

**RESTRICTED**

**TOWN PLANNING BOARD**

**Minutes of 718<sup>th</sup> Meeting of the  
Rural and New Town Planning Committee held at 2:30 p.m. on 5.5.2023**

**Present**

Director of Planning  
Mr Ivan M.K. Chung

Chairman

Mr Stephen L.H. Liu

Vice-chairman

Dr C.H. Hau

Miss Winnie W.M. Ng

Mr K.W. Leung

Professor John C.Y. Ng

Mrs Vivian K.F. Cheung

Mr Vincent K.Y. Ho

Chief Traffic Engineer/New Territories East,  
Transport Department  
Mr K.L. Wong

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

Principal Environmental Protection Officer (Territory North),  
Environmental Protection Department  
Mr Stanley C.F. Lau

Assistant Director/Regional 3,  
Lands Department  
Mr Damien C.M. Chan

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

Secretary

**Absent with Apologies**

Dr Venus Y.H. Lun

Dr Conrad T.C. Wong

Mr K.L. Wong

**In Attendance**

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

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

**Agenda Item 1**

**Confirmation of the Draft Minutes of the 717<sup>th</sup> RNTPC Meeting held on 21.4.2023**

[Open Meeting]

1. The draft minutes of the 717<sup>th</sup> RNTPC meeting held on 21.4.2023 were confirmed without amendments.

**Agenda Item 2**

**Matter Arising**

[Open Meeting]

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

## **General**

[Ms Margaret H.Y. Chan, District Planning Officer/Shau Tin, Tai Po and North (DPO/STN), Mr Anthony K.O. Luk, District Planning Officer/Fanling, Sheung Shui and Yuen Long East (DPO/FSYLE), Mr Raymond H.F. Au, District Planning Officer/Tuen Mun and Yuen Long West (DPO/TMYLW), Mr W.C. Lui, Senior Town Planner/Tsuen Wan and West Kowloon (STP/TWK), Ms W.H. Ho, Senior Town Planner/Sai Kung and Islands (STP/SKIs), Mr Stephen C.Y. Chan, Senior Town Planner/Metro & Urban Renewal (STP/M&UR) and Mr Joe T.C. Tam, Town Planner/Metro & Urban Renewal (TP/M&UR), were invited to the meeting at this point.]

### **Agenda Item 3**

[Open Meeting]

Review of Sites Designated “Comprehensive Development Area” on Statutory Plans in the New Territories for the Years 2021/2023

(RNTPC Paper No. 4/23)

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

3. With the aid of a PowerPoint presentation, Mr Joe T.C. Tam, TP/M&UR, introduced the background of the review of “Comprehensive Development Area” (“CDA”) sites. According to the Town Planning Board Guidelines No. 17A, a review of the “CDA” sites designated for more than three years should be conducted on a biennial basis to assist the Committee to monitor the progress of “CDA” developments. The last “CDA” review was conducted in 2021. Mr Tam further presented the results of the latest review on “CDA” sites in the New Territories as detailed in the Paper and made the following main points:

- (a) as at the end of March 2023, there were a total of 53 “CDA” sites in the New Territories that had been designated for more than three years, which were covered under the current review;

“CDA” Sites with No Valid Approved Master Layout Plan (MLP)

- (b) there were 17 “CDA” sites without valid approved MLP, amongst which, eight were proposed for retention and eight were subject to on-going review on the zoning, site boundary and/or development intensity/restriction, including (i) Lok On Pai Ex-desalting Plant, Tuen Mun (NTW 9); (ii) to (iv) three sites either in close proximity to or bisected by the proposed Northern Link (NOL) (NTW 17, NTW 18 and NTW 40); (v) Tan Kwai Tsuen Road, Yuen Long (NTW 21); and (vi) to (viii) three sites bounded by Long Tin Road, Long Ping Road and Tuen Ma Line Viaduct (NTW 50, NTW 51 and NTW 52). Justifications for retention of the eight sites and details of these sites were set out in Appendices I and II of the Paper respectively;
- (c) for the site to the southeast of Tong Fong Tsuen and west of Ping Ha Road, Ping Shan (NTW 43), portion of the site is subject to an agreed s.12A application while the remaining portion was proposed to be rezoned to appropriate zoning when opportunity arose. Justifications for rezoning the site were set out in Appendix III of the Paper;

“CDA” Sites with Approved MLP

- (d) there were 36 “CDA” sites with approved MLP, among which, the one to the south of the Former Military Site at Shek Wu Wai (NTW 42) was subject to on-going review and 25 were proposed for retention to ensure proper implementation in accordance with the approved MLPs and fulfilment of approval conditions. Justifications for retention of the 25 sites and details of the Shek Wu Wai site were set out in Appendices IV and V of the Paper respectively;
- (e) there were nine sites previously agreed by the Committee for rezoning to appropriate zonings to reflect their as-built conditions when opportunity arose. The current progress of implementation of these sites was set out in Appendix VI of the Paper; and

- (f) for the site in Tin Shui Wai Area 112 (NTW 36), as the residential development thereat had been completed, it was proposed to rezone the site to appropriate zoning to reflect its as-built condition when opportunity arose. Justifications for rezoning the site were set out in Appendix VII of the Paper.

4. In response to the Chairman's enquiry on the background of NTW 43 site, which was a "CDA" site without approved MLP proposed for rezoning, Mr Raymond H.F. Au, DPO/TMYLW, said that a s.12A application (No. Y/YL-PS/4) for rezoning the western part of the "CDA" site and the adjoining "Village Type Development" ("V") zone to "Residential (Group B)2" for proposed residential-cum-social welfare development (subject to a maximum plot ratio of 3.39) was agreed by the Committee in 2022. The remaining eastern portion of NTW 43 site with two factory buildings erected thereat was proposed to be rezoned to appropriate zoning so as to facilitate early transformation of the area without generating environmental and traffic concerns. Corresponding amendments to the Outline Zoning Plan would be proposed when opportunity arose. In response to a Member's enquiry, Mr Raymond H.F. Au, DPO/TMYLW, said that the temporary structure, which fell partly within the south-western portion of the NTW 43 site and partly within the adjoining "V" zone, was erected after the designation of "CDA" zone for NTW 43 site and covered by the agreed s.12A application (No. Y/YL-PS/4).

5. With regard to a Member's enquiry about the overall flat production of all the "CDA" sites, Mr Stephen Chan, STP/M&UR, said that the "CDA" sites were mainly for residential and/or commercial uses. Since not all "CDA" sites were with valid approved MLP and the comprehensive development schemes might be subject to revision according to the latest circumstances, there was no figure on the overall flat production of the "CDA" sites available on hand. Nevertheless, the Planning Department could provide supplementary information on the flat production relating to the "CDA" sites with valid approved MLPs via a post-meeting note for Members' general information.

*[Post-meeting note: the flat production of completed developments for the "CDA" sites in the New Territories with approved MLPs is 20,938 and the estimated flat production of the remaining "CDA" sites with approved MLPs/approved schemes is about 69,000.]*

6. A Member enquired on how the boundaries of NTW 40, 51 and 52 sites were determined. In response, Mr Anthony K.O. Luk, DPO/FSYLE, said that three parts of NTW 40 site and the strip of land in between were previously zoned “Residential (Group D)” and were later rezoned to “CDA” and “Other Specified Uses” annotated “Railway Reserve” in 1999 respectively mainly to reflect the tentative Northern Link (NOL) alignment. As such, NTW 40 site was bisected by the reserve area of the proposed NOL alignment. Given that NTW 40 site involved multiple ownership and was without valid approved MLP, the “CDA” zoning would be reviewed with due regard to the impending finalisation of the NOL alignment.

7. As for NTW 51 and 52 sites, Mr Raymond H.F. Au, DPO/TMYLW, said that the two sites together with the adjoining NTW 50 site were rezoned from “Undetermined” to “CDA” based on a land use review conducted by PlanD in 2010. The boundaries of the three sites were demarcated taking into account the existing developments/land uses and features such as temporary structures and brownfield operations, as well as green areas and a community facility which were respectively zoned “Green Belt” and “Government, Institution or Community”. NTW 50 and 51 sites, together with the adjacent land parcels, were shortlisted as one of the brownfield clusters with potential for public housing development. For NTW 52 site, part of it and its adjoining land parcels to the north were covered by an endorsed Land Sharing Pilot Scheme application for public and private housing developments while the “CDA” zoning of the remaining portion of the site would be reviewed later taking into account the latest planning circumstances.

8. After deliberation, the Committee decided to:

- (a) note the findings of the review of the sites designated “CDA” on statutory plans in the New Territories;
- (b) agree to the proposed retention of the “CDA” designation for the sites mentioned in paragraphs 4.1.1 and 4.2.1 and detailed at Appendices I and IV of the Paper;
- (c) note the sites which are subject to on-going review mentioned in paragraphs 4.1.3 and 4.2.2 and detailed at Appendices II and V of the Paper;

- (d) note the previous agreement of the Committee to rezone the sites mentioned in paragraph 4.2.3 and detailed at Appendix VI of the Paper; and
- (e) agree to the proposed rezoning of the sites mentioned in paragraphs 4.1.4 and 4.2.4 and detailed at Appendices III and VII of the Paper.

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

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

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

### **Agenda Item 4**

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

[Open Meeting (Presentation and Question Sessions Only)]

Y/YL-MP/6                      Application for Amendment to the Approved Mai Po & Fairview Park Outline Zoning Plan No. S/YL-MP/6, To rezone the application site from "Residential (Group D)" to "Residential (Group C) 1" restricted to a maximum total plot ratio of 1.88 (of which domestic plot ratio should not exceed 1.8 and non-domestic plot ratio should not exceed 0.08) and a maximum building height of 67.3mPD (19 storeys), Lots 4805, 3152, 3153 RP and 3156 S.B in D.D. 104 and adjoining Government Land on Kam Pok Road, Yuen Long (RNTPC Paper No. Y/YL-MP/6A)

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9.                      The Secretary reported that the application site (the Site) was located in Mai Po. The application was submitted by Capital Chance Limited, which was a subsidiary of Sun Hung Kai Properties Limited (SHK), and AECOM Asia Company Limited (AECOM) was



one of the consultants of the applicant. The following Members had declared interests on the item:

- Mr K.W. Leung - owning a property in Fairview Park, Mai Po;
- Miss Winnie W.M. Ng - being a Director of the Kowloon Motor Bus Company (1933) Limited (KMB) and Long Win Company Limited (Long Win), and SHK is one of the shareholders of KMB and Long Win;
- Dr Conrad T.C. Wong - having current business dealings with SHK and AECOM;
- Mr Vincent K.Y. Ho - having current business dealings with SHK and AECOM; and
- Dr C.H. Hau - having current business dealings with AECOM.

10. The Committee noted that Dr Conrad T.C. Wong had tendered an apology for not being able to attend the meeting. As the interests of Miss Winnie W.M. Ng and Mr Vincent K.Y. Ho were direct, the Committee agreed that they should be invited to leave the meeting temporarily during the deliberation session for the item. As Dr C.H. Hau had no involvement in the application and the property owned by Mr K.W. Leung had no direct view of the Site, the Committee agreed that they could stay in the meeting.

[Messrs Vincent K.Y. Ho and Paul Y.K. Au left the meeting temporarily at this point.]

#### Presentation and Question Sessions

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

**PlanD**

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

**Applicant's Representatives**

*Applicant*

Mr Andy Mok

Mr K.K. Sun

*KTA Planning Limited*

Mr Kenneth To

Ms Gladys Ng

*Archiplus International (HK) Limited*

Mr C.K. Fung

*Urbis Limited*

Mr Dhany Kusuma

*AECOM Asia Company Limited*

Mr Steven Ho

Mr Willie Wan

*AEC Limited*

Mr Paul Leader

*Ove Arup & Partners Hong Kong Limited*

Mr Franki Chiu

Mr Ivan Wan

*Ramboll Hong Kong Limited*

Mr David Yeung

Mr Henry Ng

12. 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.

13. With the aid of a PowerPoint presentation, Ms Christine C.M. Cheung, STP/FSYLE, briefed Members on the background of the application, the proposed rezoning of the 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.

14. The Chairman then invited the applicant's representative to elaborate on the application. With the aid of a PowerPoint presentation, Mr Kenneth To, the applicant's representative, made the following main points:

- (a) the Site was within an "Unspecified Use" area on the draft Mai Po and Fairview Park Interim Development Permission Area Plan No. IDPA/YL-MP/1 gazetted in 1990. When the draft Mai Po and Fairview Park Outline Zoning Plan (OZP) No. S/YL-MP/1 was gazetted in 1994, the Site and its adjoining areas were rezoned to "Residential (Group D)" ("R(D)"). According to the Notes of the OZP, "R(D)" zone was intended for low-rise and low-density developments subject to building height (BH) and plot ratio (PR) restrictions of 2 storeys and 0.2 respectively. The zoning and boundary of the subject "R(D)" zone had remained unchanged since then;
- (b) the Site was located to the south of Ngau Tam Mei Drainage Channel (NTMDC), Kam Pok Road and Yau Pok Road. There was no pedestrian footpath along the embankment of NTMDC. Chuk Yuen Tsuen with existing village settlement and Chuk Yuen Stormwater Pumping Station were located to the immediate south of the Site;

- (c) the proposed rezoning was in line with the Government's policy to boost housing and land supply through optimisation of scarce land resources;
- (d) in view of the trend of integration with Shenzhen and the Greater Bay Area, the Site, which was located about 1km and 860m away from the planned San Tin/Lok Ma Chau Development Node (ST/LMC DN) and the planned Ngau Tam Mei (NTM) Station of the Northern Link (NOL) respectively, would be an ideal living place for talents, entrepreneurs and their families;
- (e) whilst the Government was currently reviewing the ST/LMC DN in order to confirm the technical feasibility and finalise the land use proposal in tandem with the detailed planning and design of the NOL including NTM Station, the proposed rezoning would capture the benefit brought by the proposed NOL and the foreseeable transformation of the San Tin and Mai Po areas;
- (f) the Site was the subject of a previous application (No. A/YL-MP/205) approved by the Committee in 2013 for a residential development of 71 houses with a PR of 0.2 and a BH of 3 storeys. The approved development had already commenced with the building plans approved in 2021 and the land grant executed in 2022;
- (g) under the current rezoning proposal, the proposed medium-rise development with a PR of 1.88 and a BH of not more than 19 storeys would provide more housing, i.e. 2,771 units, with a neighbourhood activity node providing local commercial use, public transportation services and Government, institution and community (GIC) facilities for the future residents and the residents in the neighbourhoods. This would achieve a better utilisation of scarce land resources comparing with the aforesaid approved development with only 71 houses on a site with an area of about 6.5 ha;
- (h) sustainable urban form would be adopted for the proposed development at the Site. As shown in the indicative scheme, the taller building blocks were located in the eastern part of the Site that was further away from

NTMDC. Area adjacent to NTMDC was designated for low-rise building blocks and a landscape pond; and

- (i) a number of mitigation measures were proposed to mitigate possible traffic, sewerage, ecology, environment and visual impacts. In particular, junction improvement works at Fairview Park Interchange and the junction of Castle Peak Road/Kam Pok Road were proposed and would be implemented by the applicant in view of the increased traffic generated by the proposed development. Relevant government departments had no objection to or no adverse comment on the application.

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

*Development Intensity and BH Profile*

16. A Member asked about the BH profile of the Mai Po and Fairview Park area, including the existing and approved developments in the vicinity.

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

- (a) the Mai Po and Fairview Park area was generally a low-rise, low-density sub-urban neighbourhood with BHs ranging from 2 to 3 storeys. A few low-density low-rise residential developments proposed in the surrounding area of the Site were approved by the Committee;
- (b) a site to the immediate south of the Site within the same "R(D)" zone but outside Wetland Buffer Area (WBA) was approved for development of 65 houses with a PR of 0.2 and BH of 2 storeys under application No. A/YL-MP/287 in 2020 and the relevant lease was executed in 2021;
- (c) a site to the immediate north across NTMDC at Yau Mei San Tsuen, which was zoned as "Other Specified Uses" ("OU") annotated "Comprehensive Development and Wetland Protection Area" was approved for development

of 105 houses with a PR of 0.2 and a BH of 3 storeys under application No. A/YL-MP/247 in 2016;

- (d) to the further north at Wo Sang Wai, a site zoned “OU” annotated “Comprehensive Development to Include Wetland Restoration Area” was approved for development of 268 houses with a PR of 0.4 and a BH of 2-3 storeys under application No. A/YL-MP/291 in 2020;
- (e) the applicant had submitted two other s.12A applications (No. Y/YL-MP/7 and 8), which were being processed, for proposed comprehensive residential developments with a BH of 16 storeys at two sites to the southwest and northwest of the Site respectively across NTMDC; and
- (f) the proposed development with a maximum BH of 19 storeys would be the tallest development in the Mai Po and Fairview Park area should the rezoning application be agreed by the Committee.

18. With the aid of some PowerPoint slides, Mr Kenneth To, the applicant’s representative, supplemented that while the proposed development with an overall PR of 1.88 and a maximum BH of 19 storeys might not be comparable to that of the neighbouring low-rise developments, it was the applicant’s intention to create a neighbourhood centre in the area. The proposed development would provide commercial use, public transportation services and GIC facilities which could serve the future residents and the neighbourhoods. Given that the planned NOL NTM Station was located about 860m from the Site, the proposed PR of 1.88 and BH of 19 storeys had taken into account the anticipated high development intensity of the future development node in NTM area. By making reference to the Kwu Tung North New Development Area (NDA), PRs for the housing sites around the planned NOL Kwu Tung Station ranged from 6 to 7.8, and the development intensity gradually decreased with PRs ranging from 3.5 to 4.2 for private housing sites located further away from the Kwu Tung Station. Hence, the proposed PR of 1.88 for the Site which was located within 860m from the future high-density development node at NTM Station was not considered excessive.

19. In considering whether the proposed development could integrate with the surrounding developments from a wider context, a Member enquired about the overall land

use planning of ST/LMC DN under the Northern Metropolis Development Strategy.

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

- (a) similar to other New Towns and NDAs, the Northern Metropolis would adopt a development model driven by railway network. In general, while developments with higher PR would be mainly concentrated around the railway stations and along the railway alignments, the northern part of the Northern Metropolis would be designated as wetland conservation parks to preserve the integrity of areas with significant ecological value;
- (b) with reference to the Initial Land Use Plan of ST/LMC DN as shown on **Plan Z-5a** of the Paper, high-rise developments with a maximum PR of 6.5 would be concentrated around the NOL San Tin Station. Being separated by the San Tin Highway and located about 860m to 1km away from the planned NOL NTM Station and San Tin Station, respectively, the Site was not falling within the catchment areas of these railway stations. Nevertheless, with the implementation of the NOL, the accessibility of the areas would generally be enhanced; and
- (c) the land use proposal currently being refined by the Government for the ST/LMC DN in tandem with the planning and design of the NOL including NTM area would facilitate the transformation of this part of Mai Po area into a medium-rise residential neighbourhood. In this regard, the proposed low to medium-rise and medium-density development (with a PR of 1.88 and a maximum BH of 19 storeys) at the Site was not incompatible with the future land use character of the area and would help achieve a gradual transition from the low-rise, low-density neighbourhood in Mai Po area to the future development nodes around NTM Station and ST/LMC DN. Besides, the proposed development intensity was also considered not entirely out of keeping with the land use and character of the existing sub-urban neighbourhood having balanced between conservation and development.

21. With regard to the same Member's question on Government's intention in respect of the overall land use planning of the Site and its surrounding areas including the area around the NOL NTM Station, in terms of development intensity and massing, Mr Anthony K.O. Luk, DPO/FSYLE, said that as the land use review study for NTM area was still under way, which was targeted for completion in 2024, the overall land use planning of the NTM area including the area to the east of the Site across San Tin Highway was yet to be formulated.

22. Mr Kenneth To, the applicant's representative, supplemented that the "R(D)" zoning for the Site, which was sizable in area, was considered inappropriate and a waste of valuable land resources. The Site, which was a roadside housing site abutting Kam Pok Road with approved housing proposal for 71 units (under application No. A/YL-MP/205), was capable of accommodating more housing units. Rezoning the Site to "R(C)1" at a domestic PR of 1.88 with provision of 2,771 units could capture the benefit brought by the proposed NOL.

23. In response to a Member's question regarding the concept of neighbourhood centre as proposed by the applicant, Mr Kenneth To, the applicant's representative, said that a neighbourhood activity node was proposed within the Site to provide retail, public transport services and GIC facilities which was mainly to serve the future residents of the proposed development and those under the two on-going applications No. Y/YL-MP/7 and 8 to the southwest and northwest of the Site respectively, as well as the residents in the neighbourhoods. The Site would be accessed via Kam Pok Road and the proposed facilities would be placed around the main entrance which would be easily accessed by the residents in the neighbourhoods.

#### *Ecological and Environmental Aspects*

24. Given that the Site largely fell within WBA, a Member asked whether the proposed development would bring about ecological planning gains in enhancing the wetland habitats to the Site as compared with the existing site condition. In response, Mr Anthony K.O. Luk, DPO/FSYLE, said that according to 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), the intention of the WBA was to protect the ecological integrity of the fish ponds and wetland within the Wetland Conservation Area (WCA) and prevent development having a negative off-site disturbance impact on the ecological value of fish ponds. In accordance with TPB PG-No. 12C, the applicant had submitted an Ecological Impact Assessment (EcoIA) for the proposed development to demonstrate that the potential negative impacts of the proposed development could be mitigated through positive measures and the proposed development would not cause net increase in pollution load to Deep Bay. The Director of Agriculture, Fisheries and Conservation (DAFC) considered that the significant increase in development intensity of the proposed development would bring much greater disturbance to the birds and wetland habitats. Nevertheless, with a number of design measures as set out in paragraph 10.2.7(b) of the Paper, including but not limited to stepped and descending BH towards NTMDC, a minimum distance of 30m from the proposed towers to the nearest part of NTMDC, absence of extensive reflective surfaces, as well as provision of landscape buffer area and landscape pond with a view to minimising the potential impacts disturbance to the birds utilising NTMDC, DAFC had no objection to the EcoIA and considered that the above design measures could be enforced through the Environmental Permit (EP) under the Environmental Impact Assessment (EIA) Ordinance. The proposed landscaped open space in the south-eastern part of the Site along Ha Chuk Yuen Road for public enjoyment could also be considered as a planning gain.

25. Two Members raised the following questions:

- (a) details on the findings of the EcoIA and whether mitigation measures were proposed;
- (b) more detailed figures and assessments on the ecological value of the water bodies surrounding the Site (including NTMDC, Drainage Services Department (DSD) stormwater retention pond and a channel located to the east of the Site) and whether the proposed development would cause adverse impacts in respect of their ecological values;
- (c) given that NTMDC was sandwiched between the Site and application sites of applications No. Y/YL-MP/7 and 8, how the foraging habitat for water

birds and their flight line corridor at NTMDC could be maintained if all these applications for proposed residential developments with a BH of 16 to 19 storeys were approved, whether the potential light pollution arising from the proposed development would bring adverse impacts on birds' night time activities, and whether the proposed landscape pond was considered as a mitigation measure adhering to "no-net-loss in wetland" principle; and

- (d) whether the proposed development would generate pedestrian traffic along NTMDC and cause disturbance to the bird flight lines.

26. In response, with the aid of some PowerPoint slides, Mr Paul Leader, the applicant's representative, made the following main points:

- (a) according to the EcoIA, the existing habitats within the Site were of very low to low ecological value. Given that majority of the Site was situated in the landward periphery of WBA amidst the existing residential developments and village settlements, the number of wetland birds utilising the Site and its surrounding areas was relatively low. A number of design measures was proposed with a view to preserving the integrity of NTMDC as a foraging habitat for water birds and flight line corridor through the area. These measures include stepped BH profile descending from southeast to northwest towards NTMDC, setback of the proposed buildings from the site boundaries, provision of a landscape buffer area and landscape pond. With the implementation of appropriate mitigation measures, the predicted impacts from the proposed development would be reduced to low significance and no unacceptable residual ecological impacts were anticipated;
- (b) the ecological values of NTMDC and the DSD stormwater retention pond were detailed in Table 29 of the EcoIA conducted for the proposed development. Though disturbance-sensitive fauna was recorded in both water bodies, habitat quality of NTMDC and the stormwater retention pond was considered moderate and low respectively;

- (c) according to bird surveys conducted under the EcoIA, only 15 birds per hour were recorded along NTMDC. No flight line survey was undertaken at night as it was difficult to see birds flying around at night. Given that there was no wetland within the Site, the proposed landscape pond of about 0.5ha located near NTMDC was considered an enhancement measure which would increase the visual amenity and landscape values of the Site; and
- (d) as there were no pedestrian walkways along the embankments of NTMDC, the proposed development would not generate pedestrian flow along NTMDC. Under the current proposal, a proactive approach was adopted in formulating the layout of the proposed development to avoid disturbance to the bird flight lines over NTMDC. Same design measures would also be incorporated for the proposed developments under applications No. Y/YL-MP/7 and 8 in order to minimise the potential impacts on the bird flight lines along NTMDC and its vicinity. The proposed building setback from the site boundary along NTMDC would allow a sufficient buffer distance of at least 100m between the proposed tower blocks and the NTMDC.

27. In response to a Member's enquiry about the current status of the EP for the proposed development, Mr Stanley C.F. Lau, Principal Environmental Protection Officer (Territory North), Environmental Protection Department, said that the proposed development was a Designated Project and an EP was required before the implementation. The applicant had provided an EIA study brief in the submission. Should the application be approved, the applicant was required to submit an EIA Report in accordance with the EIA Ordinance to demonstrate that the environmental impacts arising from the proposed development could fully comply with the relevant requirements in order to obtain an EP. The implementation of mitigation measures proposed by the applicant could be enforced through the EP issued under EIA Ordinance.

28. In view that the recent drainage works undertaken by DSD had been incorporated with ecological enhancement elements which were welcome from ecological point of view, a Member asked whether DSD had any proposal to carry out such improvement works at

NTMDC. Mr Anthony K.O. Luk, DPO/FSYLE, responded that while there was currently no proposal to redress NTMDC, the Member's view could be conveyed to DSD for consideration, where appropriate.

*Visual Aspect*

29. A Member asked whether the visual impact assessment (VIA) conducted for the proposed development had taken into account the cumulative visual impacts arising from the two new s.12A applications No. Y/YL-MP/7 and 8 which were still being processed. With reference to a photomontage in Drawing Z-13a of the Paper, Mr Anthony K.O. Luk, DPO/FSYLE, responded that in general, technical assessments conducted for any proposed development under application would take into consideration the existing and committed developments in the locality. Hence, the proposed developments under the two on-going s.12A applications No. Y/YL-MP/7 and 8 were not taken into account in the VIA for the subject application. Should the subject application be approved, the applicant would need to take into account the approved scheme when conducting the VIAs for the two on-going applications No. Y/YL-MP/7 and 8.

30. A Member asked about how the proposed development could promote sustainability and green building design, in particular whether rooftop greening could be incorporated for the proposed development. In response, Mr Andy Mok, the applicant's representative said that rooftop greening could be provided at the low-rise non-domestic blocks. Besides, the applicant would adopt green building design, especially the BEAM Plus requirements, for the proposed development in order to promote sustainability and green building.

*Air Ventilation Aspect*

31. Noting from the Air Ventilation Assessment – Expert Evaluation (AVA-EE) submitted by the applicant that the air ventilation performance of the proposed development was comparable with that of the approved scheme under Application No. A/YL-MP/205, a Member casted doubt on such conclusion and enquired about the details of the summer prevailing wind directions and the air ventilation performance of the proposed development. In response, Mr Henry Ng, the applicant's representative, said that the summer prevailing

winds were mainly from the east, south and south-southwest directions. Considering that the air ventilation conditions of the downstream areas of the Site under the said summer wind directions might be affected by the proposed development, several design measures were proposed to enhance wind penetration, including building separation of not less than 15m between the building blocks, provision of buffer areas in the southern and northern parts of the Site, as well as building setback from the site boundary. With the implementation of the design measures, it was considered that the proposed development was unlikely to impose significant impacts on the surrounding areas from an air ventilation perspective.

#### *Traffic Aspect*

32. A Member enquired about how the proposed junction improvement works at Fairview Park Interchange could alleviate the potential traffic impacts due to the proposed development. In response, Mr Steven Ho, the applicant's representative, said that road widening works were proposed at the approach arm of San Tin Highway Slip Road (northbound), Castle Peak Road – Tam Mi (northbound), Castle Peak Road – Tam Mi (Southbound), San Tin Highway Slip Road (southbound) and San Tam Road (southbound). With implementation of the proposed junction improvement works, the capacity of the Fairview Park Interchange would be increased to cope with the additional traffic flow arising from the proposed development.

#### *Precedent Effect*

33. A Member raised concern that the approval of the subject application might act as a catalyst and even set an undesirable precedent for similar applications going for higher development intensity in the area, such as for the two previously approved developments under applications No. A/YL-MP/247 and A/YL-MP/291 at Yau Mei San Tsuen and Wo Shang Wai respectively, and asked if the respective applicants could submit s.12A applications if they intended to pursue higher development intensity for their sites. In response, Mr Anthony K.O. Luk, DPO/FSYLE, said that any applicant of an approved application could still submit other planning application, including a s.12A application, to the Board for consideration if they intended to go for a different development scheme, and each application would be considered on its own individual merits.

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

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

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

### Deliberation Session

35. The Chairman recapitulated the following main points:

- (a) the Site fell within an area zoned "R(D)" on the OZP which was a development zone primarily intended for low-rise and low-density residential developments subject to a maximum PR and BH of 0.2 and 2 storeys respectively. Under the current application, the applicant proposed a maximum PR of 1.88 and a maximum BH of 19 storeys for the proposed "R(C)1" zone to facilitate a comprehensive residential development with a neighbourhood activity node providing local commercial use, transportation services and GIC facilities;
- (b) as for the ecological concerns, according to the TPB PG-No. 12C, majority of the Site was within WBA of Deep Bay Area. Submission of an EcoIA was required to demonstrate that negative impacts arising from the proposed development could be mitigated through positive measures. The applicant had submitted an EcoIA and proposed a number of design measures such as stepped height profile, provision of landscaped pond and buffer area, as well as building setback from site boundaries to address the ecological concerns. DAFC had no objection to the conclusion of the EcoIA for the proposed development and the mitigation measures proposed could be enforced through the EP; and

- (c) the Site was located about 860m and 1km away from the planned NOL NTM Station and ST/LMC DN respectively. The overall land use planning for NTM area was subject to an on-going land use review which was targeted for completion in 2024. Notwithstanding that, it was foreseeable that the developments around the planned stations of the NOL would be intensified in view of the Government's policy of enhancing development intensity of housing sites. In this regard, the applicant proposed to rezone the Site to "R(C)1" at a higher PR (1.88) to capture the improved accessibility of the district brought by the NOL.

36. A Member said that the proposed development intensity was out of scale with the existing developments in the surroundings, but upon balancing the need for development, expressed no objection to the application. Whilst giving support to provide housing and land supply to address the pressing needs, some Members considered that there was not sufficient justification in the rezoning application for the proposed significant increase in development intensity and BH. Taking into account that its immediate surroundings were characterised by low-rise low-density residential developments and village type developments including Fairview Park, Palm Springs, Chuk Yuen Tsuen, Members considered that the proposed development with a PR of 1.88 and BH of 19 storeys was not compatible with the surrounding developments. The current "R(D)" zoning with a lower development intensity was considered appropriate for the Site. Besides, a Member considered that there was scope for enhancing the scheme in terms of building design and sustainability. Noting the current application should be considered on its individual merits, some Members were also concerned that approval of the subject application would set an undesirable precedent for other similar applications of higher development intensity without sufficient justifications and induce adverse cumulative impacts on the surrounding areas.

37. Whilst the Site was largely within WBA of Deep Bay Area, a Member considered that the applicant failed to demonstrate genuine effort in enhancing the ecological value of the area. Another Member concurred that there was no ecological planning gain in the current proposal and the design measures proposed by the applicant were not effective in maintaining the buffer function of the Site for wetland conservation. In this regard, the two Members had reservation on/objection to the application.

38. The Vice-chairman and some Members opined that it was premature to determine the appropriate development intensity of the Site while the overall land use planning in Ngau Tam Mei area was still under review. The Chairman clarified that the Site was outside the land use review study, the findings of would be available in 2024.

39. The Chairman concluded that the Committee generally did not support the application having considered that there was no strong justification to justify the proposed rezoning of the Site to “R(C)1” with significantly increased development intensity (from a PR of 0.2 to 1.88) and BH (from 2 storeys to 19 storeys), which was incompatible with the surrounding low-rise and low-density developments.

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

“there is no strong justification in the submission to justify the proposed rezoning to “R(C)1” and the proposed increase in development intensity and BH.”

[Mr K.W. Leung left the meeting at this point.]



**Tuen Mun and Yuen Long West District**

**Agenda Item 5**

Section 12A Application

[Open Meeting]

Y/YL-LFS/14            Application for Amendment to the Approved Lau Fau Shan & Tsim Bei Tsui Outline Zoning Plan No. S/YL-LFS/11, To rezone the application site from “Residential (Group C)” and “Residential (Group D)” to “Residential (Group B)”, Various Lots in D.D. 129, and adjoining Government Land, Lau Fau Shan, Yuen Long, New Territories  
(RNTPC Paper No. Y/YL-LFS/14)

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41.            The Committee noted that the applicant’s representative requested on 2.5.2023 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.

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

**Sai Kung and Islands District**

[Mr Kenneth C.K. Yeung 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 6**

**Section 16 Application**

[Open Meeting (Presentation and Question Sessions only)]

A/I-TOF/3                      Proposed Public Utility Installation (Sewage Pumping Station) in  
“Village Type Development” Zone, Government Land in D.D. 309L  
near Fan Kwai Tong, Tai O, Lantau Island  
(RNTPC Paper No. A/I-TOF/3A)

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

Dr C.H. Hau                      -     currently conducting contract research projects with DSD; and

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

44.            The Committee noted that Dr Conrad T.C. Wong had tendered an apology for not being able to attend the meeting. As Dr C.H. Hau had no involvement in the application, the Committee agreed that he could stay in the meeting.

**Presentation and Question Sessions**

45.            With the aid of some plans, Mr Kenneth C.K. Yeung, 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.

46.            Members had no question on the application.

[Miss Winnie W.M. Ng and Mr Vincent K.Y. Ho rejoined the meeting during the question and answer session.]

Deliberation Session

47. 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 5.5.2027, 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.

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

**Agenda Item 7**

Section 16 Application

[Open Meeting (Presentation and Question Sessions only)]

A/SK-PK/282 Proposed House (New Territories Exempted House - Small House) in  
“Recreation” Zone, Lot 307 in D.D. 221, Sha Kok Mei, Sai Kung, New  
Territories  
(RNTPC Paper No. A/SK-PK/282)

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Presentation and Question Sessions

49. 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 did not support the application.

50. Members had no question on the application.

Deliberation Session

51. 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 “Recreation” zone which is primarily for recreational developments for the use of the general public. There is no strong 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 Sha Kok Mei for Small House development. It is considered more appropriate to concentrate the proposed Small House development within the “V” zone for more orderly development pattern, efficient use of land and provision of infrastructures and services.”

### **Agenda Item 8**

#### **Section 16 Application**

[Open Meeting (Presentation and Question Sessions only)]

A/SK-PK/283            Proposed House (New Territories Exempted House - Small House) in “Village Type Development” Zone and area shown as ‘Road’, Lots 1264 S.A ss.4 RP, 1264 S.D RP and 1264 RP in D.D. 221, Sha Kok Mei, Sai Kung, New Territories  
(RNTPC Paper No. A/SK-PK/283)

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

52.            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.

53.            Members had no question on the application.

#### **Deliberation Session**

54.            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 5.5.2027, 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.

55. 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 Kenneth C.K. Yeung 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 Harris K.C. Liu and Ms Hannah H.N. Yick, Senior Town Planners/Shan Tin, Tai Po and North (STPs/STN), and Mr Derek C.K. Wong, Town Planner/Shan Tin, Tai Po and North (TP/STN), were invited to the meeting at this point.]

### **Agenda Item 9**

#### **Section 16 Application**

[Open Meeting]

A/NE-HLH/61 Temporary Open Storage with Ancillary Parking of Vehicles for a Period of 3 Years in "Agriculture" Zone, Lot 396 in D.D. 87, Hung Lung Hang, New Territories  
(RNTPC Paper No. A/NE-HLH/61)

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56. The Committee noted that the applicant requested on 25.4.2023 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.

57. 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-MKT/23      Proposed Temporary Shop and Services for a Period of 3 Years and Associated Filling of Land in "Agriculture" Zone, Lot 610 S.A RP in D.D. 90, Lin Ma Hang Road, Man Kam To  
(RNTPC Paper No. A/NE-MKT/23A)

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

### **Agenda Item 11**

#### **Section 16 Application**

[Open Meeting]

A/NE-MUP/182      Proposed Temporary Animal Boarding Establishment (Dog Kennel) for a Period of 3 Years in "Agriculture" Zone, Lot 27 (Part) in D.D. 38, Lots 804 (Part), 806 (Part), 807 (Part), 808 (Part), 826 (Part), 827 (Part) and 828 S.B RP (Part) in D.D. 46, Sha Tau Kok, New Territories  
(RNTPC Paper No. A/NE-MUP/182)

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59.            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

60. After deliberation, the Committee decided to approve the application on a temporary basis for a period of 3 years until 5.5.2026 on the terms of the application as submitted to the Town Planning Board (TPB) and subject to the following conditions:

- “(a) no operation between 7:00 p.m. and 9:00 a.m. (except for overnight dogs boarding), as proposed by the applicant, is allowed on the site during the planning approval period;
- (a) all animals should be kept inside the enclosed structures on the site at all times, as proposed by the applicant, during the planning approval period;
- (b) no public announcement system and whistle blowing (portable loudspeaker or any form of audio amplification system) is allowed to be used on the site, as proposed by the applicant, at any time during the planning approval period;
- (c) the submission of a drainage proposal within 6 months from the date of planning approval to the satisfaction of the Director of Drainage Services or of the TPB by 5.11.2023;
- (d) 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 5.2.2024;
- (e) in relation to (e) above, the implemented drainage facilities on the site shall be maintained at all times during the planning approval period;
- (f) the submission of a proposal for water supplies for firefighting 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 5.11.2023;

- (g) in relation to (g) above, the implementation of the proposal for water supplies for firefighting 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 5.2.2024;
- (h) the submission of a run-in/run-out proposal within 6 months from the date of planning approval to the satisfaction of the Director of Highways or of the TPB by 5.11.2023;
- (i) in relation to (i) above, the implementation of the run-in/run-out proposal within 9 months from the date of planning approval to the satisfaction of the Director of Highways or of the TPB by 5.2.2024;
- (j) 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;
- (k) if any of the above planning condition (d), (e), (g), (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; and
- (l) 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.”

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



## **Agenda Item 12**

### **Section 16 Application**

[Open Meeting]

A/NE-LT/756                      Renewal of Planning Approval for Temporary Educational Institution (Teaching Farm) for a Period of 3 Years until 15.5.2026 in “Recreation” Zone, Lots 335 S.B (Part), 336 S.A, 336 S.B, 336 S.C, 337 S.B, 338, 339, 340, 341, 345 S.A and 346 in D.D. 16, Wo Tong Pui, Tai Po, New Territories  
(RNTPC Paper No. A/NE-LT/756)

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62.                      The Secretary reported that the application was submitted by City University of Hong Kong (CityU) and Ho & Partners Architects (HPA) was one of the consultants of the applicant. Dr Conrad T.C. Wong had declared an interest on the item for having current business dealings with CityU and past business dealings with HPA. The Committee noted that Dr Conrad T.C. Wong had tendered an apology for not being able to attend the meeting.

63.                      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.

64.                      A Member enquired whether there was discrepancy in the description of zonings of the application site (the Site) as shown in the Paper and in the summary table of cases for renewal of temporary approval. In response, the Secretary clarified that while majority of the Site fell within “Recreation” zone, there was a minor portion (i.e. about 56m<sup>2</sup> or 0.6%) falling within “Green Belt” zone, which could be considered as minor boundary adjustment, and this was stated in a footnote included on the first page of the Paper.

### **Deliberation Session**

65.                      After deliberation, the Committee decided to approve the application on a temporary basis for a period of 3 years and be renewed from 16.5.2023 until 15.5.2026 on the terms of the application as submitted to the Town Planning Board (TPB) and subject to the following conditions:

- “(a) the development shall not cause any water pollution to the water gathering ground at any time during the planning approval period;
- (b) the environmental mitigation and preventive measures implemented and established on the site under application No. A/NE-LT/662 shall be maintained at all times during the planning approval period;
- (c) the water monitoring programme implemented and established on the site under application No. A/NE-LT/662 shall be maintained at all times during the planning approval period;
- (d) the submission of a condition record of the existing drainage facilities implemented on the site within 6 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 should be 16.11.2023;
- (e) in relation to (d) above, the existing drainage facilities implemented on the site shall be maintained at all times during the planning approval period;
- (f) the existing fire services installations implemented on the site shall be maintained in efficient working order at all times;
- (g) if any of the above planning condition (a), (b), (c), (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
- (h) if the above planning condition (d) is not complied with by the specified date, the approval hereby given shall cease to have effect and shall on the same date be revoked without further notice.”

66. 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 (Presentation and Question Sessions Only)]

A/NE-PK/178            Proposed House (New Territories Exempted House - Small House) in  
“Agriculture” Zone, Lot 1600 S.A RP in D.D. 91, Kai Leng, Sheung  
Shui, New Territories  
  
(RNTPC Paper No. A/NE-PK/178)

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**Presentation and Question Sessions**

67.            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.

68.            Members had no question on the application.

**Deliberation Session**

69.            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 5.5.2027, 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.”

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

**Agenda Item 14**

**Section 16 Application**

[Open Meeting]

A/NE-TK/766 Filling and Excavation of Land for Permitted Agricultural Use in “Coastal Protection Area” and “Agriculture” Zones, Lots 232B (Part), 234 (Part), 247 S.B (Part), 251 S.A & S.B (Part) and 252 (Part) in D.D. 29, Ting Kok, Tai Po, New Territories  
(RNTPC Paper No. A/NE-TK/766A)

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71. The Committee noted that the applicant’s representative requested on 21.4.2023 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 applicants requested deferment of the application. Since the last deferment, the applicant had submitted further information to address departmental and public comments.

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. Since it was the second deferment and a total of four months had been allowed for preparation of 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 15**

### **Section 16 Application**

[Open Meeting (Presentation and Question Sessions Only)]

A/NE-TK/771            Proposed House (New Territories Exempted House - Small House) in  
                                 “Green Belt” Zone, Government Land in D.D. 28, Tai Mei Tuk, Tai  
                                 Po, New Territories  
  
                                 (RNTPC Paper No. A/NE-TK/771)

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### **Presentation and Question Sessions**

73.            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.

74.            Members had no question on the application.

### **Deliberation Session**

75.            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 5.5.2027, 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 drainage proposal to the satisfaction of the Director of Drainage Services or of the TPB.”

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

**Agenda Item 16**

**Section 16 Application**

[Open Meeting]

A/NE-TKL/718 Proposed Four Houses (New Territories Exempted Houses - Small Houses) in “Agriculture” Zone, Lots 164 S.A ss.3, 164 S.A ss.4, 164 S.A ss.5, 164 S.B ss.3 S.F, 164 S.B ss.1 S.A and 164 S.B ss.3 S.C in D.D. 79, Ping Yeung Village, Ta Kwu Ling, New Territories  
(RNTPC Paper No. A/NE-TKL/718)

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77. 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 firms owning some pieces of land in Ta Kwu Ling.

78. The Committee noted that the applicants 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.

79. The Committee noted that the applicants’ representative requested on 21.4.2023 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 applicants requested deferment of the application.

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

**Agenda Item 17**

**Section 16 Application**

[Open Meeting (Presentation and Question Sessions Only)]

A/ST/1008                      Proposed Public Vehicle Park (excluding container vehicle) cum Social Welfare Facility (Residential Care Home for the Elderly) Development, and Proposed Minor Relaxation of Building Height Restriction in “Village Type Development” Zone, Lot 479 S.X in D.D. 189 and adjoining Government Land, south of Hin Keng Street, Tai Wai, New Territories  
  
(RNTPC Paper No. A/ST/1008B)

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81.                      The Secretary reported that the application site (the Site) was located in Sha Tin. The following Members had declared interests on the item:

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

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

82.                      As the properties owned by Professor John C.Y. Ng and co-owned by Mr Vincent K.Y. Ho had no direct view of the Site, the Committee agreed that they could stay in the meeting.

**Presentation and Question Sessions**

83.                      With the aid of a PowerPoint presentation, Ms Hannah H.N. Yick, 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.

84.                      Members had no question on the application.

## Deliberation Session

85. 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 5.5.2027, 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 and implementation of fire safety measures to the satisfaction of the Director of Fire Services or of the TPB; and
- (b) the submission of a Noise Impact Assessment Report and the implementation of the noise mitigation measures identified therein to the satisfaction of the Director of Environmental Protection or of the TPB.”

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

## **Agenda Item 18**

### Section 16 Application

[Open Meeting]

A/ST/1016                      Temporary Shop and Services for a Period of 5 Years in “Industrial” Zone, Workshop G2, LG/F, Valiant Industrial Centre, 2-12 Au Pui Wan Street, Fo Tan, Sha Tin, New Territories  
(RNTPC Paper No. A/ST/1016)

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87. The Secretary reported that the application premises (the Premises) was located in Sha Tin. The following Members had declared interests on the item:

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

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



88. As the properties owned by Professor John C.Y. Ng and co-owned by Mr Vincent K.Y. Ho had no direct view of the Premises, the Committee agreed that they could stay in the meeting.

89. 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 five years based on the assessments set out in the Paper.

90. Noting that the subject application was submitted by the same applicant of the previous Application No. A/ST/983 for the same temporary shop and services use at the Premises, Mr Damien C.M. Chan, Assistant Director/Regional 3, Lands Department enquired whether the subject application was for renewal of the previous planning approval. In response, the Secretary clarified that the subject application was not a renewal application. The Premises was the subject of four previous applications submitted by the same applicant for the same temporary use. The last application (No. A/ST/983) was approved with conditions by the Committee on a temporary basis for a period of 3 years up to 13.6.2023. Given that the subject application sought for a different approval period, i.e. 5 years instead of 3 years as for the last previous application, a fresh s.16 planning application was required.

#### Deliberation Session

91. After deliberation, the Committee decided to approve the application on a temporary basis for a period of 5 years until 5.5.2028 on the terms of the application as submitted to the Town Planning Board (TPB) and subject to the following condition:

“the existing fire services installation implemented at the application premises shall be maintained in efficient working order at all times.”

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

[The Chairman thanked Mr Harris K.C. Liu and Ms Hannah H.N. Yick, STPs/STN, and Mr Derek C.K. Wong, TP/STN, for their attendance to answer Members' enquiries. They left

the meeting at this point.]

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

[Ms Christine C.M. Cheung, Senior Town Planner/Fanling, Sheung Shui and Yuen Long East (STP/FSYLE), was invited to the meeting at this point.]

**Agenda Item 19**

**Section 16 Application**

[Open Meeting]

A/YL-PH/944            Proposed Temporary Logistics Centre for a Period of 3 Years in “Open Storage” Zone, Lots 170 S.A, 170 B & E ss. 3 (Part), 175 A.B.C.D.E.G. S.A, 815 & 816 A.B. (Part) in D.D. 111, Pat Heung, Yuen Long, New Territories  
(RNTPC Paper No. A/YL-PH/944)

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93.            The Committee noted that the applicant’s representative requested on 26.4.2023 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.

**Agenda Item 20**

**Section 16 Application**

[Open Meeting]

A/YL-PH/945            Temporary Open Storage (Private Car and Vans Prior to Sale) for a Period of 3 Years in “Agriculture” Zone, Lot 1479 S.B in D.D. 111 and adjoining Government Land, Leung Uk Tsuen, Pat Heung, Yuen Long (RNTPC Paper No. A/YL-PH/945)

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95.            The Committee noted that the applicant requested on 26.4.2023 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.

96.            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/866 Temporary Storage of Tail Lift for a Period of 3 Years in “Other Specified Uses” annotated “Railway Reserve” Zone, Lots 382, 418 RP, 419 S.A ss.1 RP and 420 S.B RP (Part) in D.D. 107, Yuen Long, New Territories  
(RNTPC Paper No. A/YL-KTN/866A)

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97. 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**

98. After deliberation, the Committee decided to approve the application on a temporary basis for a period of 3 years until 5.5.2026 on the terms of the application as submitted to the Town Planning Board (TPB) and subject to the following conditions:

- “(a) no operation between 7:00 p.m. and 9:00 a.m., as proposed by the applicant, is allowed on the site during the planning approval period;
- (b) no operation on Sundays and public holidays, as proposed by the applicant, is allowed on the site during the planning approval period;
- (c) no dismantling, maintenance, repairing, cleansing, paint spraying or other workshop activities shall be carried out on the site at any time during the planning approval period;
- (d) no medium or heavy goods vehicles exceeding 5.5 tonnes, including container tractors/trailers, as defined in the Road Traffic Ordinance, as 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 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 5.8.2023;
- (g) the submission of a fire service installations proposal within 6 months from the date of planning approval to the satisfaction of the Director of Fire Services or of the TPB by 5.11.2023;
- (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 5.2.2024;
- (i) 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
- (j) if any of the above planning condition (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.”

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

## **Agenda Item 22**

### **Section 16 Application**

[Open Meeting]

A/YL-KTN/878      Temporary Shop and Services 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, New Territories  
(RNTPC Paper No. A/YL-KTN/878A)

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100.      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**

101.      After deliberation, the Committee decided to approve the application on a temporary basis for a period of 5 years until 5.5.2028 on the terms of the application as submitted to the Town Planning Board (TPB) and subject to the following conditions:

- “(a)      no operation between 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)      no vehicle is allowed to queue back to or reverse onto/from 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 5.11.2023;
  
- (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 5.2.2024;
  
- (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 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 5.11.2023;
- (g) 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
- (h) if any of the above planning condition (c), (d) and (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.”

102. 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]

A/YL-KTN/880 Proposed Temporary Cold Storage for a Period of 3 Years and Filling of Land in “Industrial (Group D)” and “Agriculture” Zones, Lots 697 (Part), 698, 699, 700 RP (Part), 701 RP and 704 in D.D. 107 and adjoining Government Land, Fung Kat Heung, Yuen Long, New Territories  
(RNTPC Paper No. A/YL-KTN/880A)

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

Deliberation Session

104. After deliberation, the Committee decided to approve the application on a temporary basis for a period of 3 years until 5.5.2026 on the terms of the application as submitted to the Town Planning Board (TPB) and subject to the following conditions:

- “(a) no operation between 7:00 p.m. and 7:00 a.m. from Mondays to Saturdays, as proposed by the applicant, is allowed on the site during the planning approval period;
- (b) no operation on Sundays and public holidays, as proposed by the applicant, is allowed on the site during the planning approval period;
- (c) 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 5.11.2023;
- (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 5.2.2024;
- (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 5.11.2023;
- (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 5.2.2024;
- (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 portion of the site on the “Agriculture” zone to an amenity area to the satisfaction of the Director of Planning or of the TPB.”

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

#### **Agenda Item 24**

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

[Open Meeting]

A/YL-KTN/901 Temporary Open Storage of Private Vehicles and Vehicle Parts for a Period of 3 Years in “Residential (Group D)” Zone, Lots 629 S.Q, 630 S.B ss.15 and 653 S.B RP (Part) in D.D. 110, Kam Tin, Yuen Long, New Territories  
(RNTPC Paper No. A/YL-KTN/901)

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106. The Committee noted that the applicant’s representative requested on 26.4.2023 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.

107. 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 25**

#### **Section 16 Application**

[Open Meeting]

A/YL-KTN/902      Renewal of Planning Approval for Temporary Shop and Services (Retail Store) for a Period of 3 Years in "Industrial (Group D)" Zone, Lot 787 RP (Part) in D.D. 107, Fung Kat Heung, Kam Tin, Yuen Long (RNTPC Paper No. A/YL-KTN/902)

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

109.            Mr Damien C.M. Chan, Assistant Director/Regional 3, Lands Department (LandsD), said that LandsD had adverse comments on the application. The application premises (the Premises) was subject to relatively long planning history since 2017 with two previously approved applications, including application No. A/YL-KTN/573 which was revoked and application No. A/YL-KTN/707 which was yet to be fully implemented. The applicant had applied to LandsD a short-term waiver to implement the approved scheme under application No. A/YL-KTN/707 at the Premises which was still under consideration. According to the record of LandsD's recent site inspection, the existing internal layout and external appearance of the Premises did not tally with the approved scheme under application No. A/YL-KTN/707. Besides, as kitchens, bathrooms and domestic appliances were observed within the Premises, LandsD considered that the Premises had been converted into sub-divided units ready for domestic purposes. In view of the above, LandsD had adverse comments on the application and casted doubt on the applicant's genuine intention of the current application which sought for renewal of planning approval for temporary shop and services (retail shop). He also enquired on the planning consideration of the current application.

110. In response, the Secretary supplemented that planning application and land administration were under separate regimes. From planning perspective, each renewal application would be considered based on its individual merits and circumstances, such as the status of compliance with approval condition(s) of the previous application, whether there was any change of the applied use, layout and major development parameters as compared with the latest approved scheme as well as any change in planning circumstances.

#### Deliberation Session

111. With reference to the site photos taken during LandsD's site inspection, Mr Damien C.M. Chan, Assistant Director/Regional 3, LandsD said that LandsD considered the Premises had already been converted into sub-divided units each with individual kitchen, bathroom and domestic appliances ready for occupation. LandsD had taken appropriate lease enforcement action against the concerned lot where the Premises situated and forewarned the concerned lot owner not to allow occupation at the Premises. The situation of the Premises had been under regular monitoring by LandsD. The Secretary remarked that land administration and lease enforcement were under separate regime from statutory planning and planning enforcement. Notwithstanding that, the Committee noted that PlanD and LandsD would closely monitor the use of the Premises and undertake necessary enforcement actions against any unauthorised development should the actual use of the Premises be different from the approved use. A Member requested and the Committee agreed that the latest position of the application would be reported to the Committee as and when appropriate.

112. After deliberation, the Committee decided to approve the application on a temporary basis for a period of 3 years and be renewed from 30.5.2023 until 29.5.2026 on the terms of the application as submitted to the Town Planning Board (TPB) and subject to the following conditions:

- “(a) the existing fire service installations implemented at the application premises shall be maintained in efficient working order at all times during the planning approval period; and

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

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

## **Agenda Item 26**

### **Section 16 Application**

[Open Meeting]

A/YL-KTS/956 Temporary Shop and Services (Vehicle Showroom) for a Period of 3 Years in “Other Specified Uses” annotated “Rural Use” Zone, Lots 564, 565 (Part) and 618 S.C (Part) in D.D. 106, Kam Sheung Road, Yuen Long, New Territories  
(RNTPC Paper No. A/YL-KTS/956)

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114. The Committee noted that the applicant’s representative requested on 27.4.2023 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.

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

**Agenda Item 27**

**Section 16 Application**

[Open Meeting]

A/YL-KTS/957 Temporary Open Storage of Freezer Vehicles, Air-conditioned Compartments and Spare Parts of Cooling Machinery Components for Vehicles for Sale, and Installation and Maintenance Workshop for Freezer Vehicles for a Period of 3 Years in “Other Specified Uses” annotated “Rural Use” Zone, Lots 401 (Part), 404 (Part), 405 RP (Part), 406 RP, 408 RP (Part), 409 and 410 (Part) in D.D. 106, Pat Heung, Yuen Long, New Territories  
(RNTPC Paper No. A/YL-KTS/957)

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116. The Committee noted that the applicant requested on 27.4.2023 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.

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

**Agenda Item 28**

**Section 16 Application**

[Open Meeting]

A/YL-KTS/958      Renewal of Planning Approval for Temporary Open Storage of Forklifts for a Period of 3 Years in “Other Specified Uses” annotated “Rural Use” Zone, Lots 606 RP (Part), 609 RP (Part) and 610 (Part) in D.D. 106 and adjoining Government Land, Kam Sheung Road, Yuen Long  
(RNTPC Paper No. A/YL-KTS/958)

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118.      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**

119.      After deliberation, the Committee decided to approve the application on a temporary basis for a period of 3 years and be renewed from 26.5.2023 until 25.5.2026 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 statutory holidays, as proposed by the applicant, is allowed on the site during the planning approval period;
  
- (c)      no vehicle is allowed to queue back to or reverse onto/from public road at any time during the planning approval period;
  
- (d)      the existing drainage facilities on the site shall be maintained at all times during the planning approval period;

- (e) the submission of a condition record of the existing drainage facilities on the site within 3 months from the date of commencement of the renewed planning approval to the satisfaction of the Director of Drainage Services or of the TPB by 26.8.2023;
- (f) the existing fire services installations implemented on the site shall be maintained in efficient working order at all times during the planning approval period;
- (g) if any of the above planning condition (a), (b), (c), (d) or (f) is not complied with during the planning approval period, the approval hereby given shall cease to have effect and shall be revoked immediately without further notice; and
- (h) if the above planning condition (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.”

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

### **Agenda Item 29**

#### **Section 16 Application**

[Open Meeting]

A/YL-SK/342            Proposed Temporary Private Vehicle Park (Private Cars Only) for a Period of 3 Years and Filling of Land in “Village Type Development” Zone, Lots 633 S.J ss.2, 633 S.AC, 633 S.I ss.2, 633 S.J ss.3, 633 S.AA, 633 S.AB in D.D. 112, Pat Heung, Yuen Long, New Territories  
(RNTPC Paper No. A/YL-SK/342)

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121. 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

122. After deliberation, the Committee decided to approve the application on a temporary basis for a period of 3 years until 5.5.2026 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 5.11.2023;
- (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 5.2.2024;
- (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 5.11.2023;
- (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 5.2.2024;
- (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.”



123. 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/YL-SK/343            Temporary Shop and Services (Real Estate Agency) for a Period of 3 Years in “Village Type Development” Zone, Lot 319 S.B RP (Part) in D.D. 112, Lin Fa Tei, Yuen Long  
(RNTPC Paper No. A/YL-SK/343)

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124. The Committee noted that the applicant requested on 27.4.2023 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.

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

**Agenda Item 31**

**Section 16 Application**

[Open Meeting]

A/YL-MP/335            Proposed Temporary Shop and Services for a Period of 3 Years in  
“Residential (Group C)” Zone, Lot 3250 S.B ss.49 (Part) in D.D. 104,  
Mai Po, Yuen Long  
(RNTPC Paper No. A/YL-MP/335A)

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126.            The Secretary reported that the application site was located in Mai Po. Mr K.W. Leung had declared an interest on the item for owning a property in Fairview Park, Mai Po. The Committee noted that Mr K.W. Leung had already left the meeting.

127.            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**

128.            After deliberation, the Committee decided to approve the application on a temporary basis for a period of 3 years until 5.5.2026 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 fire service installations proposal within 6 months from the date of planning approval to the satisfaction of Director of Fire Services or of the TPB by 5.11.2023;
  
- (b)    in relation to (a) above, the implementation of the fire service installations proposal within 9 months from the date of planning approval to the satisfaction of Director of Fire Services or of the TPB by 5.2.2024;
  
- (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 5.11.2023;

- (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 Service or of the TPB by 5.2.2024;
- (e) in relation to (d) above, the implemented drainage facilities shall be maintained at all times during the planning approval period;
- (f) if the above planning condition (e) is not complied with during the planning approval period, the approval hereby given shall cease to have effect and shall be revoked immediately without further notice; and
- (g) if any of the above planning condition (a), (b), (c) or (d) is not complied with by the specified date, the approval hereby given shall cease to have effect and shall on the same date be revoked without further notice.”

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

### **Agenda Item 32**

#### **Section 16 Application**

[Open Meeting]

A/YL-MP/337 Proposed Utility Installation for Private Project (Electricity Transformer Room) and Excavation of Land in “Village Type Development” and “Residential (Group D)” Zones, Lots 3235 S.B and 3235 RP (Part) in D.D. 104 and adjoining Government Land, Chuk Yuen Tsuen, Yuen Long  
(RNTPC Paper No. A/YL-MP/337)

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130. The Secretary reported that the application site was located in Mai Po. Mr K.W. Leung had declared an interest on the item for owning a property in Fairview Park, Mai Po.

131. The Committee noted that the applicant had requested deferment of consideration of the application and Mr K.W. Leung had already left the meeting.

132. The Committee noted that the applicant's representative requested on 28.4.2023 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.

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 33**

#### **Section 16 Application**

[Open Meeting]

A/YL-MP/338 Temporary Storage for a Period of 3 Years in "Village Type Development" Zone, Lot 2261 S.S ss.15 in D.D.104, Ha San Wai, Yuen Long

(RNTPC Paper No. A/YL-MP/338)

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134. The Secretary reported that the application site (the Site) was located in Mai Po. Mr K.W. Leung had declared an interest on the item for owning a property in Fairview Park, Mai Po. The Committee noted that Mr K.W. Leung had already left the meeting.

135. 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.

136. In response to a Member's enquiry on whether it was justifiable to allow temporary storage use on the Site which was zoned "Village Type Development" ("V"), the Secretary said that each application should be considered on its individual merits. According to the applicant, the applied use at the Site was to provide a temporary solution space for storing household stuff from an ancestral house owned by the applicant, which was located to the northeast of the Site within the same "V" zone, during the redevelopment of the house. Frequent traffic and/or pedestrian flows were not anticipated for storage use of such scale and nature. Hence, it was considered that approval of the application on a temporary basis for 3 years was tolerable and would not frustrate the long-term intention of the "V" zone.

#### Deliberation Session

137. After deliberation, the Committee decided to approve the application on a temporary basis for a period of 3 years until 5.5.2026 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 5.11.2023;
- (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 5.2.2024;
- (c) in relation to (b) above, the implemented drainage facilities shall be maintained at all times during the planning approval period;
- (d) the submission of a fire service installations proposal within 6 months from the date of planning approval to the satisfaction of the Director of Fire Services or of the TPB by 5.11.2023;
- (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 5.2.2024;

- (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.”

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

### **Agenda Item 34**

#### **Section 16 Application**

[Open Meeting (Presentation and Question Sessions Only)]

A/YL-NSW/310 Proposed Filling of Land for Permitted Houses (New Territories Exempted Houses) in “Village Type Development” Zone, Lots 3540 S.B ss.1, 3540 S.B ss.2, 3540 S.B ss.3, 3540 S.B ss.4, 3540 S.B ss.5, 3540 S.B ss.6, 3540 S.B RP (Part), 3559 S.A, 3559 S.B and 3559 RP in D.D. 104, Pok Wai, Yuen Long, New Territories  
(RNTPC Paper No. A/YL-NSW/310)

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

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

140. Members had no question on the application.

Deliberation Session

141. 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 5.5.2027, 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 the land filling works on the site to the satisfaction of the Director of Drainage Services or of the TPB;
- (b) the implementation of the drainage proposal upon completion of the land filling works on the site 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.”

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

**Agenda Item 35**

**Section 16 Application**

[Open Meeting]

A/YL-NSW/311      Renewal of Planning Approval for Temporary Eating Place (Restaurant) for a Period of 3 Years in “Other Specified Uses” annotated “Comprehensive Development to include Wetland Restoration Area” Zone, Lots 3719 S.G ss. 9 RP (Part) and 3719 S.G ss.10 (Part) in D.D.104, Nam Sang Wai ,Yuen Long  
(RNTPC Paper No. A/YL-NSW/311)

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

**Deliberation Session**

144.            After deliberation, the Committee decided to approve the application on a temporary basis for a period of 3 years and be renewed from 23.7.2023 until 22.7.2026 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 the Site at any time during the planning approval period;
  
- (b)    the existing drainage facilities on the site shall be maintained at all times during the planning approval period;
  
- (c)    the submission of a condition record of the existing drainage facilities on the site within 3 months from the date of commencement of the renewed planning approval to the satisfaction of the Director of Drainage Services or of the TPB by 23.10.2023;
  
- (d)    the implementation of fire service installations proposal within 6 months from the date of commencement of the renewed planning approval to the



satisfaction of Director of Fire Services or of the TPB by 23.1.2024;

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

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

### **Agenda Item 36**

#### **Section 16 Application**

[Open Meeting]

A/YL-NTM/457 Proposed Temporary Eating Place and Shop and Services with ancillary facilities for a Period of 3 Years in “Residential (Group C)” Zone, Lot 1689 RP in D.D. 105, Ngau Tam Mei, Yuen Long  
(RNTPC Paper No. A/YL-NTM/457)

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146. 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**

147. After deliberation, the Committee decided to approve the application on a temporary basis for a period of 3 years until 5.5.2026 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 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 5.11.2023;
- (c) 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 5.2.2024;
- (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 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 5.11.2023;
- (f) 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 5.2.2024;
- (g) 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; and
- (h) if any of the above planning condition (b), (c), (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.”

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

**Agenda Item 37**

**Section 16 Application**

[Open Meeting]

A/YL-NTM/458      Proposed Temporary Shop and Services and ancillary Site Office for a Period of 3 Years in “Residential (Group C)” Zone, Lot 1699 in D.D. 105, Ngau Tam Mei, Yuen Long  
(RNTPC Paper No. A/YL-NTM/458)

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149.            The Committee noted that the applicant’s representative requested on 2.5.2023 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.

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

[The Chairman thanked Ms Christine C.M. Cheung, STP/FSYLE, for her attendance to answer Members’ enquiries. She left the meeting at this point.]

**Tuen Mun and Yuen Long West District**

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

### **Agenda Item 38**

#### **Section 16 Application**

[Open Meeting]

A/HSK/439                      Temporary Logistics Centre with Ancillary Staff Canteen for a Period of 3 Years in “Residential (Group B)2” and “Open Space” Zones, Various Lots in D.D. 129, Lau Fau Shan, Yuen Long, New Territories (RNTPC Paper No. A/HSK/439)

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151.            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**

152.            After deliberation, the Committee decided to approve the application on a temporary basis for a period of 3 years until 5.5.2026 on the terms of the application as submitted to the Town Planning Board (TPB) and subject to the following conditions:

- “(a)    no operation between 11:00 p.m. to 7:00 a.m., as proposed by the applicant, is allowed on the site during the 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 existing drainage facilities shall be maintained at all times 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 the planning approval to the satisfaction of the Director of Drainage Services or of the TPB by 5.8.2023;
  
- (e)    the submission of a revised fire service installations proposal within 6 months from the date of planning approval to the satisfaction of the Director of Fire Services or of the TPB by 5.11.2023;

- (f) in relation to (e) above, the implementation of the revised fire service installations proposal within 9 months from the date of planning approval to the satisfaction of the Director of Fire Services or of the TPB by 5.2.2024;
- (g) if any of the above planning condition (a), (b) or (c) is not complied with during the 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 (d), (e) or (f) is not complied with by the above specified date, the approval hereby given shall cease to have effect and shall on the same date be revoked without further notice.”

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

### **Agenda Item 39**

#### **Section 16 Application**

[Open Meeting (Presentation and Question Sessions Only)]

A/HSK/440 Proposed Public Utility Installation (Offtake and Pigging Station) in “Other Specified Uses” annotated “Sewage Pumping Station” Zone, Hung Shui Kiu and Ha Tsuen Planning Area 56 (Part), Yuen Long, New Territories

(RNTPC Paper No. A/HSK/440)

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154. The Secretary reported that the application was submitted by the Hong Kong and China Gas Company Limited, which was a subsidiary of Henderson Land Development Company Limited (HLD). The following Members had declared interests on the item:

Mr Stephen L.H. Liu - being a former member of the Council of Hong Kong Polytechnic University which had obtained sponsorship from HLD before; and

Dr C.H. Hau - being an employee of the University of Hong Kong which had received a donation from a family member of the Chairman of HLD before; and having past business dealing with HLD.

155. As the interests of Mr Stephen L.H. Liu and Dr C.H. Hau were indirect, the Committee agreed that they could stay in the meeting.

#### Presentation and Question Sessions

156. With the aid of a PowerPoint presentation, 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 had no objection to the application.

157. Noting that the application site (the Site) was situated near a main road and 32 trees would be affected by the proposed development, two Members raised the following questions:

- (a) details of the building design measures proposed by the applicant; and
- (b) whether it was possible to provide tree planting on the slope to the immediate south of the Site to alleviate possible visual impact of the proposed development.

158. In response, with the aid of some PowerPoint slides, Mr Eric C.Y. Chiu, STP/TMYLW, made the following main points:

- (a) with reference to photos of two existing town gas pigging stations in Shek Mun and Tuen Mun, the design of such type of public utility installation generally placed emphasis on functional and safety considerations. Notwithstanding that, the applicant stated that sensitive building/facade design and suitable colour would be adopted to allow the proposed

development to better blend in with the surroundings;

- (b) there was limited scope to provide compensatory planting on the small slope located immediately outside the southern boundary of the Site. Nevertheless, it might be possible for the applicant to explore the feasibility to provide off-site compensatory planting in the area; and
- (c) PlanD would convey Members' views to the applicant in respect of sensitive building design and tree planting for consideration during the detailed design stage of the proposed development.

### Deliberation Session

159. Whilst Members generally supported the application, a Member considered that given the Site was close to future pedestrian paths and 32 trees would be affected by the proposed development, the applicant should ensure that sensitive building design would be adopted to enhance visual compatibility of the proposed development with its surroundings, and efforts should be made to compensate the loss of trees due to the proposed development. In this regard, the Chairman suggested and the Committee agreed that additional advisory clauses should be incorporated to address Members' concerns.

160. 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 5.5.2027, 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 and implementation of a drainage proposal to the satisfaction of the Director of Drainage Services or of the TPB;
- (b) the submission and implementation of water supplies for firefighting and fire service installations proposal to the satisfaction of the Director of Fire Services or of the TPB; and

- (c) the submission of a quantitative risk assessment to the satisfaction of the Director of Electrical and Mechanical Services or of the TPB.”

161. The Committee also agreed to advise the applicant to note the advisory clauses as set out at Appendix II of the Paper with the following additional advisory clauses:

- “(a) to adopt sensitive building design and greening for the proposed development to enhance the visual compatibility with its surrounding areas; and
- (b) to consider, where appropriate, off-site tree planting to compensate the loss of trees due to the proposed development.”

#### **Agenda Item 40**

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

[Open Meeting (Presentation and Question Sessions Only)]

A/HSK/441 Proposed Public Utility Installation (District Cooling System) with Minor Relaxation of Building Height Restriction in “Other Specified Uses” annotated “District Cooling System” and “Other Specified Uses” annotated “Sewage Pumping Station” Zones, Hung Shiu Kiu and Ha Tsuen Planning Area 56 (Part), Yuen Long, New Territories  
(RNTPC Paper No. A/HSK/441)

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162. The Secretary reported that the application was submitted by the Electrical and Mechanical Services Department (EMSD). Dr Conrad T.C. Wong had declared an interest on the item for having current business dealings with EMSD. 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**

163. With the aid of a PowerPoint presentation, 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) had no objection to the application.

164. Some Members raised the following questions:

- (a) height, size and length of the building footprint of the proposed district cooling system (DCS) building;
- (b) in light of the substantial building bulk of the proposed development, how the proposed design measures could mitigate the possible visual impact;
- (c) noting that the main roof of the proposed development would be occupied by roof-top structures and plants, whether the applicant had proposed any design treatments for the roof area, such as covering the cooling towers; and
- (d) given the elongated site configuration, whether the application site (the Site) was a suitable location for the proposed development and whether there was any alternative location to accommodate such use.

165. In response, with the aid of some PowerPoint slides, Mr Eric C.Y. Chiu, STP/TMYLW, made the following main points:

- (a) the Site was elongated in shape with a frontage about 250m along Tin Ying Road. The proposed development would occupy a substantial part of the Site with very limited space to provide setback. With reference to Drawings A-2 and A-4 of the Paper, the building height of the proposed structure would be not more than 50mPD (not more than 3 storeys);
- (b) according to the visual impact assessment submitted by the applicant and the photomontage as shown in Drawing A-4 of the Paper, a number of design measures, including sensitive design of building form and vertical greening on exterior walls, were proposed to facilitate better integration with the surrounding environment. The applicant also proposed setting back of the proposed building structure in the southern portion of the Site

abutting Ping Ha Road to avoid blockage to the planned major view corridors. On the other hand, it should be noted that height of the proposed development was much lower than those of the existing and planned high-density developments in the surroundings;

- (c) whether the cooling towers and other essential operational facilities to be installed on the main roof of the proposed development could be covered was subject to operational and technical requirements. PlanD could convey Members' concern on the potential visual impact of the proposed development and the need for sensitive building design, including the roof-top design, to the applicant for their consideration at the detailed design stage; and
  
- (d) the "Other Specified Uses" ("OU") annotated "District Cooling System" ("OU(DCS)") zone subject to a maximum BH of 25mPD covered a larger area including the Site and the adjoining Tin Ying Road to the east. With the latest plan to retain Tin Ying Road to meet the aspiration of the local communities, the area within the zone available for the proposed development was substantially reduced and resulted in an even more elongated site configuration. On the other hand, in view of the anticipated demand for chilled water to serve the non-domestic developments in the eastern part of the Hung Shui Kiu/Ha Tsuen New Development Area (HSK/HT NDA), the scale of the proposed development could not be reduced. As a result, considering severe site constraints, a higher BH and inclusion of a small piece of vacant land in the adjoining "OU" annotated "Sewage Pumping Station" zone (12% of the Site) were necessary to accommodate the necessary DCS facilities. Considering that the proposed development was mainly to serve non-domestic uses in the eastern part of HSK/HT NDA, it should be located as close to its catchment area as practical to maximise its efficiency and the current location was considered most suitable.

[Miss Winnie W.M. Ng and Mr Paul Y.K. Au left the meeting during the question and answer session.]

## Deliberation Session

166. The Chairman remarked that the need for DCS facilities was established and the subject “OU(DCS)” zone was identified for the provision of DCS in the planning and engineering study for the HSK/HT NDA. The “OU(DCS)” zone covered the Site and a section of Tin Ying Road, which was once planned to be removed. Nevertheless, with the latest intention to retain Tin Ying Road, the area available for the proposed development at the “OU(DCS)” zone would be greatly reduced. This posed site constraints for the proposed development and as such, there was a need for minor relaxation of BH restriction from 25mPD to 50mPD as well as inclusion of an abutting vacant land zoned “OU(SPS)”. That said, there was room for the applicant, i.e. EMSD, to improve the building design so as to address Members’ concerns on the potential visual impact, and PlanD could convey Members’ concerns and views to the applicant for their consideration at the detailed design stage.

167. Whilst Members generally supported the proposed development, some Members raised concerns on the building design in respect of the massing, BH and roof-top design. Two members considered that the proposed development with a BH of 50mPD and a façade length more than 200m might be an eyesore to drivers travelling along Tin Ying Road. The applicant should be advised to improve the building design, such as minimising or breaking the building massing, and adopting sensible building form, so as to make the proposed development more compatible with the surroundings.

168. Noting that there were 43 trees within the Site, of which 39 were proposed to be felled and 4 to be transplanted, a Member suggested that if there was little scope to provide compensatory planting within the Site, the Government should expedite the work on the arrangement of off-site tree bank for overall compensation of tree felling due to government projects.

169. The Chairman concluded that Members generally had no objection to the application. To address Members’ concerns, the Chairman suggested and the Committee agreed that additional advisory clauses should be incorporated to invite the applicant to improve the building design of the proposed development by reducing the building mass and adopting sensitive design measures to alleviate the potential visual impacts, and to explore the possibility to provide more tree planting within or outside the Site.

170. The Committee also noted that should the application be approved, the applicant would consult the District Council before seeking funding approval from the Finance Committee of the Legislative Council. PlanD would convey Members' concerns to the applicant for their consideration.

171. 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 5.5.2029, 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 and implementation of a drainage proposal with a comprehensive diversion scheme, if diversion of existing drainage facilities is necessary, to the satisfaction of the Director of Drainage Services or of the TPB; and
- (b) the submission and implementation of water supplies for firefighting and fire service installations proposal to the satisfaction of the Director of Fire Services or of the TPB.”

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

- “(a) to improve the building design of the proposed development by reducing the building mass and adopting sensitive design to alleviate the potential visual impacts; and
- (b) to explore the possibility to provide more tree planting within or outside the Site, where appropriate.”

**Agenda Item 41**

**Section 16 Application**

[Open Meeting]

A/TM/584                      Temporary Place of Recreation, Sports or Culture (Barbecue Area) and Holiday Camp (Private Tent Camping Ground) for a Period of 6 Years in “Open Space” Zone, Lots 793, 794 and 801 R.P. in D.D. 381 and adjoining Government Land, Tuen Mun, New Territories  
(RNTPC Paper No. A/TM/584)

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173.            The Committee noted that the applicant’s representative requested on 20.4.2023 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.

174.            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 42**

**Section 16 Application**

[Open Meeting]

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

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175.            The Committee noted that the applicant’s representative requested on 20.4.2023 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 second time that the applicant requested deferment of the application. Since the last deferment, the applicant had submitted further information in response to departmental comments.

176.            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 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 43**

**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, New Territories  
(RNTPC Paper No. A/YL-HTF/1147A)

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177. The Committee noted that the applicant’s representative requested on 21.4.2023 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 second time that the applicant requested deferment of the application. Since the last deferment, the applicant had submitted further information in response to departmental comments.

178. 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 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 44**

**Section 16 Application**

[Open Meeting]

A/YL-HTF/1152      Temporary Vehicle Repair Workshop with Ancillary Storage for a Period of 3 Years in “Agriculture” Zone, Lot 331 RP in D.D. 128, Ha Tsuen, Yuen Long, New Territories  
(RNTPC Paper No. A/YL-HTF/1152)

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179.            The Committee noted that the applicant requested on 18.4.2023 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.

180.            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 45**

**Section 16 Application**

[Open Meeting]

A/YL-LFS/462 Proposed Temporary Animal Boarding Establishment for a Period of 3 Years and Filling of Land in “Green Belt” Zone, Lot 418 in D.D. 129, Tsim Bei Tsui, Yuen Long  
(RNTPC Paper No. A/YL-LFS/462)

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

**Agenda Item 46**

**Section 16 Application**

[Open Meeting (Presentation and Question Sessions Only)]

A/YL-LFS/463 Proposed Filling of Pond and Filling of Land for Permitted Houses (New Territories Exempted Houses - Small Houses) in “Village Type Development” Zone, Lots 1435, 1439, 1442 and 1446 in D.D. 129, Mong Tseng Tsuen, Lau Fau Shan, Yuen Long, New Territories  
(RNTPC Paper No. A/YL-LFS/463)

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**Presentation and Question Sessions**

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

183. Members had no question on the application.

**Deliberation Session**

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

- “(a) the proposed filling of pond and land, 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 there is no ecological impact assessment in the submission to demonstrate that the proposed development would not result in “net-loss in wetland” and negative off-site indirect impact on the ecological value of the Wetland Conservation Area; and
- (b) the applicants fail to demonstrate that the proposed filling of pond and land would not have adverse drainage impact on the surrounding areas.”

#### **Agenda Item 47**

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

[Open Meeting]

A/TM-LTY Y/432 Temporary Public Vehicle Park (Private Cars Only) with Ancillary Office and Guard Room for a Period of 5 Years in “Residential (Group C)” Zone, Lots 1156 RP (Part), 1157 (Part) and 1158 (Part) in D.D.130 and adjoining Government Land, Wong Kong Wai Road, Lam Tei, Tuen Mun, New Territories  
(RNTPC Paper No. A/TM-LTY Y/432B)

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185. 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**

186. After deliberation, the Committee decided to approve the application on a temporary basis for a period of 5 years until 5.5.2028 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 the planning approval to the satisfaction of the Director of Drainage Services or of the TPB by 5.11.2023;
- (b) in relation to (a) above, the implementation of the drainage proposal within 9 months from the date of the planning approval to the satisfaction of the Director of Drainage Services or of the TPB by 5.2.2024;
- (c) in relation to (b) above, the implemented drainage facilities shall be maintained at all times during the planning approval period;
- (d) the submission of a fire service installations proposal within 6 months from the date of the planning approval to the satisfaction of the Director of Fire Services or of the TPB by 5.11.2023;
- (e) in relation to (d) above, the implementation of the fire service installations proposal within 9 months from the date of the planning approval to the satisfaction of the Director of Fire Services or of the TPB by 5.2.2024;
- (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.”

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

**Agenda Item 48**

**Section 16 Application**

[Open Meeting]

A/TM-LTY Y/448 Temporary Wholesale Trade with Ancillary Storage for a Period of 3 Years in “Residential (Group D)” Zone, Lot 2339 (Part) in D.D.130, Lam Tei, Tuen Mun, New Territories  
(RNTPC Paper No. A/TM-LTY Y/448A)

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188. 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.

189. Mr Damien C.M. Chan, Assistant Director/Regional 3, Lands Department (LandsD) clarified that LandsD had provided adverse comment on the subject application to PlanD in January 2023 regarding the unauthorised structures observed within the Site during their site inspection. Lease enforcement action was subsequently taken by LandsD. The applicant promised to remove those unauthorised structures which were not covered by the current application by May 2023. In that regard, LandsD had no adverse comment on the application at this juncture as the site situation would likely be improved.

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

**Deliberation Session**

190. After deliberation, the Committee decided to approve the application on a temporary basis for a period of 3 years until 5.5.2026 on the terms of the application as submitted to the Town Planning Board (TPB) and subject to the following conditions:

- “(a) the implementation of the 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 5.2.2024;
- (b) in relation to (a) above, the implemented drainage facilities 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 the planning approval to the satisfaction of the Director of Fire Services or of the TPB by 5.11.2023;
- (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 5.2.2024;
- (e) the implementation of the run-in/run-out proposal at the access point of Shun Tat Street within 9 months from the date of the planning approval to the satisfaction of the Commissioner for Transport and the Director of Highways or of the TPB by 5.2.2024;
- (f) 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
- (g) if any of the above planning condition (a), (c), (d) or (e) is not complied with by the specified date, the approval hereby given shall cease to have effect and shall on the same date be revoked without further notice.”

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

**Agenda Item 49**

**Section 16 Application**

[Open Meeting]

A/TM-LTY Y/451 Temporary Shop and Services (Retail Shop for Building Materials) with Ancillary Office for a Period of 3 Years in “Village Type Development” Zone, Various Lots in D.D. 124 and adjoining Government Land, Shun Tat Street, Lam Tei, Tuen Mun, New Territories  
(RNTPC Paper No. A/TM-LTY Y/451)

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192. The Committee noted that the applicant requested on 25.4.2023 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.

193. 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 50**

**Section 16 Application**

[Open Meeting]

A/TM-LTY Y/452      Renewal of Planning Approval for Temporary Office for a Period of 3 Years in “Village Type Development” Zone, Lot 694 S.L RP in D.D. 130 and adjoining Government Land, Lam Tei, Tuen Mun, New Territories  
(RNTPC Paper No. A/TM-LTY Y/452)

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194.            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**

195.            After deliberation, the Committee decided to approve the application on a temporary basis for a period of 3 years and be renewed from 27.5.2023 to 26.5.2026 on the terms of the application as submitted to the Town Planning Board (TPB) and subject to the following conditions:

- “(a) a minimum horizontal clearance of 500mm from Lam Tei Main Street shall be maintained at all time during the planning approval period to the satisfaction of the Commissioner for Transport or of the TPB;
- (b) the existing drainage facilities on the site shall be maintained at all times during the approval period;
- (c) the submission of a condition record of existing drainage facilities within 3 months from the date of commencement of the renewal planning approval to the satisfaction of the Director of Drainage Services or of the TPB by 27.8.2023;
- (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), (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.”

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

### **Agenda Item 51**

#### **Section 16 Application**

[Open Meeting]

A/YL-TYST/1207 Proposed Temporary Shop and Services for a Period of 5 Years in “Residential (Group C)” Zone, Lot 1282 in D.D. 119, Yuen Long, New Territories  
(RNTPC Paper No. A/YL-TYST/1207)

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197. 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**

198. After deliberation, the Committee decided to approve the application on a temporary basis for a period of 5 years until 5.5.2028 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 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 5.11.2023;

- (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 5.2.2024;
- (c) in relation to (b) above, the implemented drainage facilities shall be maintained at all times during the planning approval period;
- (d) the submission of a fire service installations proposal within 6 months from the date of planning approval to the satisfaction of the Director of Fire Services or of the TPB by 5.11.2023;
- (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 5.2.2024;
- (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.”

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

**Agenda Item 52**

**Section 16 Application**

[Open Meeting]

A/YL-TYST/1208 Temporary Private Vehicle Park (excluding Container Vehicles) with Ancillary Office and Covered Vehicle Repair Workshop for a Period of 3 Years in “Residential (Group B) 1” Zone, Lot 444 RP in D.D. 121, Tai Tao Tsuen, Ping Shan, Yuen Long  
(RNTPC Paper No. A/YL-TYST/1208)

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200. The Committee noted that the applicant requested on 28.4.2023 deferment of consideration of the application for two months in order to allow time to prepare further information to address departmental comments. It was the first time that the applicant requested deferment of the application.

201. 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 53**

**Section 16 Application**

[Open Meeting]

A/YL-TYST/1209 Temporary Open Storage of Construction Equipment and Materials with Ancillary Office and Maintenance Workshop for a Period of 3 Years in “Open Space” and “Residential (Group A) 3” Zones and area shown as ‘Road’, Various Lots in D.D. 119, Tong Yan San Tsuen, Yuen Long, New Territories  
(RNTPC Paper No. A/YL-TYST/1209)

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202. 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**

203. After deliberation, the Committee decided to approve the application on a temporary basis for a period of 3 years until 5.5.2026 on the terms of the application as submitted to the Town Planning Board (TPB) and subject to the following conditions:

- “(a) no operation between 8:00 p.m. and 7:00 a.m., as proposed by the applicant, is allowed on the site during the planning approval period;
- (b) no operation on Sundays and public holidays, as proposed by the applicant, is allowed on the site during the planning approval period;
- (c) no ancillary maintenance work shall be carried out in open area, as proposed by the applicant, at any time during the planning approval period;
- (d) the existing drainage facilities on the site shall be maintained at all times during the planning approval period;
- (e) 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 5.8.2023;

- (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 16.6.2023;
- (g) the submission of a fire service installations proposal within 6 months from the date of planning approval to the satisfaction of the Director of Fire Services or of the TPB by 5.11.2023;
- (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 5.2.2024;
- (i) if any of the above planning condition (a), (b), (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
- (j) if any of the above planning condition (e), (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.”

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

**Agenda Item 54**

**Section 16 Application**

[Open Meeting]

A/YL-TYST/1210 Temporary Warehouse for Storage of Furniture, Electronic Goods and Construction Materials for a Period of 3 Years in “Open Space” Zone and area shown as ‘Road’, Lots 1449 (Part), 1450 (Part), 1453, 1454 (Part), 1458 (Part) and 1459 (Part) in D.D. 119, Yuen Long, New Territories  
(RNTPC Paper No. A/YL-TYST/1210)

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205. 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**

206. After deliberation, the Committee decided to approve the application on a temporary basis for a period of 3 years until 5.5.2026 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, cleaning, repairing, spraying, other workshop activities and storage of used electronic goods and recyclable materials, as proposed by the applicant, shall be carried out on the site at any time during the planning approval period;
- (d) no heavy goods vehicles exceeding 24 tonnes, including container tractors/trailers, as defined in the Road Traffic Ordinance, are allowed to be parked/stored on or enter/exit the site, as proposed by the applicant, at any

time during the planning approval period;

- (e) the existing drainage facilities 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 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 5.8.2023;
- (g) the submission of a revised fire service installations proposal within 6 months from the date of planning approval to the satisfaction of the Director of Fire Services or of the TPB by 5.11.2023;
- (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 5.2.2024;
- (i) 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
- (j) if any of the above planning condition (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.”

207. 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 Eric C.Y. Chiu, STP/TMYLW, for his attendance to answer Members' enquiries. He left the meeting at this point.]

**Agenda Item 55**

**Any Other Business**

208.        There being no other business, the meeting was closed at 7:00 p.m.