

## **TOWN PLANNING BOARD**

### **Minutes of 719<sup>th</sup> Meeting of the Rural and New Town Planning Committee held at 2:30 p.m. on 19.5.2023**

#### **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

Dr Conrad T.C. Wong

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  
Ms Clara K.W. U

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

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

Secretary

**Absent with Apologies**

Mr K. L. Wong

Dr Venus Y. H. Lun

**In Attendance**

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

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

Town Planner/Town Planning Board  
Ms Melissa C.H. Kwan

**Agenda Item 1**

Confirmation of the Draft Minutes of the 718<sup>th</sup> RNTPC Meeting held on 5.5.2023

[Open Meeting]

1. The draft minutes of the 718<sup>th</sup> RNTPC meeting held on 5.5.2023 were confirmed without amendments.

**Agenda Item 2**

Matter Arising

[Open Meeting]

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

**Sha Tin, Tai Po and North District**

**Agenda Item 3**

**Section 12A Application**

[Open Meeting]

Y/ST/57

Application for Amendment to the Approved Sha Tin Outline Zoning Plan No. S/ST/36, To rezone the application site from “Village Type Development” to “Other Specified Uses” annotated “Religious Institution with Columbarium”, Lots No. 484 (Part), 494 (Part), 495 (Part), 540 S.A and 540 RP (Part) in D.D. 185 and adjoining Government Land, Sheung Wo Che, Sha Tin  
(RNTPC Paper No. Y/ST/57A)

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3. The Secretary reported that the application site (the Site) was located in Sha Tin. The application was submitted by To Fuk Shan Ltd. The following Members had declared interests on the item:

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

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

Dr Conrad T.C. Wong - having past business dealings with To Fuk Shan Ltd..

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

5. 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 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.

6. After deliberation, the Committee decided to defer a decision on the application as requested by the applicant pending the submission of further information from the applicant. The Committee agreed that the application should be submitted for its consideration within 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. Since it was the second deferment and a total of four months had been allowed for preparation of the submission of further information, it was the last deferment and no further deferment would be granted unless under very special circumstances and supported with strong justifications.

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

**Agenda Item 4**

**Section 12A Application**

[Open Meeting]

Y/YL-NTM/9                      Application for Amendment to the Approved Ngau Tam Mei Outline Zoning Plan No. S/YL-NTM/12, To rezone the application site from “Residential (Group C)” to “Government, Institution or Community”, Lot 4823 in D.D. 104, Ngau Tam Mei, Yuen Long  
  
(RNTPC Paper No. Y/YL-NTM/9)

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7. The Secretary reported that consideration of the application was re-scheduled.

**Tuen Mun and Yuen Long West District**

**Agenda Item 5**

**Section 12A Application**

[Open Meeting]

Y/YL-LFS/12            Application for Amendment to the Approved Lau Fau Shan and Tsim Bei Tsui Outline Zoning Plan (OZP) No. S/YL-LFS/11 and the Approved Tin Shui Wai OZP No. S/TSW/16, To rezone the application site from “Green Belt” to “Residential (Group A)1” on the Lau Fau Shan and Tsim Bei Tsui OZP and from “Open Space (1)” to “Residential (Group A)2” and an area shown as ‘Road’ on the Tin Shui Wai OZP, Various Lots in D.D. 129 and Adjoining Government Land, Lau Fau Shan, Yuen Long  
(RNTPC Paper No. Y/YL-LFS/12A)

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8.            The Secretary reported that the application was submitted by New Magnificent Limited, which was affiliated with 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:

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 was one of the shareholders of KMB and Long Win;
Dr Conrad T.C. Wong	}	having current business dealings with SHK and AECOM; and
Mr Vincent K.Y. Ho		
Dr C.H. Hau	-	having past business dealings with AECOM.

9.            The Committee noted that the applicant had requested deferment of consideration

of the application and Miss Winnie W. N. Ng had not joined the meeting yet. As the interests of Dr Conrad T. C. Wong and Mr Vincent K. Y. Ho were direct, the Committee agreed that they should be allowed to stay in the meeting but should refrain from participating in the discussion of the item. As Dr C. H. Hau had no involvement in the application, the Committee agreed that he could stay in the meeting.

10. The Committee noted that the applicant's representative requested on 8.5.2023 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 second time that the applicant requested deferment of the application. Since the last deferment, the applicant had submitted further information to address departmental comments.

11. 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. Since it was the second deferment and a total of four months had been allowed for preparation of the submission of further information, it was the last deferment and no further deferment would be granted unless under very special circumstances and supported with strong justifications.

**Agenda Item 6**

**Section 12A Application**

[Open Meeting]

Y/YL-LFS/13

Application for Amendment to the Approved Lau Fau Shan and Tsim Bei Tsui Outline Zoning Plan (OZP) No. S/YL-LFS/11 and the Approved Tin Shui Wai OZP No. S/TSW/16, To rezone the application site from “Green Belt” to “Residential (Group B)” on the Lau Fau Shan and Tsim Bei Tsui OZP and from “Open Space (1)” to “Residential (Group B) 3” on the Tin Shui Wai OZP, Lots 1595, 1597, 1598, 1599, 1600 and 1601 (Part) in D.D. 129 and Adjoining Government Land, Lau Fau Shan, Yuen Long  
(RNTPC Paper No. Y/YL-LFS/13A)

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12. The Secretary reported that the application was submitted by New Magnificent Limited, which was affiliated with 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:

- |                      |   |  |
|----------------------|---|--|
| 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 was one of the shareholders of KMB and Long Win; |
| Dr Conrad T.C. Wong  | } | having current business dealings with SHK and AECOM; and   |
| Mr Vincent K.Y. Ho   |   |  |
| Dr C.H. Hau          | - | having past business dealings with AECOM.  |

13. The Committee noted that the applicant had requested deferment of consideration of the application and Miss Winnie W. N. Ng had not joined the meeting yet. As the interests of Dr Conrad T. C. Wong and Mr Vincent K. Y. Ho were direct, the Committee agreed that they should be allowed to stay in the meeting but should refrain from participating in the



discussion of the item. As Dr C. H. Hau had no involvement in the application, the Committee agreed that he could stay in the meeting.

14. The Committee noted that the applicant's representative requested on 12.5.2023 deferment of consideration of the application for two months so as to allow more time to further review the latest changing planning context in the vicinity of the application site and 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 to address departmental comments.

15. 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. Since it was the second deferment and a total of four months had been allowed for preparation of the submission of further information, it was the last deferment and no further deferment would be granted unless under very special circumstances and supported with strong justifications.

### **Sai Kung and Islands District**

[Ms W.H. Ho, Senior Town Planner/Sai Kung and Islands (STPs/SKIs), was invited to the meeting at this point.]

**Agenda Item 7**

**Section 16 Application**

[Open Meeting (Presentation and Question Sessions only)]

A/SK-CWBN/71 Proposed Temporary Organic Farmland and Education Centre for a Period of 3 Years in “Conservation Area” Zone, Various Lots in D.D. 227 and Adjoining Government Land, Pak Shui Wun, Sai Kung  
(RNTPC Paper No. A/SK-CWBN/71A)

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**Presentation and Question Sessions**

16. With the aid of some plans, Ms W.H. Ho, STP/SKIs, briefed Members on the background of the application, the proposed use, departmental and public comments, and the planning considerations and assessments as detailed in the Paper. The Planning Department (PlanD) did not support the application.

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

17. Some Members raised the following questions:
- (a) the reasons why the applicant proposed that exclusive members and/or education programme participants of the education centre would not be allowed to participate in farming activities or interact with the animals;
  - (b) how the buffer distance of about 1m surrounding the Pak Shui Wun Site of Archaeological Interest (SAI), as proposed by the applicant, was determined;
  - (c) the use of the structures to the west of the application site (the Site) (as shown on Plan A-3a of the Paper), and whether those structures were associated with the farm and subject to enforcement action;
  - (d) noting from Plan A-3b of the Paper that there had been vegetation clearance and erection of structures on the Site since 2007 and more structures were erected subsequently as shown in aerial photos taken in 2013 and 2018, whether any enforcement action had been undertaken; and

- (e) the applicant claimed that a number of structures as shown on the layout plan (Drawing A-1 of the Paper) would be used as store rooms, but the site photos (Plans A-4b and A-4c of the Paper) showed that air conditioners had been installed for those structures, whether there was information on the actual use of the structures.

18. In response, with the aid of some plans, Ms W. H. Ho, STP/SKIs, made the following main points:

- (a) the applicant indicated that the proposed education centre would provide education programmes and activities related to organic farming and ecological conservation. Whilst the applicant had not provided any reason on their proposed arrangement, the involvement of the exclusive members and/or education programme participants in the farming activities might be considered as hobby farm, i.e. 'Place of Recreation, Sports or Culture' use that was not covered under the subject application;
- (b) the applicant had conducted an archaeological survey and assessment and had liaised with the Antiquities and Monuments Office on the relevant requirements, which included that there should be no activities (including farming activities) and/or construction works (including excavation of land) within the Pak Shui Wun SAI and its 1-m buffer area;
- (c) the structures to the west of the Site were tents. Those structures were the subject of enforcement action taken by the Planning Authority (PA);
- (d) with reference to Plan A-2a of the Paper, major part of the Site and its surrounding area were subject to planning enforcement action. An enforcement notice was issued by the Planning Authority in March 2022 requiring the discontinuance of the unauthorized uses of place of recreation, sports or culture (including hobby farm), holiday camp, eating place, shop and services and storage. The concerned unauthorized uses had been discontinued and the Site was being closely monitored by the PA; and
- (e) the structures with air conditioners might be once used for the

abovementioned unauthorized uses, which had been discontinued. With reference to Drawing A-1 of the Paper, some of the structures at the southern and northern portions of the Site were previously covered by two Letters of Approval (LoAs) for agricultural structures issued by the Land Authority in 2010 and 2013 respectively. However, the LoAs were either expired or the layout of the existing structures was different from that approved under the LoAs. Some structures were not covered by the LoA. Lease enforcement action had been/would be undertaken by the Land Authority.

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

### Deliberation Session

19. The Chairman recapitulated that the proposed use was not in line with the planning intention of the “Conservation Area” (“CA”) zone and the applicant failed to demonstrate that the temporary structures were necessary to support agricultural use and were commensurate with the organic farm operation. There was no strong justification to warrant a departure from the planning intention of the “CA” zone. Besides, the number of unauthorized structures within the Site had expanded over the past decade. Both the Planning Authority and the Land Authority had undertaken enforcement actions against the unauthorized uses/developments on the Site.

20. Two Members agreed with PlanD’s view of not supporting the application and having noted that the Site involved vegetation removal and erection of unauthorised structures over the past decade, opined that the Government should step up enforcement actions and expedite reinstatement of the Site. The Chairman remarked that PlanD and the Lands Department had already undertaken enforcement actions and would continue to monitor the use of the Site and undertake appropriate enforcement action, if needed.

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

- “(a) the proposed use is not in line with the planning intention of the “Conservation Area” (“CA”) zone, which is primarily to protect and retain

the existing natural landscape, ecological or topographical features of the area for conservation, educational and research purposes. There is a general presumption against development in the “CA” zone. The applicant fails to provide strong justification in the submission for a departure from the planning intention of the “CA” zone, even on a temporary basis; and

- (b) the applicant fails to demonstrate that the proposed use would not generate adverse landscape impact on the site and the surrounding natural environment.”

### **Agenda Item 8**

#### **Section 16 Application**

[Open Meeting]

A/SK-HC/343                      Proposed Temporary Security Guard Room for a Period of 3 Years and Associated Filling of Land in “Agriculture” Zone, Lot 435 S.D ss.1 S.A (Part) in D.D. 244 and Adjoining Government Land, Ho Chung, Sai Kung  
(RNTPC Paper No. A/SK-HC/343)

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22.            The Committee noted that the applicant’s representative requested on 9.5.2023 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.

23.            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 W.H. Ho, STP/SKIs, for her attendance to answer Members' enquiries. She left the meeting at this point.]

### **Sha Tin, Tai Po and North District**

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

#### **Agenda Item 9**

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

[Open Meeting (Presentation and Question Sessions only)]

A/NE-LT/757            Temporary Private Vehicle Park (Private Cars Only) for a Period of 3 Years and Filling of land in "Agriculture" Zone and an area shown as 'Road', Lots 1055 S.B ss.5 RP and 1055 S.B ss.4 in D.D. 8, San Tong, Lam Tsuen, Tai Po  
(RNTPC Paper No. A/NE-LT/757)

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

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

25.            Members had no question on the application.

##### **Deliberation Session**

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

- “(a) the development is not in line with the planning intention of the “Agriculture” zone which is primarily to retain and safeguard good quality agricultural land/farm/fish ponds for agricultural purposes and to retain fallow arable land with good potential for rehabilitation for cultivation and other agricultural purposes. There is no strong planning justification in the submission for a departure from the planning intention, even on a temporary basis; and
- (b) the applicants fail to demonstrate that the development located within the water gathering ground would not cause adverse impact on the water quality in the area.”

### **Agenda Item 10**

#### **Section 16 Application**

[Open Meeting (Presentation and Question Sessions only)]

A/NE-LYT/793 Proposed Four Houses (New Territories Exempted Houses - Small Houses) in “Agriculture” Zone, Lots 1676 S.D, 1676 S.E, 1676 S.F, 1676 S.G and 1677 S.F in D.D. 76, Leng Pei Tsuen, Fanling  
(RNTPC Paper No. A/NE-LYT/793)

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

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

[Dr Conrad T. C. Wong joined the meeting at this point.]

28. Members had no question on the application.

## Deliberation Session

29. 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 19.5.2027, 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.”

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

## **Agenda Item 11**

### Section 16 Application

[Open Meeting]

A/NE-MKT/25 Proposed Temporary Warehouse and Open Storage for Construction Materials for a Period of 3 Years in “Agriculture” Zone, Lot 664 S.A in D.D. 90, Lin Ma Hang Road, Man Kam To  
(RNTPC Paper No. A/NE-MKT/25)

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31. The Committee noted that the applicant requested on 10.5.2023 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.

32. 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 12**

### **Section 16 Application**

[Open Meeting]

A/NE-MUP/183      Proposed Temporary Place of Recreation, Sports or Culture (Hobby Farm) and Holiday Camp with Ancillary Facilities for a Period of 3 Years and Associated Filling of Land in “Agriculture” Zone, Lots 52 S.A (Part), 52 S.B (Part), 245, 246, 250, 251, 252 (Part) and 255 (Part) in D.D. 37, Man Uk Pin, Sha Tau Kok  
(RNTPC Paper No. A/NE-MUP/183)

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33.            The Committee noted that the applicant requested on 8.5.2023 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.

34.            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 13**

#### **Section 16 Application**

[Open Meeting (Presentation and Question Sessions only)]

A/NE-MUP/184      Proposed House (New Territories Exempted House - Small House) in  
“Agriculture” Zone, Lot 326 S.A ss.1 S.C in D.D. 37, Sha Tau Kok  
(RNTPC Paper No. A/NE-MUP/184)

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

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

36.            Members had no question on the application.

#### **Deliberation Session**

37.            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 19.5.2027, 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.”

38.            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-MUP/185 Proposed Temporary Warehouse with Ancillary Facilities for a Period of 3 Years and Associated Filling of Land in “Agriculture” and “Residential (Group D)” Zones, Lots 107 (Part), 109 (Part), 115 (Part), 116 (Part), 117, 118, 119, 120, 121, 122, 123, 124 S.A, 124 S.B, 125, 126 (Part), 127 (Part), 128 (Part), 131, 133 (Part), 134, 135 (Part), 136, 141, 142, 143, 144 RP (Part), 148, 150, 151 and 152 in D.D. 38 and adjoining Government Land, Sha Tau Kok  
(RNTPC Paper No. A/NE-MUP/185)

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39. 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**

40. After deliberation, the Committee decided to approve the application on a temporary basis for a period of 3 years until 19.5.2026, 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. 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 impact assessment within 6 months from the date of planning approval to the satisfaction of the Director of Drainage Services or of the TPB by 19.11.2023;
- (d) in relation to (c) above, the implementation of the mitigation measures

identified in the drainage impact assessment within 9 months from the date of planning approval to the satisfaction of the Director of Drainage Services or of the TPB by 19.2.2024;

- (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 proposals for fire service installations and water supplies for firefighting within 6 months from the date of planning approval to the satisfaction of the Director of Fire Services or of the TPB by 19.11.2023;
- (g) in relation to (f) above, the implementation of the proposals for fire service installations and water supplies for firefighting within 9 months from the date of planning approval to the satisfaction of the Director of Fire Services or of the TPB by 19.2.2024;
- (h) the provision of 2.5m high solid metal wall with thickness of 5mm along the site boundary, as proposed by the applicant, within 9 months from the date of planning approval to the satisfaction of the Director of Environmental Protection or of the TPB by 19.2.2024;
- (i) if any of the above planning condition (a), (b) or (e) is not complied with during the planning approval period, the approval hereby given shall cease to have effect and shall be revoked immediately without further notice; and
- (j) if any of the above planning condition (c), (d), (f), (g) or (h) is not complied with by the specified date, the approval hereby given shall cease to have effect and shall on the same date be revoked without further notice.”

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

**Agenda Item 15**

**Section 16 Application**

[Open Meeting]

A/NE-TKL/714 Proposed Temporary Open Storage of Construction Machinery and Construction Materials for a Period of 3 Years in “Agriculture” Zone, Lot 217 (Part) in D.D. 84, Ping Che  
(RNTPC Paper No. A/NE-TKL/714A)

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42. The Secretary reported that the application site (the Site) was located in Ping Che, Ta Kwu Ling. Dr Conrad T. C. Wong had declared an interest on the item for his firm owning a piece of land in Ta Kwu Ling. As the piece of land owned by Dr Conrad T. C. Wong’s firm had no direct view of the Site, the Committee agreed that he could stay in the meeting.

43. 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.

44. Noting that there was no previously approved application at the Site and some similar applications in the vicinity of the Site were rejected by the Committee, a Member enquired about the reason for PlanD’s view in the Paper that the temporary use for three years could be tolerated.

45. In response, the Secretary said that according to the Town Planning Board Guidelines No. 13G for Application for Open Storage and Port Back-up Uses under Section 16 of the Town Planning Ordinance (TPB PG-No. 13G), the Site fell within Category 2 area and should there be no major adverse comments from government departments, planning permission might be granted even if there was no previously approved application at the Site.

46. Mr Tim T. Y. Fung, STP/STN, supplemented that PlanD considered that the temporary development could be tolerated for a period of three years as the application generally complied with the TPB PG-No. 13G in that no major adverse departmental comments had been received and the concerns of the relevant government departments could be addressed through implementation of approval conditions. The approved similar applications were also located in Category 2 areas. The three similar applications were rejected by the Committee

mainly for reasons of not in compliance with the previous versions of TPB PG-No. 13 in that adverse departmental comments on the application were received and the applicant failed to address the departmental concerns.

### Deliberation Session

47. After deliberation, the Committee decided to approve the application on a temporary basis for a period of 3 years until 19.5.2026, on the terms of the application as submitted to the Town Planning Board (TPB) and subject to the following conditions :

- “(a) no operation from 6:00 p.m. to 9:00 a.m., as proposed by the applicant, is allowed on the site during the planning approval period;
- (b) no operation on Sundays and public holidays, as proposed by the applicant, is allowed on the site during the planning approval period;
- (c) the submission of a drainage proposal within 6 months from the date of planning approval to the satisfaction of the Director of Drainage Services or of the TPB by 19.11.2023;
- (d) in relation to (c) above, the provision of drainage facilities within 9 months from the date of planning approval to the satisfaction of the Director of Drainage Services or of the TPB by 19.2.2024;
- (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 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 30.6.2023;
- (g) the submission of a proposal for 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 19.11.2023;

- (h) in relation to (g) above, the provision of 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 19.2.2024;
- (i) if any of the above planning condition (a), (b) or (e) is not complied with during the planning approval period, the approval hereby given shall cease to have effect and shall be revoked immediately without further notice;
- (j) if any of the above planning condition (c), (d), (f), (g) or (h) is not complied with by the specified date, the approval hereby given shall cease to have effect and shall on the same date be revoked without further notice; and
- (k) upon expiry of the planning permission, the reinstatement of the site to an amenity area to the satisfaction of Director of Planning or of the TPB.”

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

### **Agenda Item 16**

#### **Section 16 Application**

[Open Meeting]

A/NE-TKL/721 Proposed Temporary Warehouse for Storage of Construction Materials and Electronic Products for a Period of 3 Years in “Agriculture” Zone, Lots 4 S.A (Part), 4 S.B (Part), 4 S.C (Part) and 6 S.B in D.D. 84 and Adjoining Government Land, Ping Che  
(RNTPC Paper No. A/NE-TKL/721)

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49. The Secretary reported that the application site (the Site) was located in Ping Che, Ta Kwu Ling. Dr Conrad T. C. Wong had declared an interest on the item for his firm owning a piece of land in Ta Kwu Ling. As the piece of land owned by Dr Conrad T. C. Wong’s firm had no direct view of the Site, the Committee agreed that he could stay in the meeting.

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

51. A Member raised the following questions:

- (a) whether policy support from the Development Bureau was a determining factor for PlanD's view that the proposed temporary use for three years could be tolerated; and
- (b) noting in paragraph 6.1 of the Paper that a similar application (No. A/NE-TKL/695) (with both warehouse and open storage uses) was approved by the Committee mainly on consideration that the application generally complied with Town Planning Board Guidelines No. 13F for Application for Open Storage and Port Back-up Uses under Section 16 of the Town Planning Ordinance (TPB PG-No. 13F), what the main differences were under the latest version TPB PG-No. 13G and the previous version TPB PG-No. 13F.

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

- (a) the application was to facilitate relocation of a warehouse that would be displaced by the First Phase development of the Yuen Long South Development (YLSD). Considering concerned departments' views that the proposed warehouse use was not incompatible with surrounding land uses and would not create insurmountable impacts in technical terms subject to implementation of appropriate approval conditions, and would facilitate smooth clearance for the YLSD and that operating space for displaced brownfield operations which were still needed by the community would be provided, the application was supported by the Secretary for Development (SDEV) from the policy perspective. While TPB PG-No. 13G was not applicable to the applied use which was only for warehouse and with no open storage uses, given policy support by SDEV and the impact generated by warehouse was less than that by open storage, PlanD considered that the proposed warehouse use could be tolerated on a temporary basis for a period of three years; and



- (b) in April 2023, the Board considered and agreed to revise TPB PG-No. 13F which was renumbered as TPB PG-No. 13G. The major revisions were to expand areas under Category 2 with a view to making available more land for open storage and port back-up uses on a temporary basis to cater for displacement of brownfield uses arising from extensive Government projects in the New Territories in the coming years.

53. A Member said that the aerial photos of December 2021 on Plan A-3 of the Paper showed that the Site was mostly covered by dense vegetation with trees at the time, while the site photos of April 2023 on Plan A-4 of the Paper showed that the Site had been cleared with extensive tree felling and vegetation removal and enquired whether tree compensation was proposed. In response, Mr Tim T. Y. Fung, STP/STN, said that no tree compensation proposal was submitted under the application and the Chief Town Planner/Urban Design and Landscape Unit had no objection to the application from landscape perspective as significant landscape impact arising from the proposed development was not anticipated.

#### Deliberation Session

54. A Member, whilst having no objection to the application, opined that it was not desirable that requirements for tree compensation and/or landscape treatment was not imposed as there was substantial tree felling on the Site. Relevant government departments should pay more attention to tree compensation/landscape treatment when processing such applications in the future.

55. After deliberation, the Committee decided to approve the application on a temporary basis for a period of 3 years until 19.5.2026, 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. 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 19.11.2023;
- (d) in relation to (c) above, the provision of drainage facilities within 9 months from the date of planning approval to the satisfaction of the Director of Drainage Services or of the TPB by 19.2.2024;
- (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 proposals for fire services installations and water supplies for firefighting, as proposed by the applicant, within 9 months from the date of planning approval to the satisfaction of the Director of Fire Services or of the TPB by 19.2.2024;
- (g) the implementation of traffic management measures, as proposed by the applicant, within 9 months from the date of planning approval to the satisfaction of the Commissioner for Transport or of the TPB by 19.2.2024;
- (h) the implementation of environmental mitigation measures, as proposed by the applicant, within 9 months from the date of planning approval to the satisfaction of the Director of Environmental Protection or of the TPB by 19.2.2024;
- (i) if any of the above planning condition (a), (b) or (e) is not complied with during the planning approval period, the approval hereby given shall cease to have effect and shall on the same date be revoked without further notice;
- (j) if any of the above planning condition (c), (d), (f), (g) or (h) is not complied with by the specified date, the approval hereby given shall cease to have effect and shall on the same date be revoked without further notice; and

- (k) upon expiry of the planning permission, the reinstatement of the site to an amenity area to the satisfaction of Director of Planning or of the TPB.”

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

57. In view of the recently revised TPB PG-No.13G, a Member suggested that applications on sites reclassified from Category 3 or 4 to Category 2 under TPB PG-No. 13G might temporarily be excluded from the streamlining arrangement for consideration in one group for a certain period, say about six months, to allow consideration of those applications in more detail. Noting the suggestion from the Member, the Chairman proposed to keep the concerned applications on the list of cases to be considered in a group under the streamlining arrangement but with a remark of the cases for open storage and port back-up uses involving sites re-classified to Category 2 under TPB PG-No. 13G and PlanD representatives would make presentations for those applications at the meeting. The Committee agreed with the above interim arrangement.

### **Agenda Item 17**

#### **Section 16 Application**

[Open Meeting (Presentation and Question Sessions only)]

A/NE-TKL/723      Proposed House (New Territories Exempted House - Small House) in  
“Agriculture” Zone, Lot 662 S.B in D.D. 82, Ta Kwu Ling  
(RNTPC Paper No. A/NE-TKL/723)

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

59. As the piece of land owned by Dr Conrad T. C. Wong’s firm had no direct view of the Site, the Committee agreed that he could stay in the meeting.

Presentation and Question Sessions

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

61. The Chairman raised the following questions:

- (a) whether only one application for ‘House (New Territories Exempted House (NTEH) – Small House’) was approved by the Committee within the subject “Agriculture” (“AGR”) zone after the formal adoption of a more cautious approach; and
- (b) whether approval of the application would have precedent effect leading to extension of the Small House cluster to further south of the Site.

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

- (a) a total of five similar applications for Small House development in the vicinity of the Site within the same “AGR” zone were considered after the formal adoption of a more cautious approach since August 2015. One of them (No. A/NE-TKL/711) further east of the Site was approved by the Committee in 2023 mainly on sympathetic consideration that the site was the subject of a previous approval submitted by the same applicant. The other four applications (No. A/NE-TKL/591, 592, 593 and 594) in the vicinity of the application site of No. A/NE-TKL/711 were rejected by the Board on review in 2018 mainly on the grounds that the applications were not in line with the planning intention of the “AGR” zone; and land was still available within the “Village Type Development” (“V”) zone of Lei Uk Village; and
- (b) the Site was sandwiched between four and three existing Small Houses to its immediate north and south respectively and was located at the fringe of Lei Uk Village settlement along the eastern boundary of the “V” zone. It was considered that sympathetic consideration might be given to the proposed

house within that residual area of the small cluster. Moreover, such sympathetic consideration for the subject application might not be applicable to further southern extension of the Small House cluster.

### Deliberation Session

63. The Chairman remarked that there was only one similar approved application in the “AGR” zone after the Committee’s formal adoption of a more cautious approach and asked Members to consider the possible precedent effect of approving the application. Members noted that the seven Small House applications to the north and south of the Site were approved before the formal adoption of a more cautious approach in August 2015 and only one similar application was approved after the formal adoption, mainly due to the previous approval on that site. A Member said that the application should be considered cautiously as the area to the east of the Site was mostly covered by grass and vegetation which possessed potential for agricultural rehabilitation. The Vice-chairman opined that the Site did not appear to be a single pocket between the existing Small Houses and the area to the further south of the Site along the eastern boundary of the subject “V” zone was still vacant and approval of the subject application might lead to further extension of Small House developments in the “AGR” zone. Members generally considered that the application should be rejected.

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

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

**Agenda Item 18**

**Section 16 Application**

[Open Meeting]

A/NE-TKLN/52 Proposed Temporary Warehouse and Open Storage of Electronic Products (Excluding Dangerous Goods) for a Period of 3 Years in “Recreation” Zone, Lots 499, 500 RP, 501 S.A RP, 501 S.B, 501 S.C, 501 S.D and 501 S.E in D.D. 80, Ta Kwu Ling North  
(RNTPC Paper No. A/NE-TKLN/52)

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65. The Committee noted that the applicant requested on 4.5.2023 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.

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

**Agenda Item 19**

**Section 16 Application**

[Open Meeting (Presentation and Question Sessions only)]

A/NE-KLH/621 Proposed House (New Territories Exempted House - Small House) in “Agriculture” and “Village Type Development” Zones, Lots 94 S.G ss.8 RP, 94 S.G ss.9 and 324 S.B RP in D.D. 9, Yuen Leng, Tai Po  
(RNTPC Paper No. A/NE-KLH/621)

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67. The Secretary reported that the application site (the Site) was located in Tai Po. Dr Venus Y. H. Lun had declared an interest on the item for co-owning with spouse a property in Tai Po.

68. The Committee noted that Dr Venus Y. H. Lun had tendered an apology for being unable to attend the meeting.

#### Presentation and Question Sessions

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

70. Members had no question on the application.

#### Deliberation Session

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

- “(a) the proposed development is not in line with the planning intention of the “Agriculture” zone, which is primarily to retain and safeguard good quality agricultural land/farm/fish ponds for agricultural purposes. It is also intended to retain fallow arable land with good potential for rehabilitation for cultivation and other agricultural purposes. There is no strong planning justification in the submission for a departure from the planning intention; and
- (b) land is still available within the “Village Type Development” (“V”) zone of Kau Lung Hang and Yuen Leng which is primarily intended for Small House development. It is considered more appropriate to concentrate the proposed Small House development within the “V” zone for more orderly development pattern, efficient use of land and provision of infrastructure and services.”

**Agenda Items 20 to 23 and 25 to 27**

**Section 16 Applications**

[Open Meeting (Presentation and Question Sessions only)]

- A/NE-PK/180 Proposed House (New Territories Exempted House - Small House) in “Agriculture” and “Village Type Development” Zones, Lot 1574 S.B ss.2 in D.D. 91, Kai Leng, Sheung Shui  
(RNTPC Paper No. A/NE-PK/180)
- A/NE-PK/181 Proposed House (New Territories Exempted House - Small House) in “Agriculture” Zone, Lots 1592 S.A and 1593 S.A in D.D. 91, Kai Leng, Sheung Shui
- A/NE-PK/182 Proposed House (New Territories Exempted House - Small House) in “Agriculture” Zone, Lots 1592 S.B and 1593 S.B in D.D. 91, Kai Leng, Sheung Shui
- A/NE-PK/183 Proposed House (New Territories Exempted House - Small House) in “Agriculture” Zone, Lots 1592 S.C and 1593 S.C in D.D. 91, Kai Leng, Sheung Shui  
(RNTPC Paper No. A/NE-PK/181 to 183)
- A/NE-PK/185 Proposed House (New Territories Exempted House - Small House) in “Agriculture” Zone, Lot 1575 S.A in D.D. 91, Kai Leng, Sheung Shui
- A/NE-PK/186 Proposed House (New Territories Exempted House - Small House) in “Agriculture” Zone, Lot 1589 RP in D.D. 91, Kai Leng, Sheung Shui
- A/NE-PK/187 Proposed House (New Territories Exempted House - Small House) in “Agriculture” Zone, Lots 1590 S.A and 1591 S.A in D.D. 91, Kai Leng, Sheung Shui  
(RNTPC Paper No. A/NE-PK/185 to 187)
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72. The Committee agreed that as the seven applications for proposed house (New Territories Exempted House – Small House) on each of the application site were similar in nature and the application sites were located in close proximity to one another within the same “Agriculture” zone, they could be considered together.



### Presentation and Question Sessions

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

74. Members had no question on the applications.

### Deliberation Session

75. Whilst not objecting to the applications, a Member noted that the proposed developments seemingly involved sale of Small House development rights in Kai Leng area. The Member opined that the Government should handle such Small House applications in the area with great caution. The Chairman said that the Lands Department had established mechanism to deal with any abuse of Small House development rights.

76. After deliberation, the TPB decided to approve the applications, on the terms of the applications as submitted to the Town Planning Board (TPB). Each of the permissions should be valid until 19.5.2027, 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. Each of the permissions was subject to the following condition :

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

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

**Agenda Item 24**

**Section 16 Application**

[Open Meeting]

A/NE-PK/184            Temporary Private Vehicle Park (Private Car and Light Goods Vehicle)  
for a Period of 3 Years in “Village Type Development” Zone, Various  
Lots in D.D. 91, Kai Leng, Sheung Shui  
(RNTPC Paper No. A/NE-PK/184)

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78.            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**

79.            After deliberation, the Committee decided to approve the application on a temporary basis for a period of 3 years until 19.5.2026, on the terms of the application as submitted to the Town Planning Board (TPB) and subject to the following conditions :

- “(a)    no vehicle without valid licence issued under the Road Traffic (Registration and Licensing of Vehicles) Regulations is allowed to be parked/stored on the site at any time during the planning approval period;
  
- (b)    only private cars and light goods vehicles not exceeding 3.3 tonnes, as proposed by the applicant, are allowed to be parked/stored on or enter/exit the site at any time during the planning approval period;
  
- (c)    the submission of a 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 19.11.2023;
  
- (d)    in relation to (c) above, the provision of the drainage facilities within 9 months from the date of planning approval to the satisfaction of the Director of Drainage Services or of the TPB by 19.2.2024;

- (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 proposals 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 19.11.2023;
- (g) in relation to (f) above, the implementation of the proposals for water supplies for fire-fighting and fire service installations within 9 months from the date of planning approval to the satisfaction of the Director of Fire Services or of the TPB by 19.2.2024;
- (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; and
- (i) if any of the above planning condition (c), (d), (f) or (g) is not complied with by the specified date, the approval hereby given shall cease to have effect and shall on the same date be revoked without further notice.”

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

### **Agenda Item 28**

#### **Section 16 Application**

[Open Meeting (Presentation and Question Sessions only)]

A/NE-SSH/147 Proposed Public Utility Installation (High Voltage Pillar and Underground Cables) with Associated Filling and Excavation of Land in “Coastal Protection Area” and “Site of Special Scientific Interest” Zones, Government Land in D.D. 209, Sai Keng, Shap Sz Heung, Sai Kung  
(RNTPC Paper No. A/NE-SSH/147)

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81. The Secretary reported that the application was submitted by CLP Power Hong

Kong Limited (CLP). Dr Conrad T. C. Wong had declared an interest on the item for his firm having current business dealings with CLP. As the interest of Dr Conrad T. C. Wong was direct, the Committee agreed that he should be invited to leave the meeting temporarily for the item.

[Dr Conrad T. C. Wong left the meeting temporarily at this point.]

#### Presentation and Question Sessions

82. 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.

83. Members had no question on the application.

#### Deliberation Session

84. 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 19.5.2027, 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.

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

**Agenda Item 29**

**Section 16 Application**

[Open Meeting]

A/NE-SSH/148 Proposed House (New Territories Exempted House - Small House) in “Green Belt” Zone, Government Land in D.D. 209, Kei Ling Ha San Wai, Sai Kung North  
(RNTPC Paper No. A/NE-SSH/148)

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86. The Committee noted that the applicant’s representative requested on 15.5.2023 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.

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

**Agenda Items 30 and 31**

**Section 16 Applications**

[Open Meeting]

A/NE-TK/772 Proposed Temporary Eating Place with Ancillary Facilities for a Period of 5 Years in “Open Space” Zone, Lots 1343 S.B ss.1 (Part), 1343 S.B RP, 1346 S.B ss.1 (Part), 1346 S.B RP, 1347 S.A (Part), 1347 RP, 1349, 1350, 1351 RP, 1352 S.A, 1355 RP, 1356 RP and 1361 RP (Part) in D.D. 17 and Adjoining Government Land, Ting Kok, Tai Po

A/NE-TK/773 Proposed Temporary Eating Place with Ancillary Facilities for a Period of 5 Years in “Open Space” Zone, Lots 1352 RP and 1353 RP in D.D. 17 and Adjoining Government Land, Ting Kok, Tai Po  
(RNTPC Paper No. A/NE-TK/772 and 773)

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88. The Committee noted that the applicants’ representative requested on 5.5.2023 deferment of consideration of the applications for two months so as to allow more time for preparation of further information to address departmental comments. It was the first time that the applicants requested deferment of the applications.

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

### **Agenda Item 32**

#### **Section 16 Application**

[Open Meeting]

A/NE-TK/774 Renewal of Planning Approval for Temporary Shop and Services (Fresh Provision Supplier) for a Period of 3 Years in “Recreation” Zone, G/F, No. 103A, Lung Mei, Tai Po  
(RNTPC Paper No. A/NE-TK/774)

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90. The Committee noted that the applicants’ representative requested on 11.5.2023 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.

91. 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.

[Dr Conrad T. C. Wong rejoined the meeting at this point.]

### **Agenda Item 33**

#### **Section 16 Application**

[Open Meeting (Presentation and Question Sessions only)]

A/ST/1013 Columbarium in "Government, Institution or Community" Zone, Lots 60 S.A, 60 S.B and 561 in D.D. 184 and adjoining Government Land, South of Che Kung Miu Road, Tai Wai  
(RNTPC Paper No. A/ST/1013A)

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

92. With the aid of a PowerPoint presentation, Ms Hannah H.N. Yick, STP/STN, briefed Members on the background of the application, the applied development, departmental and public comments, and the planning considerations and assessments as detailed in the Paper. The Planning Department had no objection to the application.

93. Members had no question on the application.

#### **Deliberation Session**

94. 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 19.5.2027, 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 the proposals for fire service installations and water supplies for firefighting to the satisfaction of the Director of Fire Services or of the TPB.”

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

### **Agenda Item 34**

#### **Section 16 Application**

[Open Meeting]

A/ST/1017 Proposed Shop and Services in “Industrial” Zone, Workshop 6C, Level L1, Wah Yiu Industrial Centre, 30-32 Au Pui Wan Street, Fo Tan, Sha Tin  
(RNTPC Paper No. A/ST/1017)

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96. The Secretary reported that the application Site (the Site) was located in Fo Tan, Sha Tin. The following Members had declared interests on the item:

Professor John C. Y. Ng - owning a flat in Fo Tan, Sha Tin; and

Mr Vincent K. Y. Ho - co-owning with spouse a flat in Fo Tan, Sha Tin.

97. 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.

98. The Committee noted that the application was selected for streamlining



arrangement and the Planning Department had no objection to the proposed temporary use for a period of five years based on the assessments set out in the Paper.

### Deliberation Session

99. After deliberation, the Committee decided to approve the application on a temporary basis for a period of 5 years until 19.5.2028, on the terms of the application as submitted to the Town Planning Board (TPB) and subject to the following conditions :

- “(a) the submission and implementation of fire safety measures within 6 months from the date of approval to the satisfaction of the Director of Fire Services or of the TPB by 19.11.2023; and
- (b) if the above planning condition 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.”

100. 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 Kevin K.W. Lau, Mr Tim T.Y. Fung, Mr Harris K.C. Liu and Ms Hannah H.N. Yick, STPs/STN, and Ms Elizabeth Ng, TP/STN, for their attendance to answer Members’ enquiries. They left the meeting at this point.]

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

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

**Agenda Item 35**

**Section 16 Application**

[Open Meeting]

A/FSS/292                      Proposed House (New Territories Exempted House - Small House) in “Village Type Development” and “Green Belt” Zones, Lot 1540 S.A in D.D. 92, Tsung Pak Long, Sheung Shui

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101.            The Secretary reported that the application was withdrawn by the applicant after issuance of paper.

**Agenda Item 36**

**Section 16 Application**

[Open Meeting (Presentation and Question Sessions only)]

A/YL-KTS/946                      Proposed Temporary Warehouse for Storage of Construction Materials (Timber and Metal) for a Period of 3 Years and Filling of Land in “Agriculture” Zone, Lots 123 (Part), 124 (Part), 125 (Part), 126 (Part), 127 (Part) in D.D. 113 and Adjoining Government Land, Ma On Kong, Kam Tin, Yuen Long  
(RNTPC Paper No. A/YL-KTS/946A)

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102.            With the aid of some plans, Mr C. K. Fung, STP/FSYLE, briefed Members on the background of the application, the proposed use, departmental and public comments, and the planning considerations and assessments as detailed in the Paper. The Planning Department considered that the temporary use could be tolerated for a period of three years.

103.            Members had no question on the application.

**Deliberation Session**

104.            After deliberation, the Committee decided to approve the application on a temporary basis for a period of 3 years until 19.5.2026, 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 applicants, is allowed on the site during the planning approval period;
- (b) no operation on Sundays and public holidays, as proposed by the applicants, is allowed on the site during the planning approval period;
- (c) no 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) 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 19.11.2023;
- (e) in relation to (d) 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 19.2.2024;
- (f) in relation to (e) above, the implemented drainage facilities on the site shall be maintained at all times during the planning approval period;
- (g) the submission of a revised 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 19.11.2023;
- (h) in relation to (g) 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 19.2.2024;
- (i) if any of the above planning condition (a), (b), (c) or (f) is not complied with during the planning approval period, the approval hereby given shall cease to have effect and shall be revoked immediately without further notice;

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

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

### **Agenda Item 37**

#### **Section 16 Application**

[Open Meeting]

A/YL-KTN/882 Proposed Temporary Shop and Services (Retail Shop for Auto Glass) with Ancillary Office and Service Centre for a Period of 3 Years and Filling of Land in “Agriculture” Zone, Lot 160 RP in D. D. 110, Kam Tin, Yuen Long  
(RNTPC Paper No. A/YL-KTN/882A)

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106. 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**

107. After deliberation, the Committee decided to approve the application on a temporary basis for a period of 3 years until 19.5.2026, 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 medium or heavy goods vehicles exceeding 5.5 tonnes, including container tractors/trailers, as defined in the Road Traffic Ordinance, are allowed to be parked/stored on or enter/exit the site at any time during the planning approval period;
- (d) no dismantling, cleansing, paint spraying of vehicles or other workshop activities, as proposed by the applicant, shall be carried out on the site at any time during the planning approval period;
- (e) the submission of a drainage proposal within 6 months from the date of planning approval to the satisfaction of the Director of Drainage Services and the Executive Secretary (Antiquities and Monuments), Antiquities and Monuments Office or of the TPB by 19.11.2023;
- (f) in relation to (e) above, the implementation of the drainage proposal within 9 months from the date of planning approval to the satisfaction of the Director of Drainage Services and the Executive Secretary (Antiquities and Monuments), Antiquities and Monuments Office or of the TPB by 19.2.2024;
- (g) in relation to (f) above, the implemented drainage facilities on the site shall be maintained at all times during the planning approval period;
- (h) the submission of a fire service installations proposal within 6 months from the date of planning approval to the satisfaction of the Director of Fire Services or of the TPB by 19.11.2023;
- (i) in relation to (h) above, the implementation of the fire service installations proposal within 9 months from the date of planning approval to the satisfaction of the Director of Fire Services or of the TPB by 19.2.2024;
- (j) if any of the above planning condition (a), (b), (c), (d) or (g) is not complied

with during the planning approval period, the approval hereby given shall cease to have effect and shall be revoked immediately without further notice;

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

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

### **Agenda Item 38**

#### **Section 16 Application**

[Open Meeting]

A/YL-KTN/903      Proposed Temporary Animal Boarding Establishment with Ancillary Facilities for a Period of 5 Years and Filling of Land in “Agriculture” Zone, Lots 1446 (Part), 1447 (Part) and 1448 (Part) in D.D. 107, Kam Tin, Yuen Long  
(RNTPC Paper No. A/YL-KTN/903)

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

#### **Deliberation Session**

110. After deliberation, the Committee decided to approve the application on a temporary basis for a period of 5 years until 19.5.2028, on the terms of the application as submitted to the Town Planning Board (TPB) and subject to the following conditions :

- “(a) no operation between 6:00 p.m. and 9:00 a.m. (except overnight animal

boarding), as proposed by the applicant, is allowed on the site during the planning approval period;

- (b) all dogs shall be kept inside the enclosed structures on the site from 6:00 p.m. to 9:00 a.m., and up to two dogs with dog masks are allowed for outdoor activities at the same time during the operation hours, as proposed by the applicant, during the planning approval period;
- (c) no public announcement system, whistle blowing, portable loudspeaker or any form of audio amplification system, as proposed by the applicant, is allowed to be used on the site at any time during the planning approval period;
- (d) the submission of a drainage proposal within 6 months from the date of planning approval to the satisfaction of the Director of Drainage Services or of the TPB by 19.11.2023;
- (e) in relation to (d) above, the implementation of the drainage proposal within 9 months from the date of planning approval to the satisfaction of the Director of Drainage Services or of the TPB by 19.2.2024;
- (f) in relation to (e) above, the implemented drainage facilities on the site shall be maintained at all times during the planning approval period;
- (g) the submission of a fire service installations proposal within 6 months from the date of planning approval to the satisfaction of the Director of Fire Services or of the TPB by 19.11.2023;
- (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 19.2.2024;
- (i) if any of the above planning condition (a), (b), (c) or (f) is not complied with during the planning approval period, the approval hereby given shall cease to have effect and shall be revoked immediately without further notice;

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

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

### **Agenda Item 39**

#### **Section 16 Application**

[Open Meeting]

A/YL-KTN/904 Proposed Temporary Warehouse (excluding Dangerous Goods Godown) with Ancillary Facilities for a Period of 3 Years and Filling of Land in “Agriculture” Zone, Lots 1222 S.A (Part) and 1224 S.B in D.D. 107, Fung Kat Heung, Kam Tin, Yuen Long  
(RNTPC Paper No. A/YL-KTN/904)

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112. 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**

113. After deliberation, the Committee decided to approve the application on a temporary basis for a period of 3 years until 19.5.2026, 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 recycling, cleaning, repairing, dismantling work nor other workshop activities, as proposed by the applicant, is allowed on the site at any time during the planning approval period;
- (d) the submission of a drainage proposal within 6 months from the date of planning approval to the satisfaction of the Director of Drainage Services or of the TPB by 19.11.2023;
- (e) in relation to (d) above, the implementation of the drainage proposal within 9 months from the date of planning approval to the satisfaction of the Director of Drainage Services or of the TPB by 19.2.2024;
- (f) in relation to (e) above, the implemented drainage facilities on the site shall be maintained at all times during the planning approval period;
- (g) the submission of a fire service installations proposal within 6 months from the date of planning approval to the satisfaction of the Director of Fire Services or of the TPB by 19.11.2023;
- (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 19.2.2024;
- (i) if any of the above planning condition (a), (b), (c) or (f) is not complied with during the planning approval period, the approval hereby given shall cease to have effect and shall be revoked immediately without further notice;
- (j) if any of the above planning condition (d), (e), (g) or (h) is not complied with by the specified date, the approval hereby given shall cease to have effect and shall on the same date be revoked without further notice; and

- (k) upon expiry of the planning permission, the reinstatement of the site to an amenity area, as proposed by the applicant, to the satisfaction of the Director of Planning or of the TPB.”

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

#### **Agenda Item 40**

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

[Open Meeting]

A/YL-KTN/905 Proposed Temporary Warehouse (excluding Dangerous Goods Godown) for a Period of 3 Years and Filling of Land in “Agriculture” Zone, Lot 1145 in D.D. 107, Fung Kat Heung, Kam Tin, Yuen Long (RNTPC Paper No. A/YL-KTN/905)

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115. 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**

116. After deliberation, the Committee decided to approve the application on a temporary basis for a period of 3 years until 19.5.2026, 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 recycling, cleaning, repairing, dismantling work nor other workshop

activities, as proposed by the applicant, is allowed on the site at any time during the planning approval period;

- (d) the submission of a drainage proposal within 6 months from the date of planning approval to the satisfaction of the Director of Drainage Services or of the TPB by 19.11.2023;
- (e) in relation to (d) above, the implementation of the drainage proposal within 9 months from the date of planning approval to the satisfaction of the Director of Drainage Services or of the TPB by 19.2.2024;
- (f) in relation to (e) above, the implemented drainage facilities on the site shall be maintained at all times during the planning approval period;
- (g) the submission of a fire service installations proposal within 6 months from the date of planning approval to the satisfaction of the Director of Fire Services or of the TPB by 19.11.2023;
- (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 19.2.2024;
- (i) if any of the above planning condition (a), (b), (c) or (f) is not complied with during the planning approval period, the approval hereby given shall cease to have effect and shall be revoked immediately without further notice;
- (j) if any of the above planning condition (d), (e), (g) or (h) is not complied with by the specified date, the approval hereby given shall cease to have effect and shall on the same date be revoked without further notice; and
- (k) upon expiry of the planning permission, the reinstatement of the site to an amenity area, as proposed by the applicant, to the satisfaction of the Director of Planning or of the TPB.”

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

### **Agenda Item 41**

#### **Section 16 Application**

[Open Meeting]

A/YL-KTN/906      Renewal of Planning Approval for Temporary Open Storage of Construction Materials with Ancillary Office and Storage for a Period of 3 Years in “Agriculture” Zone, Lots 126 S.B and 126 RP in D.D. 110, Pat Heung, Yuen Long  
  
(RNTPC Paper No. A/YL-KTN/906)

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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 21.5.2023 until 20.5.2026, 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 8:00 a.m., as proposed by the applicant, is allowed on the site during the planning approval period;
  
- (b) no operation on Sundays and statutory holidays, as proposed by the applicant, is allowed on the site during the planning approval period;
  
- (c) 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 at any time during the planning approval period;

- (d) no dismantling, maintenance, repairing, cleansing, paint spraying or other workshop activities are allowed on the site at any time during the planning approval period;
- (e) the existing boundary fencing on the site shall be maintained at all times during the planning approval period;
- (f) the existing drainage facilities on the site shall be maintained at all times during the planning approval period;
- (g) the site should be kept in a clean and tidy condition and the materials stored at the site should be covered up at all times during the planning approval period;
- (h) the submission of records of the existing drainage facilities on the site within 3 months from the date of commencement of the renewed planning approval to the satisfaction of the Director of Drainage Services or of the TPB by 21.8.2023;
- (i) the existing fire service installations implemented on the site shall be maintained in efficient working order at all times during the planning approval period;
- (j) if any of the above planning condition (a), (b), (c), (d), (e), (f), (g) or (i) 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 the above planning condition (h) is not complied with by the specified date, the approval hereby given shall cease to have effect and shall on the same date be revoked without further notice; and
- (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.”

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 42**

### **Section 16 Application**

[Open Meeting (Presentation and Question Sessions only)]

A/YL-PH/946 Proposed Temporary Shop and Services (Provision Store) and School (Baking Studio) for a Period of 3 Years in “Village Type Development” Zone, Lots 1956 S.A RP (Part) and 1956 S.B RP (Part) in D.D. 111, Leung Uk Tsuen, Pat Heung, Yuen Long  
(RNTPC Paper No. A/YL-PH/946)

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

122. Members had no question on the application.

### **Deliberation Session**

123. After deliberation, the Committee decided to approve the application on a temporary basis for a period of 3 years until 19.5.2026, 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 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 19.11.2023;
- (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 19.2.2024;

- (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 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 19.11.2023;
- (e) if 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
- (f) if any of the above planning condition (a), (b) 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.”

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

### **Agenda Item 43**

#### **Section 16 Application**

[Open Meeting]

A/YL-PH/947 Proposed Temporary Public Vehicle Park (Excluding Container Vehicle) for a Period of 3 Years in “Village Type Development” Zone, Lots 1938 (Part), 1939 (Part), 1940 (Part) and 1941 (Part) in D.D. 111, Leung Uk Tsuen, Pat Heung, Yuen Long  

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(RNTPC Paper No. A/YL-PH/947)

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

Deliberation Session

126. After deliberation, the Committee decided to approve the application on a temporary basis for a period of 3 years until 19.5.2026, on the terms of the application as submitted to the Town Planning Board (TPB) and subject to the following conditions :

- “(a) no operation between 9:00 p.m. and 6:00 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 vehicles without valid licences issued under the Road Traffic (Registration and Licensing of Vehicles) Regulations are allowed to be parked/stored on the site at any time during the planning approval period;
- (d) no medium or heavy goods vehicles exceeding 5.5 tonnes, including container tractors/trailers, as defined in the Road Traffic Ordinance, are allowed to be parked/stored on or enter/exit the site at any time during the planning approval period;
- (e) a notice should be posted at a prominent location of the site to indicate that no medium or heavy goods vehicles exceeding 5.5 tonnes, including container tractors/trailers, as defined in the Road Traffic Ordinance, are allowed to be parked/stored on or enter/exit the site at all time during the planning approval period;
- (f) 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 19.11.2023;
- (g) in relation to (f) 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 19.2.2024;



- (h) in relation to (g) above, the implemented drainage facilities on the site shall be maintained at all times during the planning approval period;
- (i) the 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 19.11.2023;
- (j) if any of the above planning condition (a), (b), (c), (d), (e) or (h) is not complied with during the planning approval period, the approval hereby given shall cease to have effect and shall be revoked immediately without further notice;
- (k) if any of the above planning condition (f), (g) or (i) is not complied with by the specified date, the approval hereby given shall cease to have effect and shall on the same date be revoked without further notice.”

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

#### **Agenda Item 44**

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

[Open Meeting]

A/YL-PH/948                      Renewal of Planning Approval for Temporary Shop and Services (Provision Store) for a Period of 3 Years in “Village Type Development” Zone, Lot 2743 (Part) in D.D. 111, Wang Toi Shan Ho Lik Pui, Pat Heung, Yuen Long  

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(RNTPC Paper No. A/YL-PH/948)

128. 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

129. After deliberation, the Committee decided to approve the application on a temporary basis for a period of 3 years and be renewed from 24.6.2023 to 23.6.2026, on the terms of the application as submitted to the Town Planning Board (TPB) and subject to the following conditions :

- “(a) no operation between 10:00 p.m. and 9:00 a.m., as proposed by the applicant, is allowed on the site during the planning approval period;
- (b) the existing drainage facilities on the site shall be maintained at all times during the planning approval period;
- (c) the submission of the records of the existing drainage facilities on the site 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 24.9.2023;
- (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.”

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

**Agenda Item 45**

**Section 16 Application**

[Open Meeting]

A/YL-MP/339            Proposed Public Utility Installation (Low Voltage Underground Cable) and Associated Excavation and Filling of Land in “Conservation Area” Zone, Government Land in D.D. 101, Mai Po San Tsuen, Mai Po, Yuen Long  
(RNTPC Paper No. A/YL-MP/339)

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131.            The Secretary reported that the application site (the Site) was located in Mai Po and the application was submitted by CLP Power Hong Kong Limited (CLP). The following Members had declared interests on the item:

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

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

132.            The Committee noted that the applicant had requested deferment of consideration of the application. As the property of Mr K. W. Leung had no direct view of the application site, the Committee agreed that he could stay in the meeting. As the interest of Dr Conrad T. C. Wong was direct, the Committee agreed that he could stay in the meeting but should refrain from participating in the discussion of the item.

133.            The Committee noted that the applicant’s representative requested on 10.5.2023 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.

134.            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 46**

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

[Open Meeting (Presentation and Question Sessions Only)]

A/YL-NSW/308      Proposed Temporary Shop and Services (Convenience Store) for a Period of 3 Years in “Other Specified Uses” annotated “Comprehensive Development to include Wetland Restoration Area” Zone, Lot 3250 S.B ss.49 (Part) in D.D. 104 and Adjoining Government Land, Nam Sang Wai, Yuen Long  
(RNTPC Paper No. A/YL-NSW/308)

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

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

136.            Members had no question on the application.

##### **Deliberation Session**

137.            After deliberation, the Committee decided to approve the application on a temporary basis for a period of 3 years until 19.5.2026, 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 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 19.11.2023;

- (b) 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 19.2.2024;
- (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 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 19.11.2023;
- (e) 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
- (f) if any of the above planning condition (a), (b) 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.”

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

**Agenda Item 47**

**Section 16 Application**

[Open Meeting]

A/YL-NSW/312 Temporary Open Storage of Construction Materials and Machinery with Ancillary Site Office for a Period of 1 Year in “Village Type Development” and “Other Specified Uses” annotated “Comprehensive Development to include Wetland Restoration Area” Zones, Lots 3664 (Part), 3665 RP (Part), 3666 RP (Part), 3669 S.A RP (Part), 3669 S.B RP (Part), 3670 RP (Part), 3671 RP (Part), 3672 RP (Part) and 3673 RP (Part) in D.D. 104, Nam Sang Wai, Yuen Long  
(RNTPC Paper No. A/YL-NSW/312)

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139. The Committee noted that the applicant’s representative requested on 9.5.2023 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.

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

## **Agenda Item 48**

### **Section 16 Application**

[Open Meeting]

A/YL-NSW/313      Renewal of Planning Approval for Temporary Private Swimming Pool and Garden Use for a Period of 3 Years in “Village Type Development” Zone, Lots 3730 S.E (Part), 3733 (Part), 3734 S.A (Part), 3734 S.B ss.1, 3734 S.B RP (Part), 3734 RP (Part) and 3535 RP (Part) in D.D. 104, Pok Wai, Nam Sang Wai, Yuen Long  
(RNTPC Paper No. A/YL-NSW/313)

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141.            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**

142.            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 until 26.5.2026, on the terms of the application as submitted to the Town Planning Board (TPB) and subject to the following conditions :

- “(a)    the swimming pool should not be open to members of the public;
- (b)    the drainage facilities implemented for the development on the site should be maintained properly at all times during the planning approval period;
- (c)    the submission of condition records of the existing drainage facilities on the site within 3 months from the date of commencement of the renewed planning approval to the satisfaction of Director of Drainage Services or of the TPB by 27.8.2023;
- (d)    the submission of a fire service installations proposal within 6 months from the date of commencement of the renewed planning approval to the satisfaction of the Director of Fire Services or of the TPB by 27.11.2023;

- (e) in relation to (d) above, the implementation of the fire service installations proposal within 9 months from the date of commencement of the renewed planning approval to the satisfaction of the Director of Fire Services of the TPB by 27.2.2024;
- (f) if any of the above planning conditions (a) or (b) is not complied with during the planning approval period, the approval hereby given shall cease to have effect and shall be revoked immediately without further notice; and
- (g) if any of the above planning conditions (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.”

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

**Agenda Item 49**

**Section 16 Application**

[Open Meeting]

A/YL-NSW/314 Proposed Residential Development with Wetland Habitat and Filling of Ponds/Land and Excavation of Land in “Other Specified Uses” annotated “Comprehensive Development to include Wetland Restoration Area” Zone, Various Lots in D.D. 104, Pok Wai, Yuen Long (RNTPC Paper No. A/YL-NSW/314)

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144. The Secretary reported that consideration of the application was re-scheduled.



**Agenda Item 50**

**Section 16 Application**

[Open Meeting]

A/YL-NTM/459 Proposed Temporary Place of Recreation, Sports or Culture (Hobby Farm), Shop and Services and Education Centre for a Period of 3 Years in “Open Storage” and “Green Belt” Zones, Various Lots in D.D. 102 and Adjoining Government Land, Ngau Tam Mei, Yuen Long  
(RNTPC Paper No. A/YL-NTM/459)

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145. The Committee noted that the applicants’ representative requested on 5.5.2023 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 applicants requested deferment of the application.

146. 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 51**

**Section 16 Application**

[Open Meeting]

A/YL-ST/640

Proposed Temporary Cold Storage for a Period of 3 Years in “Residential (Group D)” Zone, Lots 16 S.B ss.2 (Part), 16 S.B ss.3, 19 S.C, 19 RP, 21 S.A (Part), 21 RP (Part), 23 S.A, 24 RP (Part), 25 S.A, 26 RP (Part), 42 RP (Part) and 44 S.A (Part) in D.D. 105 and Adjoining Government Land, Castle Peak Road - San Tin, Mai Po Lung, San Tin, Yuen Long

(RNTPC Paper No. A/YL-ST/640A)

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147. The Committee noted that the applicant requested on 15.5.2023 deferment of consideration of the application for one month so as to allow more time for preparation of further information to address departmental comments. It was the second time that the applicant requested deferment of the application. Since the last deferment, the applicant had submitted further information to address departmental comments.

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

**Agenda Item 52**

**Section 16 Application**

[Open Meeting]

A/YL-ST/644

Renewal of Planning Approval for Temporary Public Vehicle Park (including Private Cars, Container Vehicles and Heavy Goods Vehicles) with Ancillary Facilities (including Vehicle Repair Area, Site Offices and Canteen), Storage of Metal Ware and Construction Material, and Cargo Handling and Forwarding Facilities for a Period of 3 Years in “Undetermined” Zone, Lots 253, 254, 255, 256, 257, 258, 259, 260, 261 (Part), 262 (Part), 264 (Part), 265, 266, 267, 268, 270, 279 S.B RP (Part), 280 and 372 S.D RP (Part) in D.D. 99 and Adjoining Government Land, San Tin, Yuen Long  
(RNTPC Paper No. A/YL-ST/644)

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149. 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**

150. 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 to 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 11.00 p.m. and 7:00 a.m. for parking of container vehicles and heavy goods vehicles (i.e. exceeding 24 tonnes) as defined in the Road Traffic Ordinance, as proposed by the applicant, is allowed on the site during the planning approval period;
- (b) no vehicle without valid licence issued under the Road Traffic Ordinance is allowed to be parked/stored on the site at any time 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 maintenance of existing drainage facilities on the site at all times during the planning approval period;
- (e) the existing fire service installations implemented on the site shall be maintained in efficient working order at all times during the planning approval period;
- (f) 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
- (g) 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.”

151. 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 C. K. Fung and Ms Christine C.M. Cheung, STPs/FSYLE, for their attendance to answer Members' enquiries. They left the meeting at this point.]

### **Tuen Mun and Yuen Long West District**

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

**Agenda Item 53**

**Section 16 Application**

[Open Meeting]

A/TM/585                      Proposed Minor Relaxation of Plot Ratio and Building Height Restrictions for Permitted Information Technology and Telecommunications Industries Use (Proposed Data Centre Development) in “Industrial” Zone, Nos. 13 & 15, San On Street, Tuen Mun  
  
(RNTPC Paper No. A/TM/585)

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152.            The Committee noted that the applicant’s representative requested on 11.5.2023 deferment of consideration of the application for one month so as to allow more time for preparation of further information to address departmental comments. It was the first time that the applicant requested deferment of the application.

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

**Agenda Item 54**

**Section 16 Application**

[Open Meeting]

A/TM-SKW/119      Renewal of Planning Approval for Temporary Shop and Services (Real Estate Agency) for a Period of 3 Years in “Village Type Development” Zone, Lot 638 RP in D.D. 375, So Kwun Wat, Tuen Mun  
(RNTPC Paper No. A/TM-SKW/119)

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154.            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**

155.            After deliberation, the Committee decided to approve the application on a temporary basis for a period of 3 years and be renewed from 2.9.2023 until 1.9.2026, 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 10:00 a.m., as proposed by the applicant, is allowed on the site during the planning approval period;
  
- (b)    no structure within 7m from the western boundary of the site, as proposed by the applicant, is allowed at any time 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 fire service installations implemented on the site should be maintained in an efficient working order at all times during the planning approval period; and
  
- (e)    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.”

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

### **Agenda Item 55**

#### **Section 16 Application**

[Open Meeting (Presentation and Question Sessions Only)]

A/TM-LTY Y/426 Proposed Minor Relaxation of Plot Ratio and Building Height Restrictions for Residential Development with Shop and Services Use in “Commercial” Zone, Lots 531 RP, 532 S.D RP and 532 RP in D.D. 130 and Adjoining Government Land, Lam Tei, Tuen Mun  
(RNTPC Paper No. A/TM-LTY Y/426A)

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

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

#### *Background of the Site*

158. A Member raised the following questions:

- (a) the background of the subject “Commercial” (“C”) zone; and
- (b) noting that the application site (the Site) was sandwiched by the elevated viaduct of the MTR Tuen Ma Line (TML) and Castle Peak Road, and was at a certain distance from other future high-density residential developments, what the basis of stipulating the 12-storey building height (BH) restriction was.

159. In response, with the aid of some PowerPoint slides, Mr Alexander W. Y. Mak, STP/TMYLW, made the following main points:

- (a) the Site was zoned “C” on the first Lam Tei and Yick Yuen Outline Zoning Plan (OZP) No. S/TM-LTYYY/1 gazetted in 1996. The Site was sandwiched between Castle Peak Road – Lam Tei section to the east and the elevated viaduct of MTR TML and the at grade light rail (LR) track to the west. As Lam Tei was relatively remote from Tuen Mun New Town in the mid-1990s, and at that time commercial activities were mainly in the Lam Tei Main Street and Lam Tei Vegetable Collection Depot to the north of the Site, the Site was zoned “C” to provide land for commercial development to serve the immediate neighbourhood; and
- (b) the building height (BH) restriction of 12 storeys including car park (36m) of the “C” zone had taken account of the development restrictions of surrounding residential developments in “Comprehensive Development Area” and “Residential (Group B)3” zones, i.e. The Sherwood and Botania Villa, which were subject to BH restrictions of 15 and 12 storeys respectively. The “C” site was intended to create a landmark and focal point (i.e. local centre) in Lam Tei.

*Land Use Compatibility and Previous Applications*

160. A Member raised the following questions:

- (a) given that the Site was narrow and elongated in shape and was affected by the noise impacts from MTR TML, LR, and Castle Peak Road, why the Site was considered suitable for residential development from planning perspective;
- (b) the reasons why two previous applications for residential development (No. A/TM-LTYYY/21 and No. A/TM-LTYYY/212) were rejected; and
- (c) the difference between the schemes under the latest previous application (No.



A/TM-LTY Y/290) and the current application.

161. In response, with the aid of some PowerPoint slides, Mr Alexander W. Y. Mak, STP/TMYLW, made the following main points:

- (a) the development in Tuen Mun area had significantly changed since 1990s and the transportation network in Lam Tei had greatly improved over the past decades. Commercial or retail floor spaces were provided within the public and private housing developments in Tuen Mun North area (i.e. Tuen Mun Area 54) near Hong Po Road and Yan Po Road to serve the population in Tuen Mun North area;
- (b) the Site was in a close proximity to the Lam Tei LR station and well-connected to Tuen Mun New Town by railway. The Committee had approved four previous applications for residential/flat development between 1997 and 2015 noting that rail and road traffic noise impacts could be satisfactorily mitigated and the proposed developments would not cause adverse traffic, landscape, visual, sewerage and drainage impacts on the area and relevant government departments had no adverse comments on the applications;
- (c) the two previous applications (No. A/TM-LTY Y/21 and 212) were rejected by the Committee in 1998 and 2012 respectively on the major grounds that there were insufficient information to demonstrate that the proposed developments would not impose visual, traffic and sewerage impacts; and
- (d) the latest previous application (No. A/TM-LTY Y/290) was approved by the Committee in 2015 and its Class B amendment application (No. A/TM-LTY Y/290-2) was approved by the Director of Planning in 2020 under the delegated authority of the Board. As compared with the latest approved scheme in 2020, the current scheme mainly involved (i) a narrower width of the building footprint, (ii) provision of private open space on 1/F and provision of vertical greening on the podium structure of the proposed development to minimise the visual impact, (iii) addition of a basement floor to accommodate the car parking spaces, and (iv) increase in plot ratio (PR)

from 3.6 to 5 and BH from 12 storeys to 19 storeys.

*Minor Relaxation of PR and BH*

162. Some Members raised the following questions:

- (a) noting that the proposal was to increase the maximum PR from 3.6 to 5 (i.e. +39%) and the maximum BH from 12 storeys to 19 storeys (i.e. +59%), whether the proposed changes should be considered as minor relaxation to be considered under a section 16 planning application or whether rezoning the Site to a more appropriate zoning that allowed a higher BH (to reduce wall effect) and/or PR be a more desirable approach;
- (b) with reference to Drawing A-22 and Plans A-4b and A-5 of the Paper, noting that the proposed BH of 64.45mPD (57.6m) was significantly lower than the “Residential (Group A)” zone with a BH restriction of 160mPD to the further west of the Site, but was relatively taller than an approved scheme in “Residential (Group B)1” zone with a BH of 35m to the immediate northwest of the Site, on what basis the proposed BH was considered acceptable;
- (c) noting the elongated building footprint that might create a wall effect, whether it was feasible to adopt a two-block rather than a single-block design with more relaxation of BH restriction to provide a building separation to improve visual permeability and air ventilation; and
- (d) the prevailing wind direction and its relationship with the proposed building disposition.

163. In response, with the aid of some PowerPoint slides, Mr Alexander W. Y. Mak, STP/TMYLW, made the following main points:

- (a) application for minor relaxation of development restriction was considered on a case-by-case basis. Apart from the percentage of relaxation sought, other factors such as compatibility with the surrounding areas, potential technical impacts, as well as planning/design merits of the application would

be taken into consideration. For the subject application, taking account of the said factors, no adverse comments from government departments and the public comments received, the proposed minor relaxation of PR and BH was considered not unreasonable;

- (b) the proposed PR of 5 was considered already maximised, and was comparable to the development restriction of high-density private residential developments under “R(A)” zone in Tuen Mun New Town area. As shown in Drawing A-22 of the Paper, the minor relaxation of BH restriction for the proposed development was not incompatible with the surrounding area and the visual impact was considered generally acceptable;
- (c) the long 9m-tall podium structure was one of the mitigation measures for minimizing air quality impacts and could not be reduced in bulk. The continuous projected façade length of the proposed building on top of the podium was less than 60m, which complied with the Sustainable Building Design Guidelines (SBDG). The applicant had proposed a number of design features, including articulation of building façade, landscape treatments on G/F, 1/F and R/F, and slight terrace in built form at the top floors, etc. to mitigate the potential visual impacts. The applicant would further explore the adoption of green building design features. The provision of building separation or void would be subject to the applicant’s consideration at the detailed design stage; and
- (d) the annual prevailing wind direction in Tuen Mun area was from the northeast. The MTR TML and the Castle Peak Road had served as major wind corridor for wind penetration through the area. As the Site was narrow and elongated and located parallel to the prevailing wind direction, it was anticipated that the proposed development would not have significant impact on the overall wind environment of the area.

*Others*

164. Some Members raised the following questions:

- (a) the pedestrian connectivity between the Site and the surrounding areas;
- (b) noting that 63% of the Site fell on Government Land (GL), whether it was feasible for the applicant to apply for more GL to allow flexibility for a more optimised scheme; and
- (c) whether there was possibility for the proposed development to build over the elevated viaduct of MTR TML to allow more building flexibility.

165. In response, with the aid of some PowerPoint slides, Mr Alexander W. Y. Mak, STP/TMYLW, made the following main points:

- (a) according to the applicant's proposal, a new pedestrian walkway would be provided at the Site along Castle Peak Road – Lam Tei section to connect to the existing pedestrian network to the north of the Site linking to Lam Tei LR station and Lam Tei Main Street, and to the south of the Site linking to Siu Hong Station of MTR TML; and
- (b) the boundary of the Site was restricted by a number of factors. The applicant had once proposed to include the graves/urns to its immediate north of the Site in one of the previous applications but received strong local objections from the local villagers. The site area of the previous application (No. A/TM-LTY Y/290), which included a larger portion of GL to the immediate north of the Site, fell within the village 'environs' ("VE") of Lam Tei, Lam Tei San Tsuen and To Yuen Wai. To avoid the intrusion of VE, the applicant had submitted a Class B amendment application (No. A/TM-LTY Y/290-2) to revise the site boundary to exclude the concerned portion of GL within the said VE.

166. The Chairman supplemented that should the proposed development involve railway operation areas, the applicant had to further liaise with MTR Corporation Limited on ways to revise the scheme to avoid any impact on the railway operation.

## Deliberation Session

167. The Chairman recapitulated that the Site was the subject of a number of previously approved applications for residential developments. The proposed development parameters in the current application had been intensified with an increase in PR from 3.6 to 5 and BH from 12 storeys to 19 storeys. Members were invited to consider the application.

168. Members generally supported the proposed minor relaxation of PR restriction which would allow further utilization of the Site with an increase in flat production. A Member said that the proposed building footprint would create a wall effect that might have visual impacts on the nearby villagers. As the BH restriction of the planned residential development to the west of the Site was 160mPD, there was room for the applicant to consider further increasing the BH of the proposed development while reducing the building footprint to provide building separation for visual permeability. A Member remarked that the elongated shape of the Site had limited its design flexibility thus resulting in the proposed building with a long façade, which might be at odd in that location. It was noted that the applicant had endeavoured to meet the SBDG with a façade length of less than 60m. However, the measures proposed to mitigate the visual impact were not adequate, and there could be more articulation in the façade, e.g. voids, to reduce the bulk of the building slab while the greening proposals should be further enhanced. Another Member also opined that the building design could be further improved to minimise the visual impact.

169. A Member opined that the market value of the Site for commercial use was low. The Site had previously been approved several times for residential developments. Given the site constraints, it was understandable that the applicant had proposed a design with one single block to enhance the efficiency on cost and building services. As fundamental adverse impacts were not anticipated, there was no objection to the application.

170. The Chairman concluded that Members generally had no objection to the proposed residential development with maximum PR of 5 and maximum BH of 19 storeys. Taken account of the elongated site configuration and technical constraints, the applicant submitted the current scheme with a single block. A two-tower scheme would require a fresh application but Members' concerns would be recorded in the minutes for the applicant's consideration. To address the Members' concern on the building design, including more

building gaps, terraced design, etc. and better landscape treatment for the proposed development, the Chairman suggested and the Committee agreed that advisory clauses should be added to advise the applicant to enhance the building design and landscape treatment at the detailed design stage as appropriate.

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 19.5.2027, 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 an updated noise impact assessment and the implementation of noise mitigation measures identified therein to the satisfaction of the Director of Environmental Protection or of the TPB; and
- (b) the provision of fire service installations and water supplies for firefighting 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 V of the Paper with the following additional advisory clauses:

- “(a) to enhance the building design of the proposed development for better visual permeability; and
- (b) to enhance the landscape treatments of the proposed development.”

**Agenda Item 56**

**Section 16 Application**

[Open Meeting]

A/TM-LTY Y/450 Proposed Temporary Shop and Services for a Period of 3 Years in “Village Type Development” Zone, Lots 3659 S.B ss.3 RP & 3676 RP in D.D. 124, Shun Tat Street, Tuen Mun  
(RNTPC Paper No. A/TM-LTY Y/450A)

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173. 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**

174. After deliberation, the Committee decided to approve the application on a temporary basis for a period of 3 years until 19.5.2026, 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 revised 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 19.11.2023;
- (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 19.2.2024;
- (c) the implemented drainage facilities on the site shall be maintained at all times during the planning approval period;
- (d) 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 19.2.2024;
- (e) 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

- (f) if any of the above planning condition (a), (b), 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.”

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

### **Agenda Item 57**

#### **Section 16 Application**

[Open Meeting]

A/TM-LTY Y/453 Temporary Warehouse for Storage of Building Materials for a Period of 3 Years in “Village Type Development” Zone, Lots 3039 S.A, 3039 RP and 3042 in D.D. 124, Chung Uk Tsuen, Tuen Mun  
(RNTPC Paper No. A/TM-LTY Y/453)

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176. The Committee noted that the applicant’s representative requested on 9.5.2023 deferment of consideration of the application for one month so as to allow more time for preparation of further information to address departmental comments. It was the first time that the applicant requested deferment of the application.

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



**Agenda Item 58**

**Section 16 Application**

[Open Meeting]

A/YL-TYST/1211 Temporary Warehouse for Storage of Food and Electronic Goods for a Period of 3 Years in “Undetermined” Zone, Lots 1343 (Part), 1344 (Part), 1345 (Part), 1349 (Part), 1351 (Part), 1353 (Part) in D.D. 119 and Adjoining Government Land, Tong Yan San Tsuen, Yuen Long  
(RNTPC Paper No. A/YL-TYST/1211)

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178. The Committee noted that the applicant’s representative requested on 11.5.2023 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.

179. 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 59**

**Section 16 Application**

[Open Meeting]

A/YL/303

Proposed Minor Relaxation of Plot Ratio Restriction for Permitted Flat and Proposed Shop and Services Uses in “Residential (Group B)” Zone and area shown as ‘Road’, Lots 4614 and 4615 RP in D.D. 116, Lots 1753 S.B ss.3 (Part), 1753 S.B RP (Part), 1756 S.A (Part), 1756 RP (Part), 1757, 1758 RP and 1760 RP in D.D. 120, and Adjoining Government Land, Tai Kei Leng, Yuen Long  
(RNTPC Paper No. A/YL/303)

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180. The Secretary reported that one of the applicants was Onfine Development Ltd., which was a subsidiary of Henderson Land Development Co. Ltd. (HLD). The following Members had declared interests on the item:

- |  |   |   |
|--|---|---|
| Mr Stephen L. H. Liu<br><i>(the Vice-chairman)</i> | - | being a former member of the Council of the Hong Kong Polytechnic University which had obtained sponsorship from HLD before;  |
| Dr C.H. Hau  | - | having past business dealings with HLD and 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 |
| Mr Vincent K.Y. Ho                                 | - | having current business dealings with HLD.  |

181. The Committee noted that the applicant had requested deferment of consideration of the application. As the interest of Mr Stephen L. H. Liu was indirect and Dr C. H. Hau had no involvement in the application, the Committee agreed that they could stay in the meeting. As the interest of Mr Vincent K. Y. Ho was direct, the Committee agreed that he should be allowed to stay in the meeting but should refrain from participating in the discussion of the item.

182. The Committee noted that the applicants requested on 11.5.2023 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 applicants requested deferment of the application.

183. 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 60**

### **Section 16 Application**

[Open Meeting (Presentation and Question Sessions Only)]

A/YL-TT/590	Proposed Temporary Public Vehicle Park and Open Storage of Agricultural and Construction Machinery and Materials for a Period of 3 Years and Associated Filling of Land in "Agriculture" Zone, Lots 1676, 1677, 1678, 1679 S.A and 1679 RP in D.D. 118, Sung Shan New Village, Yuen Long  (RNTPC Paper No. A/YL-TT/590)
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### **Presentation and Question Sessions**

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

185. Members had no question on the application.

Deliberation Session

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

- “(a) the proposed uses are not in line with the planning intention of the “Agriculture” zone, which is primarily to retain and safeguard good quality agricultural land/farm/fish ponds for agricultural purposes, and to retain fallow arable land with good potential for rehabilitation for cultivation and other agricultural purposes. No strong planning justifications have been given in the submission for a departure from the planning intention, even on a temporary basis;
- (b) the proposed open storage use is not in line with the Town Planning Board Guidelines for “Application for Open Storage and Port Back-up Uses under Section 16 of the Town Planning Ordinance” (TPB PG-No. 13G) in that no previous approval has been granted to the Site and there are adverse departmental comments and local objections; and
- (c) the applicant fails to demonstrate in the submission that the proposed land filling is essential for the proposed uses.”

**Agenda Item 61**

Section 16 Application

[Open Meeting]

A/YL-TT/591            Temporary Shop and Services for a Period of 3 Years in “Village Type Development” Zone, Lot 1200 RP (Part) in D.D. 117, Tai Tong, Yuen Long  
(RNTPC Paper No. A/YL-TT/591)

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187. The Committee noted that the applicant’s representative requested on 15.5.2023 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.

188. 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 62**

### **Section 16 Application**

[Open Meeting]

A/YL-TT/592                      Temporary Shop and Services for a Period of 3 Years in “Village Type Development” Zone, Lots 1605 S.B, 1605 S.C, 1605 S.D, 1605 RP (Part) and 1607 RP (Part) in D.D. 119 and Adjoining Government Land, Muk Kiu Tau Tsuen, Yuen Long  
(RNTPC Paper No. A/YL-TT/592)

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

### **Deliberation Session**

190. After deliberation, the Committee decided to approve the application on a temporary basis for a period of 3 years until 19.5.2026, 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 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 19.11.2023;

- (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 19.2.2024;
- (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 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 19.11.2023;
- (e) in relation to (d) above, the implementation of the revised fire service installations proposal within 9 months from the date of planning approval to the satisfaction of the Director of Fire Services or of the TPB by 19.2.2024;
- (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.”

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 63**

**Section 16 Application**

[Open Meeting]

A/YL-TT/593                      Temporary Warehouse for Storage of Construction Materials for a Period of 3 Years in “Other Specified Uses” annotated “Rural Use” Zone, Lot 736 D.D. 117, Yuen Long  
(RNTPC Paper No. A/YL-TT/593)

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192.            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**

193.            After deliberation, the Committee decided to approve the application on a temporary basis for a period of 3 years until 19.5.2026, 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 19.11.2023;
  
- (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 19.2.2024;
  
- (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 19.11.2023;
  
- (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 19.2.2024;

- (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.”

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

#### **Agenda Item 64**

##### Section 16 Application

[Open Meeting]

A/HSK/433                      Temporary Open Storage of Construction Materials for a Period of 3 Years in “Residential (Group A) 3” Zone, Lots 1824 S.A RP (Part), 1824 S.B RP (Part) and 1824 S.C (Part) in D.D. 125, Ha Tsuen, Yuen Long  
(RNTPC Paper No. A/HSK/433A)

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195. 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

196. After deliberation, the Committee decided to approve the application on a temporary basis for a period of 3 years until 19.5.2026, on the terms of the application as submitted to the Town Planning Board (TPB) and subject to the following conditions :

- “(a) the existing drainage facilities on the site shall be maintained at all times



during the planning approval period;

- (b) the submission of a condition record of the existing drainage facilities on the site within 3 months from the date of planning approval to the satisfaction of the Director of Drainage Services or of the TPB by 19.8.2023;
- (c) the provision of fire extinguisher(s) within 6 weeks from the date of planning approval to the satisfaction of the Director of Fire Services or of the TPB by 30.6.2023;
- (d) the submission of a fire service installations proposal within 6 months from the date of planning approval to the satisfaction of the Director of Fire Services or of the TPB by 19.11.2023;
- (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 19.2.2024;
- (f) if the above planning condition (a) is not complied with during the planning approval period, the approval hereby given shall cease to have effect and shall be revoked immediately without further notice; and
- (g) if any of the above planning condition (b), (c), (d) or (e) is not complied with by the specified date, the approval hereby given shall cease to have effect and shall on the same date be revoked without further notice.”

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

**Agenda Item 65**

**Section 16 Application**

[Open Meeting]

A/HSK/442                      Temporary Shop and Services (Retail Shop for Pet Goods) and Dog Breeding Centre for a Period of 3 Years in “Open Space” Zone, Lot 1315 RP (Part) in D.D. 124 and Adjoining Government Land, San Sang San Tsuen, Yuen Long  
(RNTPC Paper No. A/HSK/442)

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198.            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**

199.            After deliberation, the Committee decided to approve the application on a temporary basis for a period of 3 years until 19.5.2026, on the terms of the application as submitted to the Town Planning Board (TPB) and subject to the following conditions :

- “(a)    no operation from 8:00 p.m. to 9:00 a.m., as proposed by the applicant, is allowed on the site during the planning approval period;
- (b)    the dogs shall be kept inside the enclosed structures for dog breeding at all times during the planning approval period;
- (c)    no public announcement system, whistle blowing, portable loudspeaker or any form of audio amplification system is allowed to be used at the site 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 19.8.2023;

- (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 19.11.2023;
- (g) in relation to (f) above, the implementation of the fire service installations proposal within 9 months from the date of the planning approval to the satisfaction of the Director of Fire Services or of the TPB by 19.2.2024;
- (h) 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
- (i) if any of the above planning condition (e), (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.”

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

## **Agenda Item 66**

### **Section 16 Application**

[Open Meeting]

A/HSK/443                      Renewal of Planning Approval for Temporary Logistics Centre and Ancillary Parking of Vehicles for a Period of 3 Years in “Government, Institution or Community” Zone and area shown as ‘Road’, Lots 3150 RP (Part), 3151 RP (Part), 3152 RP (Part), 3162 RP, 3163 RP (Part), 3164 (Part), 3165, 3166, 3167 S.A (Part), 3168 (Part), 3169 (Part), 3177 (Part), 3178 (Part), 3179, 3180, 3181 S.A (Part), 3181 RP (Part), 3182, 3183 (Part), 3184 (Part), 3187 RP (Part) and 3188 RP (Part) in D.D.129 and Adjoining Government Land, Ha Tusen, Yuen Long  
(RNTPC Paper No. A/HSK/443)

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201.                      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**

202.                      After deliberation, the Committee decided to approve the application on a temporary basis for a period of 3 years and be renewed from 27.6.2023 until 26.6.2026, on the terms of the application as submitted to the Town Planning Board (TPB) and subject to the following conditions :

- “(a)    the existing drainage facilities on the site shall be maintained at all times during the planning approval period;
  
- (b)    the submission of a condition record of the existing drainage facilities on the site within 3 months from the date of planning approval to the satisfaction of the Director of Drainage Services or of the TPB by 27.9.2023;
  
- (c)    the existing fire service installations implemented on the site shall be maintained at all times during the planning approval period;

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

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

### **Agenda Item 67**

#### **Section 16 Application**

[Open Meeting]

A/HSK/444 Proposed Temporary Shop and Services (Sale of Metalwares and Construction Materials) for a Period of 3 Years in “Other Specified Uses” annotated “Sewage Pumping Station”, “Residential (Group A) 2” and “Open Space” Zones, and area shown as ‘Road’, Lot 1768 RP (Part) and 1769 RP (Part) in D.D. 130 and Adjoining Government Land, Yick Yuen Tsuen, Hung Shui Kiu  
(RNTPC Paper No. A/HSK/444)

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204. The Committee noted that the applicant’s representative requested on 4.5.2023 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.

205. 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 68**

#### **Section 16 Application**

[Open Meeting (Presentation and Question Sessions Only)]

A/TSW/79                      Proposed Place of Entertainment (Amusement Game Centre) in  
   “Residential (Group B)” Zone, Shop Nos. C44A and C44B, 1/F, Phase I  
   Kingswood Richly Plaza, 1 Tin Wu Road, Tin Shui Wai  
  
   (RNTPC Paper No. A/TSW/79)

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

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

207.                      A Member raised the following questions:

- (a)     the location of the existing tutorial school(s) near the application premises as mentioned in the objecting public comments; and
- (b)     the type of shops nearby the application premises.

208.                      In response, Mr Eric C. Y. Chiu, STP/TMYLW, referred to Plan A-2a of the Paper and made the following main points:

- (a)     the nearest tutorial school on the same floor was about 30-40m from the application premises. The proposed amusement game centre would be required to obtain Amusement Game Centre Licence from the Office of the Licensing Authority, Home Affairs Department (HAD), and the Licensing

Authority would consider the suitability of the application premises for amusement game centre, including whether there would be negative impacts on surrounding uses, e.g. educational institution(s); and

- (b) the shops near the application premises were mainly eating places and shop and services.

### Deliberation Session

209. The Chairman said that there was no strong planning reason to reject the application and the uses in the surrounding shops might change over time. In any event, the proposed use would be subject to approval by the Licensing Authority.

210. 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 19.5.2027, 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 provision of fire service installations and equipment for the amusement game centre to the satisfaction of the Director of Fire Services or of the TPB.”

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

**Agenda Item 69**

**Section 16 Application**

[Open Meeting]

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

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212.            The Committee noted that the applicant’s representative requested on 5.5.2023 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 second time that the applicant requested deferment of the application. Since the last deferment, the applicant had submitted further information to address departmental comments.

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



**Agenda Item 70**

**Section 16 Application**

[Open Meeting (Presentation and Question Sessions Only)]

A/YL-LFS/464          Proposed Temporary Public Vehicle Park (Private Cars and Light Goods Vehicles) and Place of Recreation, Sports or Culture (Venue for Villager Ceremony) for a Period of 3 Years in “Village Type Development” Zone, Lots 2571 (Part), 2572 (Part), 2573 (Part), 2574 (Part), 2575 (Part), 2576 S.A, 2576 S.B (Part), 2577 (Part), 2578 (Part) and 2579 RP (Part) in D.D. 129 and Adjoining Government Land, Lau Fau Shan, Yuen Long  
  
(RNTPC Paper No. A/YL-LFS/464)

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**Presentation and Question Sessions**

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

215.            Noting that the operation hours of the proposed uses would be 24 hours daily, including Sundays and public holidays, a Member enquired whether the Environmental Protection Department (EPD) had any concern on the possible noise impact caused by village ceremonies to sensitive receivers in the nearby residential developments.

216.            In response, Mr Eric C. Y. Chiu, STP/TMYLW, said that some village ceremonies would be held during public holidays and the villagers would be the main participants of the ceremonies. No public comments were received from nearby residents concerning the potential noise impacts. The Director of Environmental Protection (DEP) had no objection to the application. Ms Clara K.W. U, Principal Environmental Protection Officer (Territory North), EPD, supplemented that according to the Noise Control Ordinance, EPD could take appropriate enforcement action should there be any noise nuisance, including playing of instruments in the festival ceremonies, after 11 p.m..

Deliberation Session

217. After deliberation, the Committee decided to approve the application on a temporary basis for a period of 3 years until 19.5.2026, on the terms of the application as submitted to the Town Planning Board (TPB) and subject to the following conditions :

- “(a) no vehicle exceeding 5.5 tonnes, including medium goods vehicle, heavy goods vehicle and container trailer/tractor, as defined in the Road Traffic Ordinance, is allowed to enter/exit or to be parked/stored on the site at any time during the planning approval period;
- (b) 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 planning approval to the satisfaction of the Director of Drainage Services or of the TPB by 19.8.2023;
- (d) the submission of a revised fire service installations proposal within 6 months from the date of planning approval to the satisfaction of the Director of Fire Services or of the TPB by 19.11.2023;
- (e) in relation to condition (d) above, the implementation of the revised fire service installations proposal within 9 months from the date of planning approval to the satisfaction of the Director of Fire Services or of the TPB by 19.2.2024;
- (f) if any of the above planning condition (a) or (b) is not complied with during the planning approval period, the approval hereby given shall cease to have effect and shall be revoked immediately without further notice; and
- (g) if any of the above planning condition (c), (d) or (e) is not complied with by the specified date, the approval hereby given shall cease to have effect and shall on the same date be revoked without further notice.”

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

### **Agenda Item 71**

#### **Section 16 Application**

[Open Meeting (Presentation and Question Sessions Only)]

A/YL-LFS/465 Proposed Temporary Animal Boarding Establishment for a Period of 3 Years, and Filling and Excavation of Land in “Green Belt” Zone, Lots 221 S.A RP (Part) and 245 RP (Part) in D.D. 129 and Adjoining Government Land, Tsim Bei Tsui, Yuen Long  
(RNTPC Paper No. A/YL-LFS/465)

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

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

220. A Member enquired about the current use of the existing structure in the application site (the Site). In response, Mr Eric C. Y. Chiu, STP/STN, said that the Site was previously the subject of planning enforcement action against unauthorised storage use in 2021/2022. The unauthorised use had subsequently been discontinued. With reference to the site photos on Plans A-4a and A-4b of the Paper, the existing structure at the Site appeared not being actively used for any specific purpose.

#### **Deliberation Session**

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

“(a) the proposed use and associated filling and excavation of land are not in line

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

- (b) the proposed use and associated filling of land are not in line with the Town Planning Board Guidelines for ‘Application for Development within the Green Belt zone under Section 16 of the Town Planning Ordinance’ (TPB PG-No. 10) in that the proposed use and associated filling and excavation of land are considered not compatible with the surrounding areas, and the applicant fails to demonstrate that the proposed use and associated filling and excavation of land would not have adverse landscape impact on the surrounding areas.”

## **Agenda Item 72**

### **Section 16 Application**

[Open Meeting (Presentation and Question Sessions Only)]

A/YL-LFS/466      Temporary Recycling Workshop (Scrap Metals, Plastics, Papers and Electronics) for a Period of 3 Years and Filling of Land in “Green Belt” Zone, Lots 603 RP (Part), 614 (Part), 615 (Part), 616 (Part), 617 and 618 (Part) in D.D. 129 and Adjoining Government Land, Lau Fau Shan, Yuen Long  
(RNTPC Paper No. A/YL-LFS/466)

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### **Presentation and Question Sessions**

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

223. Members had no question on the application.

Deliberation Session

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

- “(a) the applied use and associated filling of land are not in line with the planning intention of the “Green Belt” (“GB”) zone, which is primarily for defining the limits of urban and sub-urban development areas by natural features and to contain urban sprawl, as well as to provide passive recreational outlets. There is a general presumption against development within this zone. There is no strong planning justification in the submission for a departure from the planning intention, even on a temporary basis;
- (b) the applied use and associated filling of land are not in line with the Town Planning Board Guidelines for ‘Application for Development within the Green Belt zone under Section 16 of the Town Planning Ordinance’ (TPB PG-No. 10) in that the applied use and associated filling of land are considered not compatible with the surrounding areas, and the applicant fails to demonstrate that the proposed use and associated filling of land would not have significant adverse environmental and landscape impacts on the surrounding areas;
- (c) the applicant fails to demonstrate that the applied use would not have significant adverse traffic impact on the surrounding areas; and
- (d) approval of the application would set an undesirable precedent for similar applications within the “GB” zone. The cumulative effect of approving such similar applications would result in a general degradation of the environment of the area.”

**Agenda Item 73**

**Section 16 Application**

[Open Meeting]

A/YL-PS/676 Temporary Shop & Services and Wholesale of Food Products for a Period of 3 Years in “Government, Institution or Community”, “Village Type Development” and “Residential (Group B) 1” Zones, Lots 25 (Part), 26 RP, 27 RP, 28 RP (Part), 29 RP (Part) and 30 RP in D.D. 121, Ping Shan, Yuen Long  
(RNTPC Paper No. A/YL-PS/676A)

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

**Deliberation Session**

226. After deliberation, the Committee decided to approve the application on a temporary basis for a period of 3 years until 19.5.2026, 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 medium and heavy goods vehicles exceeding 5.5 tonnes, including container trailer/tractors, 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;
- (c) the submission of a condition record of 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 19.8.2023;
- (d) in relation to (c) above, the existing drainage facilities on the site shall be maintained at all times during the planning approval period;

- (e) 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 19.2.2024;
- (f) 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
- (g) if any of the above planning condition (c) or (e) is not complied with by the specified date, the approval hereby given shall cease to have effect and shall on the same date be revoked without further notice.”

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

#### **Agenda Item 74**

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

[Open Meeting]

A/YL-PS/680                      Renewal of Planning Approval for Temporary Open Storage of Construction Materials for a Period of 3 Years in “Residential (Group A) 6” and “Recreation” Zones, Lots 202 RP (Part), 203 (Part), 204 (Part), 205 (Part), 206 (Part), 207 (Part), 209 (Part) and 214 (Part) in D.D. 126 and Adjoining Government Land, Ping Shan, Yuen Long  
(RNTPC Paper No. A/YL-PS/680)

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228. 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**

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

temporary basis for a period of 3 years and be renewed from 4.6.2023 to 3.6.2026, on the terms of the application as submitted to the Town Planning Board (TPB) and subject to the following conditions :

- “(a) the existing drainage facilities on the site shall be maintained at all times during the planning approval period;
- (b) the submission of a condition record of 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 4.9.2023;
- (c) the provision of fire extinguisher(s) within 6 weeks from the date of commencement of the renewed planning approval to the satisfaction of the Director of Fire Services or of the TPB by 16.7.2023;
- (d) the submission of a fire service installations proposal within 6 months from the date of commencement of the renewed planning approval to the satisfaction of the Director of Fire Services or of the TPB by 4.12.2023;
- (e) in relation to (d) above, the implementation of the fire service installations proposal within 9 months from the date of commencement of the renewed planning approval to the satisfaction of the Director of Fire Services or of the TPB by 4.3.2024;
- (f) if the above planning condition (a) is not complied with during the planning approval period, the approval hereby given shall cease to have effect and shall be revoked immediately without further notice; and
- (g) if any of the above planning condition (b), (c), (d) or (e) is not complied with by the specified date, the approval hereby given shall cease to have effect and shall on the same date be revoked without further notice.”

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



set out at Appendix VI of the Paper.

## **Agenda Item 75**

### **Section 16 Application**

[Open Meeting (Presentation and Question Sessions)]

A/YL-PS/681            Proposed Temporary Public Vehicle Park for Private Car and Light Goods Vehicle for a Period of 3 Years in “Residential (Group E)2” and “Village Type Development” Zones, Lots 591(Part), 592(Part), 593(Part) and 618(Part) in D.D. 122, Ping Shan, Yuen Long  
(RNTPC Paper No. A/YL-PS/681)

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

232.            Members had no question on the application.

### **Deliberation Session**

233.            After deliberation, the Committee decided to approve the application on a temporary basis for a period of 3 years until 19.5.2026, on the terms of the application as submitted to the Town Planning Board (TPB) and subject to the following conditions :

- “(a)    no medium and heavy goods vehicles exceeding 5.5 tonnes, including container trailers/tractors, as defined in the Road Traffic Ordinance, are allowed to be parked/stored on or enter/exit the site, as proposed by the applicant, at any time during the planning approval period;
  
- (b)    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 19.11.2023;

- (c) in relation to (b) above, the implementation of the fire service installations proposal within 9 months from the date of planning approval to the satisfaction of the Director of Fire Services or of the TPB by 19.2.2024;
- (d) 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 19.11.2023;
- (e) in relation to (d) above, the implementation of the revised drainage proposal within 9 months to the satisfaction of the Director of Drainage Services or of the TPB by 19.2.2023;
- (f) in relation to (e) above, the implemented drainage facilities on the site shall be maintained at all times during the planning approval period;
- (g) if any of the above planning condition (a) or (f) is not complied with during the planning approval period, the approval hereby given shall cease to have effect and shall be revoked immediately without further notice; and
- (h) if any of the above planning condition (b), (c), (d) or (e) is not complied with by the specified date, the approval hereby given shall cease to have effect and shall on the same date be revoked without further notice.”

234. 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 Alexander W.Y. Mak, Ms Carol K.L. Kan and Mr Eric C.Y. Chiu, STPs/TMYLW, for their attendance to answer Members' enquiries. They left the meeting at this point.]

**Agenda Item 76**

Any Other Business

Section 16A Application

[Open Meeting]

A/YL-ST/580-13      Application for Extension of Time for Compliance with Planning Conditions, Lots 250 S.B RP (Part), 252 RP (Part), 271, 272, 273, 274, 275 and 276 S.B ss.1 in D.D. 99 and Adjoining Government Land, San Tin, Yuen Long

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235.            The Secretary reported that application No. A/YL-ST/580 was approved with conditions by the Committee on 18.12.2020 for a period of three years. An application for extension of time (EOT) for compliance with approval conditions (e) and (i) until 18.7.2023 was received by the Town Planning Board on 8.5.2023, which was only nine working days before the expiry of the specified time limits for approval conditions (e) and (i). The deadline for compliance with conditions (e) and (i) had already expired on 18.5.2023, and the planning approval for the subject application had ceased to have effect and had on the same date been revoked.

236.            After deliberation, the Committee noted that the section 16A application could not be considered as the planning permission was no longer valid at the time of consideration.

237.            There being no other business, the meeting was closed at 5:10 p.m..