

## **TOWN PLANNING BOARD**

### **Minutes of 728<sup>th</sup> Meeting of the Rural and New Town Planning Committee held at 2:30 p.m. on 13.10.2023**

#### **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 K.L. Wong

Chief Traffic Engineer/New Territories West,  
Transport Department  
Ms Carrie K.Y. Leung

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**

Dr Venus Y.H. Lun

Mr Vincent K.Y. Ho

**In Attendance**

Assistant Director of Planning/Board  
Ms Caroline T.Y. Tang

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

Assistant Town Planner/Town Planning Board  
Mr Jimmy C.H. Lee

**Agenda Item 1**

Confirmation of the Draft Minutes of the 727<sup>th</sup> RNTPC Meeting held on 22.9.2023

[Open Meeting]

1. The draft minutes of the 727<sup>th</sup> RNTPC meeting held on 22.9.2023 were confirmed without amendments.

**Agenda Item 2**

Matter Arising

[Open Meeting]

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

## **Deferral Cases**

### Sections 12A and 16 Applications

[Open Meeting (Presentation and Question Sessions only)]

#### Presentation and Question Sessions

3. The Secretary reported that there were 25 cases requesting the Town Planning Board to defer consideration of the applications. Details of those requests for deferral, Members' declaration of interests for individual cases and the Committee's views on the declared interests were in **Annex 1**.

#### Deliberation Session

4. After deliberation, the Committee decided to defer decisions on the applications as requested by the applicants pending submission of further information, as recommended in the Papers.

## **Cases for Streamlining Arrangement**

### Section 16 Applications

[Open Meeting (Presentation and Question Sessions only)]

#### Presentation and Question Sessions

5. The Committee noted that there were 16 cases selected for streamlining arrangement and the Planning Department (PlanD) had no objection to the applications for temporary uses or considered that the temporary uses could be tolerated on a temporary basis for the applied periods. Details of those planning applications, Member's declaration of interest for an individual case and the Committee's view on the declared interest were in **Annex 2**.

6. For application No. A/YL-SK/353 (under Agenda Item 42), a Member noted that 76 public comments were received during the statutory public inspection period and enquired about the public views and relevant considerations.

7. In response, the Secretary said that application No. A/YL-SK/353 was for temporary shop and services use with ancillary facilities and associated filling of land for a period of three years in “Residential (Group D)” zone. All public comments were included in Appendix V of the Paper, and majority of them were submitted in the form of standard letters by nearby residents. The objecting grounds or concerns were mainly that the proposed development would result in adverse traffic impact, disruption of the tranquil environment, impact on the living quality of the local community and that the previous approval conditions had not been complied with.

8. The Secretary further highlighted the planning considerations and assessments for application No. A/YL-SK/353 as follows:

- (a) the application site was involved in two previous applications (No. A/YL-SK/251 and A/YL-SK/271) for the same use approved with conditions by the Committee in 2019 and 2020. Although the planning permissions were revoked due to non-compliance of approval conditions, the applicant had submitted fire services installations and drainage proposals under the current application, and relevant departments had no objection to the proposals. There was also a similar application (No. A/YL-SK/248) for temporary shop and services use within the same “R(D)” zone approved with conditions by the Committee in 2019. Approval of the current application was in line with the previous decisions of the Committee;
- (b) relevant government departments consulted, including the Commissioner for Transport, the Director of Fire Services, the Chief Engineer/Mainland North, Drainage Services Department and the Director of Environmental Protection, had no objection to/no adverse comment on the application; and
- (c) based on the above and other assessments as detailed in the Paper, PlanD had no objection to the application.

Deliberation Session

9. After deliberation, the Committee decided to approve the applications on a temporary basis for the applied periods on the terms of the applications as submitted to the Town Planning Board subject to the approval conditions stated in the Papers. The Committee also agreed to advise the applicants to note the advisory clauses as set out in the appendix of the Papers.

**Sai Kung and Islands District**

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

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

**Agenda Items 5 and 6**

Section 16 Applications

[Open Meeting (Presentation and Question Sessions only)]

A/SK-CWBN/74 Proposed Public Utility Installation (Poles, Stays and Underground Cable) and Associated Excavation of Land in “Conservation Area” Zone, Government Land in D.D. 238 near Hang Hau Wing Lung Road, Sai Kung  
(RNTPC Paper No. A/SK-CWBN/74A)

A/SK-CWBN/75 Proposed Public Utility Installation (Poles and Underground Cable) and Associated Excavation of Land in “Conservation Area” Zone, Government Land in D.D. 238, Pan Long Wan, Clear Water Bay, Sai Kung  
(RNTPC Paper No. A/SK-CWBN/75A)

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10. The Committee agreed that as the two applications each for proposed public utility installation and associated excavation of land were similar in nature and the application sites were located in close proximity to each other within the same “Conservation

Area” zone, they could be considered together.

11. The Secretary reported that the applications were submitted by CLP Power Hong Kong Limited (CLP). Dr Conrad T.C. Wong had declared an interest on the items for his firm having current business dealings with CLP. As Dr Conrad T.C. Wong had no involvement in the applications, the Committee agreed that he could stay in the meeting.

#### Presentation and Question Sessions

12. With the aid of some plans, Ms W.H. Ho, STP/SKIs, 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 did not support the applications.

13. Members had no question on the applications.

#### Deliberation Session

14. The Chairman remarked that there was a general presumption against development within the “Conservation Area” (“CA”) zone. The applicant failed to demonstrate that the proposed installations were essential infrastructure projects with overriding public interest that warranted a departure from the planning intention of the “CA” zone.

15. After deliberation, the Committee decided to reject the applications. The reasons for each of the applications were:

- “(a) the proposed installation with excavation of land 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 within the “CA” zone. The applicant fails to demonstrate that the proposed installation is an essential infrastructure project with overriding public interest that

warrants a departure from the planning intention of the “CA” zone; and

- (b) the applicant fails to demonstrate that the proposed installation with excavation of land would not generate adverse landscape impact on the application sites and the surrounding natural environment.”

### **Agenda Item 7**

#### **Section 16 Application**

[Open Meeting (Presentation and Question Sessions only)]

A/SK-PK/287            Proposed Public Utility Installation (Poles and Underground Cables) and Associated Excavation of Land in “Conservation Area” Zone, Government Land in D.D. 220 near Keng Pang Ha Road, Sai Kung  

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(RNTPC Paper No. A/SK-PK/287A)

16.            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 Dr Conrad T.C. Wong had no involvement in the application, the Committee agreed that he could stay in the meeting.

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

17.            With the aid of some plans, Ms Tammy S.N. Kong, STP/SKIs, briefed Members on the background of the application, the proposed development, departmental and public comments, and the planning considerations and assessments as detailed in the Paper. The Planning Department (PlanD) did not support the application.

18.            Noting that CLP was experienced in submitting similar applications for public utility installations, a Member enquired about the considerations for determining whether the proposed installation was an essential infrastructure project with overriding public interest. In response, the Chairman said that there was a general presumption against development in “Conservation Area” (“CA”) zone. In general, only developments that were needed to support the conservation of the existing natural landscape or scenic quality of the area or were essential infrastructure projects with overriding public interest might be permitted.



The proposed installation was intended to serve a farm, which was akin to a hobby farm, to the north of the application sites (the Sites). However, ‘Hobby Farm’ was subsumed under ‘Place of Recreation, Sports or Culture’ use which was neither a Column 1 nor Column 2 use within the “CA” zone. Ms Tammy S.N. Kong, STP/SKIs, further explained that according to the applicant, the proposed installation was for supplying electricity to an organic farm to the north of the Sites within the same “CA” zone. As the concerned farm would involve visits and farming activities participated by the general public, it was akin to a hobby farm which was not a permitted use within the “CA” zone. In view of the circumstances of the subject case, the proposed installation could not be considered as an essential infrastructure project.

19. A Member asked whether there were any enforcement actions undertaken by the Planning Authority in respect of the organic farm to the north of the Sites. In response, Ms Tammy S.N. Kong, STP/SKIs, said that the northern Site together with Lots 152 S.A and 152 RP in D.D. 220 (i.e. the concerned farm) and the adjoining government land were the subject of a planning enforcement case against unauthorized developments involving filling and excavation of land. Pursuant to the Enforcement Notice and Reinstatement Notice issued in February and May 2022 respectively, the unauthorized developments had been discontinued with the relevant site reinstated, and Compliance Notices were issued in November 2022. Also, according to the District Lands Officer/Sai Kung, Lands Department, lease enforcement actions were carried out against the unauthorized structures related to the organic farm at Lot 152 RP in D.D. 220 and a warning letter dated September 2022 was issued requesting the lot owner to purge the breach of lease.

#### Deliberation Session

20. Members generally considered that the application could not be supported. A Member opined that the subject application as well as the two other similar applications (No. A/SK-CWBN/74 and No. A/SK-CWBN/75) considered earlier by the Committee at the same meeting should not be approved as those sites were well vegetated and the proposed overhead cables and associated works might require pruning or transplanting of trees, and no tree survey report was submitted to demonstrate that there would be no adverse impact on the surrounding trees. The Member further suggested that PlanD should advise the applicants of similar applications in the future to submit tree survey reports to facilitate the Committee’s

consideration of the applications if the application sites were located in the “CA” zone and covered by trees. In response, the Chairman remarked that the Member’s views should be recorded and conveyed to the applicant for follow-up action, as appropriate.

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

“the proposed installation with excavation of land is not in line with the planning intention of the “Conservation Area” (“CA”) zone which is 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 within the “CA” zone. The applicant fails to demonstrate that the proposed installation is an essential infrastructure project with overriding public interest that warrants a departure from the planning intention of the “CA” zone.”

[The Chairman thanked PlanD’s representatives for attending the meeting. They left the meeting at this point.]

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

[Messrs Tim T.Y. Fung and Kevin K.W. Lau, Senior Town Planners/Shan Tin, Tai Po and North (STPs/STN), were invited to the meeting at this point.]

### **Agenda Item 10**

#### **Section 16 Application**

[Open Meeting (Presentation and Question Sessions Only)]

A/NE-KP/1                      Proposed Eating Place in “Village Type Development” Zone, G/F, Lot 156 in D.D. 65 and Adjoining Government Land, Kuk Po Tsuen, Sha Tau Kok  
(RNTPC Paper No. A/NE-KP/1)

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### Presentation and Question Sessions

22. With the aid of some plans, Mr Tim T.Y. Fung, 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.

23. In response to a Member's question on the sewage treatment and disposal arrangement, Mr Tim T.Y. Fung, STP/STN, said that according to the applicant, there was an existing septic tank catering for waste water and foul water discharge from the proposed eating place. The Director of Environmental Protection had no adverse comment on the application and advised that the existing septic tank and soakaway system should comply with the relevant requirements, i.e. those under the Environmental Protection Department's third party certification system or as set out in Practice Note for Professional Person (ProPECC) PN 5/93.

24. In response to a Member and the Chairman's enquiries on the mode of operation of the proposed eating place, Mr Tim T.Y. Fung, STP/STN, said that the applicant had submitted an application for General Restaurant Licence covering the application premises as set out in paragraph 9.1.7(d) of the Paper. According to the applicant's proposal, four tables with 15 chairs would be provided in the proposed eating place. With reference to Drawing A-2 of the Paper, the Secretary supplemented that the layout of proposed eating place was more akin to a restaurant rather than a fast food shop or food factory and hence a General Restaurant Licence was required.

### Deliberation Session

25. After deliberation, the Committee decided to approve the application, on the terms of the application as submitted to the Town Planning Board. The permission should be valid until 13.10.2027, 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 approval condition stated in the Paper. The Committee also agreed to advise the applicant to note the advisory clauses as set out in the appendix of the Paper.

## **Agenda Item 20**

### **Section 16 Application**

[Open Meeting (Presentation and Question Sessions Only)]

A/NE-LT/758            Proposed House (New Territories Exempted House - Small House) in  
                                 “Agriculture” Zone, Lots 567 S.D and 573 S.G in D.D. 8, Sha Pa, Lam  
                                 Tsuen, Tai Po  
  
                                 (RNTPC Paper No. A/NE-LT/758A)

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### **Presentation and Question Sessions**

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

27.            Members had no question on the application.

### **Deliberation Session**

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

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

and services.”

## **Agenda Item 22**

### **Section 16 Application**

[Open Meeting (Presentation and Question Sessions Only)]

A/TP/690                      Proposed Minor Relaxation of Plot Ratio Restriction for Permitted House (New Territories Exempted House) in “Residential (Group C) 8” Zone, Lot 454 in D.D. 34, Kon Hang, Tai Po  
(RNTPC Paper No. A/TP/690)

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### **Presentation and Question Sessions**

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

30.            In response to a Member’s enquiry regarding the need for planning permission for minor relaxation of the plot ratio (PR) restriction for the proposed New Territories Exempted House (NTEH), the Secretary said that the proposed PR of 3 exceeded the maximum PR of 1.5 stipulated in the Notes of the approved Tai Po Outline Zoning Plan No. S/TP/30 (the OZP) for the subject “Residential (Group C) 8” (“R(C)8”).

31.            The Chairman and Members raised the following questions:

- (a) whether the dimensions of the proposed NTEH development exceeded those of a typical Small House;
- (b) the entitlement to development rights of the application site (the Site) under the lease;
- (c) whether the proposed NTEH development was in line with the planning intention of the “R(C)8” zone;

- (d) noting that the Site was situated in the middle of a larger “R(C)8” zone, whether approval of the application would jeopardise the planning intention and integrity of the “R(C)8” zone; and
- (e) whether the application would set a precedent for other similar developments with a higher PR within the same “R(C)8” zone if the proposed minor relaxation of PR restriction was approved.

32. In response, Mr Kevin K.W. Lau, STP/STN, made the following main points:

- (a) the proposed NTEH development had the same dimensions as a typical Small House, i.e. a roofed over area of 65.03m<sup>2</sup> and a building height (BH) of three storeys (8.23m);
- (b) the Site (i.e. Lot 454 in D.D. 34) was held under New Grant No. 11220 and restricted to ‘non-industrial’ purpose. Developments on the lot should not exceed 2.5 storeys, a height of 25 feet (about 7.62m) and a built-over area of 700ft<sup>2</sup> (about 65.03m<sup>2</sup>);
- (c) the planning intention of the “R(C)8” zone was primarily for low-rise, low-density residential developments, and the proposed NTEH development of three storeys was considered generally in line with such planning intention;
- (d) as shown on Plan A-2a of the Paper, the Site was surrounded by the Tai Po Town Lot (TPTL) 241 which was planned for low-density private residential development currently under construction. There was also another ongoing private residential development at TPTL 234 to the further southwest of the Site. The two private residential developments had taken up the majority of land within the same “R(C)8” zone and had achieved at large the planning intention of the “R(C)8” zone. Even if the remaining private lots, including the Site, would be individually developed into low-density residential/NTEH developments, it was considered that the

planning intention of the “R(C)8” zone would not be jeopardised; and

- (e) there was an NTEH application received by the District Lands Officer/Tai Po, Lands Department (DLO/TP, LandsD) for another site to the north of the Site. However, whether planning permissions would be required for future developments within the same “R(C)8” zone would depend on the proposed scheme and development intensity of individual sites.

### Deliberation Session

33. The Chairman recapitulated that the application was for proposed minor relaxation of PR restriction from 1.5 to 3 to facilitate a redevelopment of the existing 2.5-storey NTEH into a 3-storey NTEH. The proposed NTEH could be considered generally in line with the planning intention of low-rise low-density residential developments for the “R(C)8” zone. It was noted that the Site was entitled for development with a BH of 2.5 storeys under the lease. The Chairman then invited Members to express their views on the application, in particular whether approval of the current application would set a precedent for similar developments within the same “R(C)8” zone.

34. The Committee noted that the existing 2.5-storey NTEH had been built as permitted under the lease before the Site was zoned “R(C)8” with a PR restriction of 1.5. The Committee also noted that according to the Notes of the OZP for the “R(C)8” zone, new development or redevelopment not exceeding the PR and height of existing building was always permitted. The Chairman remarked that the development restrictions in the Notes of OZP had respected the development rights of existing buildings, and the Committee could consider whether the additional PR of 0.5 on top of the PR of the existing NTEH was justified. The Secretary supplemented that as there were no specific assessment criteria for minor relaxation of PR restriction set out in the Notes and/or Explanatory Statement of the OZP, each application should be considered on its individual merits.

35. At the invitation of the Chairman, Ms Jane K.C. Choi, Assistant Director/Regional 3, LandsD (AD/R3, LandsD) said that the Site was a lot with building entitlement. Generally speaking, for redevelopment as an NTEH, the development should obtain the relevant Certificates of Exemption from LandsD, and upon the issuance of

Certificates of Exemption, the buildings works would be exempted from statutory requirements under the Buildings Ordinance. In response to a Member's question on the land premium implications, Ms Jane K.C. Choi, AD/R3, LandsD said that the applicant should apply to LandsD to modify the lease restrictions to permit the proposed NTEH development of three storeys. The lease modification application would be subject to such terms and conditions, including among others the payment of premium and fee, as might be imposed by LandsD.

36. Noting the special circumstances of the Site being occupied by an existing NTEH built in the late 1970s before the designation of the "R(C)8" zone with a PR restriction of 1.5, a Member expressed that the proposed minor relaxation of PR restriction to 3 was not unreasonable as compared to the PR of 2.5 of the existing NTEH, and sympathetic consideration could be given to the application. Another Member added that the proposed building remained of three storeys as similar to typical village houses and other developments in the "R(C)8" zone.

37. While Members generally had no objection to the application, the Chairman concluded and the Committee agreed that the application was given favourable consideration based on its special circumstances as discussed above and it should not be considered as a precedent for other similar applications for minor relaxation of PR restriction within the same "R(C)8" zone.

38. After deliberation, the Committee decided to approve the application, on the terms of the application as submitted to the Town Planning Board. The permission should be valid until 13.10.2027, 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 Committee also agreed to advise the applicant to note the advisory clauses as set out in the appendix of the Paper.

[The Chairman thanked PlanD's representatives for attending the meeting. They left the meeting at this point.]



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

[Messrs C.K. Fung and Kimson P.H. Chiu, Senior Town Planners/Fanling, Sheung Shui and Yuen Long East (STPs/FSYLE), were invited to the meeting at this point.]

**Agenda Item 23**

**Section 16 Application**

[Open Meeting (Presentation and Question Sessions Only)]

A/YL-KTN/886      Proposed Public Utility Installation (Solar Photovoltaic System) and Filling of Land in “Agriculture” Zone, Lot 1471 S.B (Part) in D.D. 107, Shui Mei Tsuen, Yuen Long  
(RNTPC Paper No. A/YL-KTN/886B)

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**Presentation and Question Sessions**

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

40.            Noting that the applicant had proposed ground cover plantation underneath the proposed solar photovoltaic (SPV) panels at Site B of the application site (the Site), a Member asked about the width of separation between the rows of SPV panels. In response, with reference to Drawing A-1 of the Paper, Mr C.K. Fung, STP/FSYLE, said that the applicant proposed to place the SPV panels (denoted by blue rectangles) on the supporting stands and plinths (denoted by black dots) at Site B. The SPV panels would be elevated about 1.5m from the ground level. The proposed plantation was intended to prevent potential soil erosion at the Site, however, the applicant did not provide the actual figures for the width of separation between the rows of SPV panels. The Member opined that an ample distance, say 1m to 1.5m, would be necessary between rows of SPV panels to ensure adequate sunlight for the plants underneath. Without knowing the actual width of separation between SPV panels for sunlight penetration, the practicality of the applicant’s planting proposal, as a measure to retain the potential for future agricultural use at the Site, was

questionable.

41. In response to the Chairman's enquiry on whether building plan submission was required for the proposed development, Mr C.K. Fung, STP/FSYLE, said that as the applicant had proposed to erect container structures at Site A and a storage shed at Site C, approvals from the relevant authorities, including the Building Authority and the Lands Department, would be required.

42. A Member asked whether planting underneath SPV panels was a material planning consideration for the Committee to decide on the application, or it was merely part of the scheme proposed by the applicant. In response, Mr C.K. Fung, STP/FSYLE, explained the major planning considerations under the Assessment Criteria for Considering Applications for SPV System made under Section 16 of the Town Planning Ordinance that planning applications for stand-alone SPV system as 'Public Utility Installation' use in "Agriculture" ("AGR") zone were generally not supported except those on land with no active farming activities and low agricultural rehabilitation potential. While the Site had been abandoned for years, the applicant proposed ground cover plantation for preventing soil erosion in order to retain the potential for future agricultural use at the Site. The applicant also proposed to decommission the development upon termination of the Feed-in Tariff Scheme and to reinstate the Site for agricultural use afterwards. Taking into account the above proposals by the applicant, it was considered that the long-term planning intention of the "AGR" zone would not be jeopardised.

43. In response to a Member's enquiry about the proposed planting in various areas within the Site, Mr C.K. Fung, STP/FSYLE, with reference to Drawing A-2 of the Paper, explained that ground cover plant known as couch grass was proposed for areas shown in dark blue and the areas underneath SPV panels in Site B, and periphery planting on 2m-tall fencing was proposed along the boundary of the Site in areas shown in orange.

44. In response to a Member's question regarding the use of electricity generated by the proposed development, Mr C.K. Fung, STP/FSYLE, said that the electricity so generated, which was equivalent to the annual electricity usage of about 54 households, would be sold to the CLP Power Hong Kong Limited.

Deliberation Session

45. Whilst Members generally had no in-principle objection to the application, the following observations and concerns were raised:

- (a) the Director of Agriculture, Fisheries and Conservation (DAFC) did not support the proposed development from agricultural perspective;
- (b) with reference to Figure 5 in Appendix Ic of the Paper which indicated the proposed design of the SPV panels and vegetation underneath, there were concerns on the practicality of the planting proposal as the shading effect from the SPV panels might result in insufficient sunlight for the plants (even for couch grass as proposed by the applicant); and
- (c) the proposal submitted by the applicant should be practical and implementable. No unrealistic claims or misleading information should be submitted to the Committee.

46. In response, the Chairman said that DAFC acknowledged that the Site was abandoned and his comment from agricultural perspective was mainly based on the zoning of the Site as “AGR” and its potential for agricultural rehabilitation. Besides, the Secretary for Environment and Ecology supported the application which was in line with the Government’s policy to promote the use of renewable energy in Hong Kong.

47. Noting the outstanding concerns from Members, the Chairman suggested that the Committee might consider deferring a decision on the application pending the applicant’s submission of supplementary information to address Members’ concerns regarding the proposed planting in paragraphs 40 and 45 above.

48. After deliberation, the Committee decided to defer a decision on the application pending submission of supplementary information from the applicant on the planting proposal for the Committee’s further consideration.

**Agenda Item 27**

**Section 16 Application**

[Open Meeting (Presentation and Question Sessions Only)]

A/YL-KTN/934      Proposed Dangerous Goods Godown (for Class 3 Dangerous Goods) in “Industrial (Group D)” Zone, Lots 1875 S.C ss.2 (Part), 1173 S.A (Part) and 1875 S.C ss.4 (Part) in D.D. 107, Fung Kat Heung, Yuen Long  
(RNTPC Paper No. A/YL-KTN/934)

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**Presentation and Question Sessions**

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

50.            Members had no question on the application.

**Deliberation Session**

51.            After deliberation, the Committee decided to approve the application, on the terms of the application as submitted to the Town Planning Board. The permission should be valid until 13.10.2027, 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 approval condition stated in the Paper. The Committee also agreed to advise the applicant to note the advisory clauses as set out in the appendix of the Paper.

**Agenda Item 38**

**Section 16 Application**

[Open Meeting (Presentation and Question Sessions Only)]

A/YL-MP/358          Proposed Temporary Shop and Services for a Period of 3 Years in “Commercial/Residential” and “Other Specified Uses” annotated “Comprehensive Development to include Wetland Restoration Area” Zones, Lot 3250 S.B ss.45 in D.D. 104, Mai Po, Yuen Long  
(RNTPC Paper No. A/YL-MP/358)

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52.            The Secretary reported that the application site (the Site) was located in Mai Po and Mr K.W. Leung had declared an interest on the item for owning a property in Mai Po. As the property of Mr K.W. Leung had no direct view of the Site, the Committee agreed that he could stay in the meeting.

**Presentation and Question Sessions**

53.            With the aid of some plans, Mr Kimson P.H. Chiu, 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.

54.            Members had no question on the application.

**Deliberation Session**

55.            After deliberation, the Committee decided to approve the application on a temporary basis for a period of 3 years until 13.10.2026, on the terms of the application as submitted to the Town Planning Board and subject to the approval conditions stated in the Paper. The Committee also agreed to advise the applicant to note the advisory clauses as set out in the appendix of the Paper.

### **Agenda Item 39**

#### **Section 16 Application**

[Open Meeting (Presentation and Question Sessions Only)]

A/YL-NSW/307      Proposed Public Utility Installation (LV Cable Laying) and Associated Excavation and Filling of Land in “Conservation Area” Zone, Government Land in D.D. 123, Nam Sang Wai, Yuen Long  
(RNTPC Paper No. A/YL-NSW/307B)

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56.            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 Dr Conrad T.C. Wong had no involvement in the application, the Committee agreed that he could stay in the meeting.

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

57.            With the aid of some plans, Mr Kimson P.H. Chiu, STP/FSYLE, briefed Members on the background of the application, the proposed development, departmental and public comments, and the planning considerations and assessments as detailed in the Paper. The Planning Department had no objection to the application.

58.            Members had no question on the application.

#### **Deliberation Session**

59.            After deliberation, the Committee decided to approve the application, on the terms of the application as submitted to the Town Planning Board. The permission should be valid until 13.10.2027, 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 approval condition stated in the Paper. The Committee also agreed to advise the applicant to note the advisory clauses as set out in the appendix of the Paper.

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

## **Agenda Item 41**

### **Section 16 Application**

[Open Meeting (Presentation and Question Sessions Only)]

A/YL-ST/648            Proposed House in “Village Type Development” Zone, Lot 210 S.C in  
D.D. 96, Chau Tau Tsuen, San Tin, Yuen Long  
(RNTPC Paper No. A/YL-ST/648)

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### **Presentation and Question Sessions**

60.            With the aid of some plans, Mr Kimson P.H. Chiu, STP/FSYLE, briefed Members on the background of the application, the proposed development, departmental and public comments, and the planning considerations and assessments as detailed in the Paper. The Planning Department did not support the application.

61.            A Member asked about the status of the house currently found on the application site (the Site). In response, Mr Kimson P.H. Chiu, STP/FSYLE, said that the according to the District Lands Officer/Yuen Long, Lands Department (DLO/YL, LandsD), the Site comprised an Old Schedule Agricultural Lot held under the Block Government Lease (BGL) which contained the restriction that no structures were allowed to be erected without prior approval of the Government, and the concerned house on the Site was regarded as an unauthorised structure which constituted a breach of the BGL. Also, the Chief Building Surveyor/New Territories West, Buildings Department advised that there was no record of approval granted by the Building Authority for the concerned house. In response to a Member’s further enquiry on whether the concerned house was covered by a building licence, Mr Kimson P.H. Chiu, STP/FSYLE, said that no building licence had been issued for the concerned house.

62.            Noting the applicant’s claim that the concerned house on the Site had existed for over 60 years, a Member asked whether there were any enforcement actions against the unauthorised building/structure by the Government over the years. In response, Mr Kimson P.H. Chiu, STP/FSYLE, said that the unauthorised building works and uses on the Site were subject to lease enforcement actions according to case priority of LandsD.

### **Deliberation Session**

63. While the applicant claimed that the house on the Site had existed for over 60 years, the Committee noted that there was no official record of approval for the house under the buildings and lands regimes, and that the condition of the house appeared to be relatively new as shown in Plan A-4 of the Paper.

64. As regards Members' concerns on the unauthorised development/building works/uses on the Site, the Chairman remarked that relevant departments would undertake necessary enforcement actions under their respective jurisdictions. Ms Jane K.C. Choi, Assistant Director/Regional 3, LandsD said that LandsD would follow up on the unauthorised building works and uses on the Site as appropriate.

65. 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 “Village Type Development” (“V”) zone, which is primarily to designate both existing recognised villages and areas of land considered suitable for village expansion. Land within “V” zone is primarily intended for development of small houses by indigenous villagers. No strong planning justification has been given in the submission for a departure from the planning intention.”

[The Chairman thanked PlanD's representatives for attending the meeting. They left the meeting at this point.]

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

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

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



## **Agenda Item 47**

### **Section 16 Application**

[Open Meeting (Presentation and Question Sessions Only)]

A/YL-TT/595            Proposed Flat with Minor Relaxation of Plot Ratio Restriction in  
                                 “Residential (Group D)” Zone, Lots 4988 and 4996 in D.D. 116, Tai  
                                 Tong Road, Tai Tong, Yuen Long  
                                 (RNTPC Paper No. A/YL-TT/595A)

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### **Presentation and Question Sessions**

66.            With the aid of some plans, Ms L.C. Cheung, 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.

67.            In response to a Member’s question on whether the proposed development had already been approved by the Building Authority (BA), Ms L.C. Cheung, STP/TMYLW, said that a building plan submission to BA for approval was required for the proposed development and the relevant submission had not been made yet.

### **Deliberation Session**

68.            In response to a Member’s comment that windows should be provided in the bedrooms of the proposed development, the Chairman said that the drawings submitted by the applicant for the application was indicative in nature, and the requirements in respect of building design under the Buildings Ordinance and the Building (Planning) Regulations would need to be complied with and be scrutinised by BA in the building plan submission stage.

69.            At the invitation of the Chairman, the Secretary remarked that the Government had recently refined the general principles for imposing approval conditions under planning permissions in order to avoid duplication of the applicant’s and departmental efforts. If the relevant matters could be addressed under other more appropriate regimes, such as the buildings regime, approval conditions on such matters should not be recommended to the

Committee. In view of the above, the Chairman suggested and the Committee agreed that should the application be approved, approval condition (c) relating to fire safety under paragraph 12.2 of the Paper would not be imposed.

70. After deliberation, the Committee decided to approve the application, on the terms of the application as submitted to the Town Planning Board. The permission should be valid until 13.10.2027, 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 approval conditions (a) and (b) in paragraphs 12.2 of the Paper. The Committee also agreed to advise the applicant to note the advisory clauses as set out in the appendix of the Paper.

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

#### **Agenda Item 48**

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

[Open Meeting (Presentation and Question Sessions Only)]

A/YL-TT/606            Temporary Eating Place (Outside Seating Accommodation of a Restaurant) for a Period of 3 Years in “Village Type Development” Zone, Lots 1187 S.N (Part) and 1187 RP (Part) in D.D. 117, Tai Tong Shan Road, Tai Tong, Yuen Long  
(RNTPC Paper No. A/YL-TT/606)

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

71. With the aid of some plans, Ms L.C. Cheung, 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 had no objection to the application.

72. Members had no question on the application.

[Mrs Vivian K.F. Cheung left the meeting temporarily during the presentation and question

sessions.]

### Deliberation Session

73. After deliberation, the Committee decided to approve the application on a temporary basis for a period of 3 years until 13.10.2026, on the terms of the application as submitted to the Town Planning Board and subject to the approval conditions stated in the Paper. The Committee also agreed to advise the applicant to note the advisory clauses as set out in the appendix of the Paper.

### **Agenda Item 50**

#### Section 16 Application

[Open Meeting (Presentation and Question Sessions Only)]

A/YL-TT/608            Proposed Temporary Warehouse for Storage of Construction Materials  
for a Period of 3 Years in “Agriculture” Zone, Lot 2224 (Part) in D.D.  
118, Yuen Long  
(RNTPC Paper No. A/YL-TT/608)

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#### Presentation and Question Sessions

74. With the aid of some plans, Ms L.C. Cheung, 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 considered that the proposed temporary use could be tolerated for a period of three years.

75. Members had no question on the application.

### Deliberation Session

76. After deliberation, the Committee decided to approve the application on a temporary basis for a period of 3 years until 13.10.2026, on the terms of the application as submitted to the Town Planning Board and subject to the approval conditions stated in the

Paper. The Committee also agreed to advise the applicant to note the advisory clauses as set out in the appendix of the Paper.

**Agenda Item 52**

**Section 16 Application**

[Open Meeting]

A/YL-TT/610 Proposed Temporary Warehouse for a Period of 3 Years and Associated Filling of Land in “Agriculture” Zone, Lots 1931 and 1932 in D.D. 118, Tai Tong, Yuen Long  
(RNTPC Paper No. A/YL-TT/610)

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

**Agenda Item 55**

**Section 16 Application**

[Open Meeting (Presentation and Question Sessions Only)]

A/YL-HTF/1160 Temporary Storage of Metalware and Tools and Private Vehicle Park (Private Cars Only) for a Period of 3 Years in “Agriculture” Zone, Lot 504 (Part) in D.D.128, Ha Tsuen, Yuen Long  
(RNTPC Paper No. A/YL-HTF/1160)

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**Presentation and Question Sessions**

78. 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.

79. Members had no question on the application.

Deliberation Session

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

“the applied use 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. No strong planning justification has been given in the submission for a departure from the planning intention, even on a temporary basis.”

**Agenda Item 56**

Section 16 Application

[Open Meeting (Presentation and Question Sessions Only)]

A/YL-LFS/484 Proposed Temporary Place of Recreation, Sports or Culture (Hobby Farm) for a Period of 3 Years and Associated Filling and Excavation of Land in “Green Belt” Zone, Lots 1267, 1268, 1269, 1271 and 1273 in D.D. 129, Tsim Bei Tsui, Yuen Long  
(RNTPC Paper No. A/YL-LFS/484)

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Presentation and Question Sessions

81. 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) did not support the application.

82. Noting that the development at the application site (the Site) as shown on the aerial photos in Plans A3-a to A3-d of the Paper might constitute an unauthorized development, a Member asked whether there was any enforcement action undertaken by the Planning Authority against the suspected unauthorized development at the Site. In response, Mr Eric C.Y. Chiu, STP/TMYLW, said that the Site was currently not the subject of any planning enforcement action. However, if there was sufficient evidence of unauthorized

development at the Site, enforcement action would be taken by the Planning Authority. The Chairman remarked that the case would be referred to the Central Enforcement and Prosecution Section of PlanD for follow-up action as appropriate.

### Deliberation Session

83. 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 and excavation 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 58**

Section 16 Application

[Open Meeting (Presentation and Question Sessions Only)]

A/YL-LFS/486      Temporary Public Utility Installation (Solar Photovoltaic System) for a Period of 3 Years and Associated Filling of Land in “Green Belt” Zone, Lots 2663 S.G (Part) and 2663 S.H (Part) in D.D. 129, Lau Fau Shan, Yuen Long  
(RNTPC Paper No. A/YL-LFS/486)

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Presentation and Question Sessions

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

85.            Members had no question on the application.

Deliberation Session

86.            The Chairman remarked that the application site (the Site) fell within an area zoned “Green Belt” (“GB”) and the concerned development would have adverse landscape impact on the area. A Member also highlighted that the Secretary for Environment and Ecology had reservation on the application. The Committee considered that the application could not be supported.

87.            In response to a Member’s enquiry, the Chairman clarified that for proposals involving both solar photovoltaic system and parking of vehicles in the “GB” zone, planning permission for both ‘public utility installation’ and ‘public vehicle park’ uses would be required.

88.            The Chairman reiterated that the suspected unauthorized development on the Site would be referred to the Central Enforcement and Prosecution Section of PlanD for follow-up action as appropriate.

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

- “(a) the applied development 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 development 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 development and associated filling of land are considered not compatible with the surrounding areas; and the applicant fails to demonstrate that the applied development and associated filling of land would not have adverse landscape impact on the surrounding areas; and
- (c) the applied development and associated filling of land are not in line with the ‘Assessment Criteria for Considering Applications for Solar Photovoltaic System made under Section 16 of the Town Planning Ordinance’ in that there are adverse comments from relevant department on landscape aspect; the applicant has failed to demonstrate that the applied development and associated filling of land would not adversely affect the landscape character/resources of the “GB” zone and jeopardise the integrity of the zone as a buffer; and extensive vegetation clearance and filling of land are involved.”



## **Agenda Item 59**

### **Section 16 Application**

[Open Meeting (Presentation and Question Sessions Only)]

A/YL-LFS/487          Proposed Temporary Institutional Use (Children Life Learning Centre)  
for a Period of 5 Years in “Village Type Development” Zone, Former  
Sha Kong Public Luen Yick School, Sha Kong Wai, Yuen Long  
(RNTPC Paper No. A/YL-LFS/487)

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### **Presentation and Question Sessions**

90.            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.

91.            Members had no question on the application.

[Mrs Vivian K.F. Cheung rejoined the meeting during the presentation and question sessions.]

### **Deliberation Session**

92.            After deliberation, the Committee decided to approve the application on a temporary basis for a period of 5 years until 13.10.2028, on the terms of the application as submitted to the Town Planning Board and subject to the approval conditions stated in the Paper. The Committee also agreed to advise the applicant to note the advisory clauses as set out in the appendix of the Paper.

## **Agenda Items 60 and 61**

### **Section 16 Applications**

[Open Meeting (Presentation and Question Sessions Only)]

A/YL-LFS/488 Proposed Filling of Land for Permitted Agricultural Use in “Village Type Development” Zone, Lot 1396 RP in D.D. 129, Mong Tseng Wai, Lau Fau Shan, Yuen Long

A/YL-LFS/489 Proposed Filling of Land for Permitted Agricultural Use in “Village Type Development” Zone, Lot 1396 S.A in D.D. 129, Mong Tseng Wai, Lau Fau Shan, Yuen Long  
(RNTPC Paper No. A/YL-LFS/488 & 489)

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### **Presentation and Question Sessions**

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

94. Members had no question on the application.

### **Deliberation Session**

95. After deliberation, the Committee decided to reject the applications. The reasons for each of the applications were:

- “(a) the proposed filling of land, which falls within the Wetland Buffer Area, is not in line with the Town Planning Board Guidelines for ‘Application for Developments within Deep Bay Area under Section 16 of the Town Planning Ordinance’ (TPB PG-No. 12C) in that there is no ecological impact assessment in the submission to demonstrate that the proposed filling of land would not have negative off-site disturbance impact on the ecological value of the Wetland Conservation Area; and

- (b) the applicant fails to justify the need for the proposed filling of land, and to demonstrate that the proposed filling of land would not have adverse landscape impact on the surrounding areas.”

### **Agenda Item 65**

#### **Section 16 Application**

[Open Meeting (Presentation and Question Sessions Only)]

A/YL-TYST/1237 Proposed Temporary Driving School for a Period of 3 Years in “Open Storage” and “Government, Institution or Community (2)” Zones, Lot 2620 RP (Part) in D.D. 120, Shan Ha Road, Yuen Long  
(RNTPC Paper No. A/YL-TYST/1237)

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

96. With the aid of a PowerPoint presentation, 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 considered that the temporary use could be tolerated for a period of three years.

97. Members had no question on the application.

#### **Deliberation Session**

98. After deliberation, the Committee decided to approve the application on a temporary basis for a period of 3 years until 13.10.2026, on the terms of the application as submitted to the Town Planning Board and subject to the approval conditions stated in the Paper. The Committee also agreed to advise the applicant to note the advisory clauses as set out in the appendix of the Paper.

[The Chairman thanked PlanD’s representatives for attending the meeting. They left the meeting at this point.]

**Agenda Item 66**

Any Other Business

Section 16A Application

[Open Meeting]

A/YL-TT/536-4      Application for Extension of Time for Compliance with Planning Conditions, Lots 1483 (Part), 1484 S.A (Part), 1484 S.B to 1484 S.G and 1485 (Part) in D.D. 117 and Adjoining Government Land, Tai Tong, Yuen Long  
(RNTPC Paper No. A/YL-TT/536-4)

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99.            The Secretary reported that application No. A/YL-TT/536 was approved with conditions by the Committee on 1.4.2022 for a period of three years. An application for extension of time for compliance with approval conditions (c), (d), (f) and (g) until 1.1.2024 was received by the Town Planning Board on 18.9.2023, which was only 10 working days before the expiry of the specified time limit for those approval conditions. The time limit for compliance with conditions (c), (d), (f) and (g) had already expired on 1.10.2023, and the planning approval for the subject application had ceased to have effect and had on the same date been revoked.

100.          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.

101.          There being no other business, the meeting was closed at 4:40 p.m..

**Minutes of 728<sup>th</sup> Rural and New Town Planning Committee  
(held on 13.10.2023)**

**Deferral Cases**

(a) Request for Deferment by Applicant for Two Months

<b>Item No.</b>	<b>Application No.*</b>	<b>Times of Deferment</b>
3	Y/YL-NSW/7	2 <sup>nd</sup> <sup>^</sup>
4	Y/YL-LFS/12	3 <sup>rd</sup> <sup>#</sup>
8	A/NE-FTA/225	2 <sup>nd</sup> <sup>^</sup>
11	A/NE-MKT/28	2 <sup>nd</sup> <sup>^</sup>
12	A/NE-MUP/193	1 <sup>st</sup>
14	A/NE-TKL/726	2 <sup>nd</sup> <sup>^</sup>
15	A/NE-TKL/740	1 <sup>st</sup>
16	A/NE-KLH/633	1 <sup>st</sup>
17	A/NE-TK/782	1 <sup>st</sup>
18	A/NE-TK/783	1 <sup>st</sup>
21	A/NE-SLT/5	1 <sup>st</sup>
25	A/YL-KTN/917	2 <sup>nd</sup> <sup>^</sup>
28	A/YL-KTN/951	1 <sup>st</sup>
29	A/YL-KTN/952	1 <sup>st</sup>
30	A/YL-KTN/953	1 <sup>st</sup>
33	A/YL-PH/968	1 <sup>st</sup>
34	A/YL-PH/969	1 <sup>st</sup>
36	A/YL-MP/355	1 <sup>st</sup>
37	A/YL-MP/356	1 <sup>st</sup>
40	A/YL-NTM/466	1 <sup>st</sup>
43	A/HSK/457	2 <sup>nd</sup> <sup>^</sup>
46	A/TM-LTYYY/462	1 <sup>st</sup>
49	A/YL-TT/607	1 <sup>st</sup>
62	A/YL-PN/69	2 <sup>nd</sup> <sup>^</sup>

**Notes:**

<sup>^</sup> The 2<sup>nd</sup> Deferment is the last deferment and no further deferment will be granted unless under special circumstances and supported with strong justifications.

<sup>#</sup> For Item 4, as the application was submitted before 24.8.2021, the considerations for deferral under the then Town Planning Board Guidelines No. 33 are applicable.

(b) Request for Deferment by Applicant for One Month

<b>Item No.</b>	<b>Application No.*</b>	<b>Times of Deferment</b>
9	A/NE-FTA/227	2 <sup>nd</sup> <sup>^</sup>

\*Refer to the agenda at [https://www.tpb.gov.hk/en/meetings/RNTPC/Agenda/728\\_rnt\\_agenda.html](https://www.tpb.gov.hk/en/meetings/RNTPC/Agenda/728_rnt_agenda.html) for details of the planning applications.

## **Declaration of Interests**

The Secretary reported the following declaration of Interests:

<b>Item No.</b>	<b>Members' Declared Interests</b>	
3	The application was submitted by Infinity View Limited and Planet Universal Limited which were subsidiaries of New World Development Company Limited (NWD).	<ul style="list-style-type: none"> <li>- Dr C.H. Hau for being an employee of the University of Hong Kong (HKU) and K11 Concept Limited of NWD had been sponsoring his student learning projects in HKU since 2009</li> <li>- Mr Vincent K.Y. Ho for being a member of the Advisory Committee of New World Build for Good, which was founded by NWD</li> </ul>
4	The application was submitted by New Magnificent Limited, which was affiliated with Sun Hung Kai Properties Limited (SHK). AECOM Asia Company Limited (AECOM) was one of the consultants of the applicant.	<ul style="list-style-type: none"> <li>- Miss Winnie W.M. Ng for 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</li> <li>- Dr Conrad T.C. Wong and Mr Vincent K.Y. Ho for having current business dealings with SHK and AECOM</li> </ul>
14 and 15	The application sites were located in Ta Kwu Ling.	<ul style="list-style-type: none"> <li>- Dr Conrad T.C. Wong for his firms owning some land in Ta Kwu Ling</li> </ul>
36	The application site was located in Mai Po and the application was submitted by CLP Power Hong Kong Limited (CLP).	<ul style="list-style-type: none"> <li>- Mr K.W. Leung for owning a property in Mai Po</li> <li>- Dr Conrad T.C. Wong for having current business dealings with CLP</li> </ul>
37	The application site was located in Mai Po.	<ul style="list-style-type: none"> <li>- Mr K.W. Leung for owning a property in Mai Po</li> </ul>

The Committee noted that Mr Vincent K.Y. Ho had tendered an apology for being unable to attend the meeting. As Dr C.H. Hau and Dr Conrad T.C. Wong had no involvement in the applications, and the properties owned by the firms of Dr Conrad T.C. Wong and Mr K.W. Leung had no direct view of the application sites, the Committee agreed that they could stay in the meeting. As the interest of Miss Winnie W.M. Ng was direct, the Committee agreed that she could stay in the meeting but should refrain from participating in the discussion for Item 4.

**Minutes of 728<sup>th</sup> Rural and New Town Planning Committee  
(held on 13.10.2023)**

**Cases for Streamlining Arrangement**

(a) Applications approved on a temporary basis for a period of three years until 13.10.2026

<b>Item No.</b>	<b>Application No.</b>	<b>Planning Application</b>
13	A/NE-TKL/715	Proposed Temporary Rural Workshop (Furniture Processing) with Ancillary Warehouse in “Agriculture” Zone, Lots 2264 and 2265 (Part) in D.D. 76, Ta Kwu Ling
19	A/NE-TK/784	Temporary Eating Place (Outside Seating Accommodation of a Restaurant) in “Village Type Development” Zone, Government Land Adjoining Lot 882 in D.D. 28, Tai Mei Tuk, Tai Po
24	A/YL-KTN/907	Proposed Temporary Warehouse (excluding Dangerous Goods Godown) with Ancillary Facilities and Filling of Land in “Agriculture” Zone, Lot 748 (Part) in D.D. 107, Fung Kat Heung, Kam Tin, Yuen Long
32	A/YL-PH/967	Proposed Temporary Warehouse (excluding Dangerous Goods Godown) with Ancillary Facilities and Filling of Land in “Residential (Group D)” Zone, Lots 14 S.B RP, 15 S.B RP, 16, 17, 18, 19 RP and 20 S.B RP (Part) in D.D. 111, Pat Heung, Yuen Long
35	A/YL-PH/970	Proposed Temporary Shop and Services (Motor-vehicle Showroom) and Filling of Land in “Village Type Development” Zone, Lot 2794 (Part) in D.D. 111, Wang Toi Shan Shan Tsuen, Pat Heung, Yuen Long
42	A/YL-SK/353	Temporary Shop and Services with Ancillary Facilities and Associated Filling of Land in “Residential (Group D)” Zone, Lot 1640 S.A (Part) in D.D. 114, Shek Kong, Yuen Long
44	A/HSK/484	Proposed Temporary Eating Place in “Village Type Development” Zone, Lot 1798 RP in D.D. 125, Ha Tsuen, Yuen Long
45	A/TM-LTYT/461	Proposed Temporary Shop and Services with Ancillary Office in “Residential (Group D)” Zone, Lot 1038 S.A (Part) in D.D. 130, Fuk Hang Tsuen, Tuen Mun
51	A/YL-TT/609	Proposed Temporary Shop and Services in “Village Type Development” Zone, Lot 3578 S.D in D.D. 116 and Lots 1029 S.A & 2378 S.F in D.D. 118, Tong Tau Po Tsuen, Yuen Long
57	A/YL-LFS/485	Proposed Temporary Public Vehicle Park (Private Cars and Light Goods Vehicles) and Associated Filling of Land and Excavation of Land in “Village Type Development” Zone, Lots 2794, 2795, 2796, 2798, 2799, 2800, 2831 (Part) and 2832 in D.D. 129, Sha Kong Wai, Yuen Long
63	A/YL-PS/696	Proposed Temporary Shop and Services in “Residential (Group B) 1” Zone, Lot 113 S.B RP (Part) in D.D. 121, Ping Shan, Yuen Long

Item No.	Application No.	Planning Application
64	A/YL-TYST/1213	Temporary Open Storage of Construction Machinery and Materials, Recycling Materials and Used Electrical Appliances with Ancillary Workshop in “Residential (Group A) 3”, “Government, Institution or Community (1)” and “Undetermined” Zones and area shown as ‘Road’, Various Lots in D.D. 119 and Adjoining Government Land, Tong Yan San Tsuen, Yuen Long

(b) Applications approved on a temporary basis for a period of five years until 13.10.2028

Item No.	Application No.	Planning Application
26	A/YL-KTN/927	Proposed Temporary Public Vehicle Park (Private Cars and Light Goods Vehicles) in “Village Type Development” Zone, Lot 1324 RP (Part) in D.D. 109, Cheung Kong Tsuen, Pat Heung, Yuen Long
31	A/YL-KTN/954	Proposed Temporary Animal Boarding Establishment and Filling of Land in “Agriculture” Zone, Lot 1143 S.B. ss.1 in D.D. 109, Kam Tin North, Yuen Long
53	A/YL-TT/611	Temporary Public Vehicle Park (Excluding Container Vehicle) in “Village Type Development” Zone, Lots 25 RP (Part), 27 and 35 RP (Part) in D.D. 117, Shui Tsiu San Tsuen, Tai Tong, Yuen Long

(c) Application approved on a temporary basis for a period of six years until 13.10.2029

Item No.	Application No.	Planning Application
54	A/YL/309	Proposed Temporary Shop and Services in “Residential (Group A) 1” Zone, Lot 2483 RP in D.D. 120, Yuen Long

### **Declaration of Interest**

The Secretary reported the following declaration of interest:

Item No.	Member’s Declared Interest
13	The application site was located in Ta Kwu Ling. - Dr Conrad T.C. Wong for his firms owning some land in Ta Kwu Ling

As the land owned by the firms of Dr Conrad T.C. Wong had no direct view of the application site, the Committee agreed that he could stay in the meeting for consideration of the application for streamlining arrangement.