without further notice;
- (j) if any of the above planning condition (c), (d), (f), (g) or (h) is not complied with by the specified date, the approval hereby given shall cease to have effect and shall on the same date be revoked without further notice; and
- (k) upon expiry of the planning permission, the reinstatement of the site to an amenity area to the satisfaction of the Director of Planning or of the TPB.”

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

Agenda Item 24

Section 16 Application

[Open Meeting]

A/YL-LFS/455 Proposed Temporary Warehouse for Storage of Building Materials for a Period of 3 Years in “Recreation” Zone, Lots 2207 RP (Part), 2213 S.A RP, 2213 S.B, 2214 RP in D.D. 129, Lau Fau Shan, Yuen Long
(RNTPC Paper No. A/YL-LFS/455)

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

Deliberation Session

91. After deliberation, the Committee decided to approve the application on a temporary basis for a period of 3 years until 17.3.2026 on the terms of the application as submitted to the Town Planning Board (TPB) and subject to the following conditions :

- “(a) no vehicle exceeding 5.5 tonnes, including medium goods vehicle, 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;
- (b) no vehicle is allowed to queue back to public road or reverse onto/from the public road at any time during the planning approval period;
- (c) the submission of a 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 17.9.2023;
- (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 17.12.2023;

- (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 17.9.2023;
- (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 17.12.2023;
- (h) the submission of a run-in/out proposal within 6 months from the date of planning approval to the satisfaction of the Director of Highways and the Commissioner for Transport or of the TPB by 17.9.2023;
- (i) in relation to (h) above, the implementation of the run-in/out proposal within 9 months from the date of planning approval to the satisfaction of the Director of Highways and the Commissioner for Transport or of the TPB by 17.12.2023;
- (j) if any of the above planning condition (a), (b) or (e) is not complied with during the planning approval period, the approval hereby given shall cease to have effect and shall be revoked immediately without further notice; and
- (k) if any of the above planning condition (c), (d), (f), (g), (h) or (i) is not complied with by the specified date, the approval hereby given shall cease to have effect and shall on the same date be revoked without further notice.”

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

Agenda Item 25

Section 16 Application

[Open Meeting]

A/YL-TT/587 Proposed Temporary Shop and Services for a Period of 3 Years in
“Other Specified Uses” annotated “Rural Use” Zone, Lot 977 (Part) in
D.D. 118, 106 Nam Hang Tsuen, Yuen Long
(RNTPC Paper No. A/YL-TT/587)

93. The Committee noted that the applicant’s representative requested on 3.3.2023 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.

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

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

Agenda Item 26

Section 16 Application

[Open Meeting (Presentation and Question Sessions Only)]

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

Presentation and Question Sessions

95. With the aid of some plans, Mr Alex W.Y. Mak, STP/TMYLW, briefed Members on the background of the application, the proposed development, departmental and public comments, and the planning considerations and assessments as detailed in the Paper. The Planning Department had no objection to the application.

96. Members had no question on the application.

Deliberation Session

97. The Chairman remarked that the proposed filling and excavation of land was for New Territories Exempted Houses which were permitted developments under the “Village Type Development” zone. Relevant government departments had no adverse comment on the application.

98. 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 17.3.2027, 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 conditions :

- “(a) the submission of a drainage proposal before the commencement of any filling and excavation works at the site to the satisfaction of the Director of Drainage Services or of the TPB;

- (b) the implementation of the drainage proposal identified therein and maintenance of the implemented drainage facilities upon completion of the filling and excavation of land to the satisfaction of the Director of Drainage Services or of the TPB; and
- (c) if any of the above planning condition (a) or (b) is not complied with, the approval hereby given shall cease to have effect and shall be revoked immediately without further notice.”

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

Agenda Item 27

Section 16 Application

[Open Meeting]

A/YL-TYST/1201 Proposed Minor Relaxation of Building Height and Plot Ratio Restrictions for Permitted Public Housing Development in “Residential (Group A) 2” Zone, Government Land adjacent to Tan Kwai Tsuen South Fresh Water Service Reservoir
(RNTPC Paper No. A/YL-TYST/1201)

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

Agenda Item 28

Section 16 Application

[Open Meeting]

A/YL-TYST/1202 Proposed Temporary Warehouse for Storage of Electronic Goods for a Period of 3 Years in “Undetermined” Zone, Lots 835 S.A, 835 S.B (Part), 836 (Part) and 837 (Part) in D.D 119, Pak Sha Tsuen, Yuen Long
(RNTPC Paper No. A/YL-TYST/1202)

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

Deliberation Session

102. After deliberation, the Committee decided to approve the application on a temporary basis for a period of 3 years until 17.3.2026 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 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 17.9.2023;
- (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 17.12.2023;
- (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 17.9.2023;

- (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 17.12.2023;
- (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.”

103. 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]

A/YL-TYST/1203 Temporary Warehouse and Open Storage of Construction Materials, Vehicle Parts, Mobile Toilets and Construction Machinery for a Period of 3 Years in “Open Space”, “Residential (Group A) 3” and area shown as ‘Road’, Lot 2712 S.B (Part) in D.D. 120 and Various Lots in D.D. 121 and Adjoining Government Land, Shan Ha Tsuen, Yuen Long
(RNTPC Paper No. A/YL-TYST/1203)

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

105. With reference to the assessments set out in the Paper, a Member asked the following questions:

- (a) elaboration on the reasons why the Environmental Protection Department (EPD) did not support the application; and
- (b) details on the substantiated environmental complaints over the past three years at the application site (the Site).

106. In response, the Secretary made the following main points:

- (a) EPD's main concern was on the environmental nuisance caused by traffic of heavy vehicles to residential uses in the vicinity. The applicant had proposed appropriate measures to address the concerns of EPD, including restriction of workshop activities on the Site and limitation on operation hours. Taking into account that similar previous approvals were granted for the Site, PlanD considered that the temporary use could be tolerated; and
- (b) the substantiated environmental complaints received by EPD over the past three years at the Site were related to the workshop of metal recycling operations which were not covered by the previous planning approval (No. A/YL-TYST/1093). In fact, the previous planning approval was revoked in 2022 due to non-compliance with the planning approval condition prohibiting workshop activities. The current application did not propose workshop activities.

107. Noting the revocation of the previous planning approval, which was for the same applied use as the current application (i.e. temporary warehouse and open storage without workshops), the same Member asked what could be done to prevent repeated contravention of approval conditions. In response, the Secretary said that the Board could reject planning applications taking into account the applicants' records of repeated contravention of approval conditions. Nevertheless, the current application was submitted by a different applicant and thus, sympathetic consideration could be given. If Members considered it necessary, relevant approval conditions could be added.

Deliberation Session

108. A Member observed that since the planning permission was scheme binding (i.e. no workshop activities for the subject application), if the applicant carried out workshop activities on the Site, it would contravene the planning permission even without addition of an approval condition prohibiting workshop uses. The Chairman supplemented that if the workshop activities were not covered by the planning permission, they would constitute a suspected unauthorized development that was subject to enforcement actions by the Planning Authority. The Secretary further explained that for cases with concerns on environmental nuisance raised by government departments, relevant approval conditions would normally be imposed. Furthermore, with the relevant approval conditions, the planning permission could immediately be revoked if there was breach of the conditions. This was the case for revocation of the previous application (No. A/YL-TYST/1093), in that the workshop uses had to be discontinued and a fresh planning application was required, and that would have more deterrent effect.

109. In response to a Member's question, the Chairman reiterated that it was common practice for the Committee to impose conditions to address environmental nuisance concerns. An example was planning application No. A/YL-HTF/1150 considered under Item No. 23. After discussion, the Committee agreed to include relevant approval conditions to minimize any potential environmental nuisances, including prohibiting workshop activities on the Site at any time during the planning approval period, as set out in paragraphs 111(a) to (d) below.

110. A Member enquired about the ways to address the noise nuisance generated by the applied use. In response, the Secretary said that an advisory clause was recommended to advise the applicant to follow the latest "Code of Practice on Handling the Environment Aspects of Temporary Uses and Open Storage Sites" promulgated by EPD in order to minimize any environmental nuisance, including noise impacts. The same Member opined that the imposition of relevant advisory clause might not be robust enough to address concerns on the noise impact. The Chairman responded that the Site fell within the Yuen Long South Development Area and was mainly intended for residential development in the long term. The applied use, if approved by the Committee, would only be a transitional use prior to resumption of the land for the long-term development. Although there were some noise sensitive receivers in Shan Ha Tsuen in the vicinity, the applied use was generally not

incompatible with the surrounding area with predominantly open storage/storage yard uses. As such, the recommended advisory clause relating to the relevant code of practice promulgated by EPD would suffice.

111. After deliberation, the Committee decided to approve the application on a temporary basis for a period of 3 years until 17.3.2026 on the terms of the application as submitted to the Town Planning Board (TPB) and subject to the following conditions :

- “(a) no operation between 5:00 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 on Sundays and public holidays, as proposed by the applicant, is allowed on the site during the planning approval period;
- (c) no dismantling, cutting, compacting, cleansing or other workshop activities, as proposed by the applicant, are allowed on the site at any time during the planning approval period;
- (d) no heavy goods vehicles, including container tractors/trailers, 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;
- (e) the existing drainage facilities implemented on the site shall be maintained at all times during the planning approval period;
- (f) the submission of a condition record of the existing drainage facilities implemented 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 17.6.2023;
- (g) 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 28.4.2023;

- (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 17.9.2023;
- (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 17.12.2023;
- (j) if any of the above planning condition (a), (b), (c), (d) or (e) is not complied with during the planning approval period, the approval hereby given shall cease to have effect and shall be revoked immediately without further notice; and
- (k) if any of the above planning condition (f), (g), (h) or (i) is not complied with by the specified date, the approval hereby given shall cease to have effect and shall on the same date be revoked without further notice.”

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

Agenda Item 30

Any Other Business

113. There being no other business, the meeting was closed at 5:05 p.m..