

TOWN PLANNING BOARD

Minutes of 730th Meeting of the Rural and New Town Planning Committee held at 2:30 p.m. on 10.11.2023

Present

Director of Planning
Mr Ivan M.K. Chung

Chairman

Miss Winnie W.M. Ng

Mr K.W. Leung

Professor John C.Y. Ng

Dr Conrad T.C. Wong

Mrs Vivian K.F. Cheung

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

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
Ms Donna Y.P. Tam

Secretary

Absent with Apologies

Mr Stephen L.H. Liu

Vice-chairman

Dr C.H. Hau

Dr Venus Y.H. Lun

Mr Vincent K.Y. Ho

Mr K.L. Wong

Chief Engineer (Works), Home Affairs Department
Ms Fancy L.M. Cheung

In Attendance

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

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

Town Planner/Town Planning Board
Ms Karen K.Y. Tsui

Agenda Item 1

Confirmation of the Draft Minutes of the 729th RNTPC Meeting held on 27.10.2023

[Open Meeting]

1. The draft minutes of the 729th RNTPC meeting held on 27.10.2023 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 five cases requesting the Town Planning Board to defer consideration of the applications. Details of those requests for deferral 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.

Renewal Cases

Section 16 Applications

[Open Meeting (Presentation and Question Sessions only)]

Presentation and Question Sessions

5. The Secretary reported that there were two cases for renewal of temporary planning approval and the Planning Department considered that the temporary uses could be tolerated for the further periods as applied for. Details of those planning applications were in **Annex 2**.

Deliberation Session

6. After deliberation, the Committee decided to approve the applications on a temporary basis for the applied renewal 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.

Cases for Streamlining Arrangement

Section 16 Applications

[Open Meeting (Presentation and Question Sessions only)]

Presentation and Question Sessions

7. The Committee noted that there were eight cases selected for streamlining arrangement and the Planning Department 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, Members' declaration of interests

for an individual case and the Committee' views on the declared interests were in **Annex 3**.

Deliberation Session

8. 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.

Sha Tin, Tai Po and North District

Agenda Item 3

Section 12A Application

[Open Meeting (Presentation and Question Sessions Only)]

Y/TP/36 Application for Amendment to the Approved Tai Po Outline Zoning Plan No. S/TP/30, To rezone the application site from “Open Space” to “Government, Institution or Community (3)”, Lots 136 RP (Part) and 138 RP (Part) in D.D. 5 and adjoining Government Land, 8 Mui Shue Hang, Tai Po
(RNTPC Paper No. Y/TP/36B)

9. The Secretary reported the application site (the Site) is 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. The Committee noted that Dr Venus Y.H. Lun had tendered an apology for being unable to attend the meeting.

Presentation and Question Sessions

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

PlanD

Ms Margaret H.Y. Chan	- District Planning Officer/Shu Tin, Tai Po and North (DPO/STN)
Mr Kevin K.W. Lau	- Senior Town Planner/Shu Tin, Tai Po and North (STP/STN)
Mr Nicol W.K. Yu	- Town Planner/Shu Tin, Tai Po and North

Applicant's Representatives

Ever Rest Limited (Applicant)	- Mr Kelvin Kam - Ms Josephine Cheng - Mr Joseph Tse
Toco Planning Consultants Limited	- Mr Daniel Wei - Ms Jacqueline Ho
Lo, Wong & Tsui Solicitors & Notaries	- Mr Johnny Wong - Ms Veronica Tse
Ozzo Technology (HK) Limited	- Ms Lily Lin - Ms Agnes He

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

12. With the aid of PowerPoint presentation, Mr Kevin K.W. Lau, STP/STN, briefed Members on the background of the application, the proposed rezoning of the Site from "Open Space" ("O") to "Government, Institution or Community (3)" ("G/IC(3)") to regularise the existing religious and columbarium use under the name of "Ever Rest Temple" on the Site, departmental and public comments, and the planning considerations and assessments as detailed in the Paper. PlanD had no in-principle objection to the application.

13. The Chairman then invited the applicant's representatives to elaborate on the application. Mr Daniel Wei, the applicant's representative, said that they concurred with PlanD's presentation and views on the application, and had no further point to make.

14. As the presentations of PlanD's representative and the applicant's representative were completed, the Chairman invited questions from Members.

15. Some Members raised the following questions:

- (a) the planned use of the Site and the need for such use to cater for the future development of the area;
- (b) how the applicant had improved the visual quality of the buildings at the Site in order to achieve greater harmony with the surrounding areas, noting that one of the Committee's rejection grounds in respect of the previous application (No. Y/TP/23) (submitted by the applicant) was pertaining to incompatibility with the open space use; and
- (c) whether burning of joss paper would be allowed at the Site, and any remedial measures if it was allowed.

16. In response, Ms Margaret H.Y. Chan, DPO/STN said that the Site was zoned "Green Belt" on the first statutory plan covering the Tai Po area (i.e. the draft Tai Po Outline Zoning Plan (OZP) No. LTP/47) gazetted on 12.12.1980. The Site, together with a larger area, was subsequently rezoned to "O" on the draft Tai Po OZP No. LTP/47B on 21.10.1983 in light of Government's plan to construct the Mui Shue Hang Playground (MSHP) to the immediate north of the Site. The Site was not within the boundary of MSHP. A land use review for the area was conducted by PlanD in 2007. While the construction of MSHP was completed, given that the Site was in ruins at the time of the land use review, the "O" zoning was retained and had remained unchanged on the prevailing Tai Po OZP.

17. In respect of visual quality of the buildings at the Site, Mr Daniel Wai, the applicant's representative, said that since the rejection of the previous application (No. Y/TP/23) in 2015, the applicant had put a lot of effort to improve the aesthetic design of the Ever Rest Temple with a view to achieving visual harmony with the surrounding areas, such as using eco-friendly wood and natural façade colours for the exterior of the buildings and fence walls.

18. In response to the Chairman's enquiry, Ms Margaret H.Y. Chan, DPO/STN, showed some photos of the Ever Rest Temple before and after the design improvements were adopted and confirmed that such improvement works were completed. She said that the Chief Town Planner/Urban Design and Landscape, PlanD had no adverse comment on the application from urban design and visual impact perspectives.

19. On whether burning of joss paper would be allowed at the Site, Ms Josephine Cheng, the applicant's representative, said that no furnace facility would be provided and burning of joss paper would be prohibited within the Site. Visitors would only be allowed to light incense sticks within the Site and if there was any joss paper, either the visitors needed to bring them home for burning or the applicant would offer arrangement for off-site burning at a public joss paper furnace.

20. The Chairman asked whether the access to the Site would be via MSHP and whether there were any departmental comments on such arrangement. In response, Ms Margaret H.Y. Chan, DPO/STN, with reference to Plan Z-2a of the Paper, said that the Site was accessible via a shared footpath and a separate dedicated footpath through MSHP. It was understood that the applicant and the Leisure and Cultural Services Department (LCSD) had reached an agreement on the footpath arrangement within MSHP and the applicant had committed to complying with all the rules and regulations of LCSD's venue and the prevailing ordinance. The Director of Leisure and Cultural Services had no objection to the application on such condition.

21. To supplement, Mr Daniel Wai, the applicant's representative, reiterated that the applicant had committed to following all the rules, regulations and ordinances governing LCSD's venue and would minimise any potential nuisance to the users of MSHP.

22. As Members had no further question to raise, the Chairman said that the hearing procedures of the application had been completed. The Board would further deliberate on the application in the absence of the applicant's representatives and inform the applicant of the Board's decision in due course. The Chairman thanked PlanD's representatives and the applicant's representatives for attending the meeting. They left the meeting at this point.

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

Deliberation Session

23. The Chairman remarked that the Committee at the last meeting rejected an application for regularisation of an existing columbarium use within a “Village Type Development” zone and one of the rejection grounds was that the columbarium use was considered not compatible with the existing village setting of the area. Unlike the said application, the Site of the subject application fell within an “O” zone but outside the boundary of MSHP to its immediate north. The previous rezoning application (No. Y/TP/23) at the Site was rejected by the Committee in 2015 mainly on the grounds of failing to demonstrate no adverse traffic impacts and incompatibility with the adjacent open space. The Private Columbaria Ordinance (PCO) enacted in 2017 regulated the operation of private columbaria through a licensing mechanism. For a licenced columbarium approved by the Private Columbaria Licensing Board (PCLB), the Private Columbaria Affairs Office of the Food and Environmental Hygiene Department would oversee the monitoring of the licensee’s implementation of the approved management plan in coordination with other concerned departments and there were legal provisions under PCO to regulate breaches of licensing conditions imposed by PCLB. Moreover, since the rejection of the previous application, the applicant had made efforts to improve the visual quality of the Ever Rest Temple to enhance the harmony with the surrounding areas in particular the open space, and the applicant also committed to complying with the rules and regulations of LCSD’s venue and the prevailing ordinance. Given the above, relevant government departments, including PlanD and LCSD, had no in-principle objection to the proposed rezoning.

24. Members generally considered that the application could be agreed in-principle. In particular, a Member expressed that there were initially concerns on the compatibility of the Ever Rest Temple and the tranquil environment of MSHP. However, after considering the Paper and the elaborations from PlanD and the applicant’s representatives, the Member was convinced that the proposed rezoning was acceptable.

25. After deliberation, the Committee decided to agree in-principle to the application. The relevant proposed amendments to the OZP, together with the revised Notes and

Explanatory Statement, would be submitted to the Committee for consideration prior to gazetting under section 5 of the Town Planning Ordinance.

Fanling, Sheung Shui and Yuen Long East District

Agenda Item 4

Section 12A Application

[Open Meeting (Presentation and Question Sessions Only)]

Y/YL-NSW/7 Application for Amendment to the Approved Nam Sang Wai Outline Zoning Plan No. S/YL-NSW/8, To rezone the application site from “Other Specified Uses” annotated “Comprehensive Development to include Wetland Restoration Area” to “Other Specified Uses” annotated “Comprehensive Development to include Wetland Restoration Area 1”, Various Lots in D.D. 104 and adjoining Government land, Wing Kei Tsuen, Nam Sang Wai, Yuen Long (RNTPC Paper No. Y/YL-NSW/7B)

Presentation and Question Sessions

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

PlanD

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| Mr Anthony K.O. Luk | - District Planning Officer/Fanling, Sheung Shui and Yuen Long East (DPO/FSYLE) |
| Mr Kimson P.H. Chiu | - Senior Town Planner/Fanling, Sheung Shui and Yuen Long East (STP/FSYLE) |

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| Mr Gary T.L. Lam | - Town Planner/Fanling, Sheung Shui and Yuen Long East |
| Mr Davy L.Y. Lam | - Town Planning Graduate/Fanling, Sheung Shui and Yuen Long East |

Applicants' Representatives

- | | |
|-----------------------------|--|
| KTA Planning Limited | - Mr Kenneth To
- Ms Pauline Lam
- Ms Kitty Wong
- Mr Faith Lai |
| LWK & Partners (HK) Limited | - Mr Ho Sun |
| ADI Limited | - Ms Elsa Kwong |
| Binnies Hong Kong Limited | - Mr Colin Chan |
| CTA Consultants Limited | - Mr Horace Mak |
| Ecosystems Limited | - Mr Vincent Lai
- Mr Oscar So |
| Ramboll Hong Kong Limited | - Mr Henry Ng |

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

28. With the aid of a PowerPoint presentation, Mr Kimson P.H. Chiu, STP/FSYLE, briefed Members on the background of the application, the proposed rezoning of the application site (the Site) from "Other Specified Uses" annotated "Comprehensive Development to include Wetland Restoration Area" ("OU(CDWRA)") to "OU(CDWRA)1" to facilitate a proposed comprehensive residential development with government, institution and community (GIC) and retail block, as well as a wetland restoration area (WRA) with

relaxation of plot ratio (PR) and building height (BH) restrictions, departmental and public comments, and the planning considerations and assessments as detailed in the Paper. PlanD had no in-principle objection to the application.

29. The Chairman then invited the applicants' representatives to elaborate on the application. With the aid of a PowerPoint presentation, Ms Kitty Wong, the applicants' representative, made the following main points:

The Rezoning Proposal

- (a) the proposal was for rezoning the Site from "OU(CDWRA)" to "OU(CDWRA)1" sub-zone to relax the PR restriction from 0.4 to 1.5 (domestic) plus 0.048 (non-domestic) and relax the BH restriction from 6 storeys including car park to 15 storeys excluding basement car park for a comprehensive residential development with community/supporting facilities and a WRA. There would be no change to the planning intention as well as the schedule of Column 1 and 2 uses of the "OU(CDWRA)" zone;

The Site and Planning Context

- (b) the western part of the Site had been occupied by brownfield operations, abutting the wetland area to the west, since 1988. While the northern part was formed and vacant, there was an abandoned pond in the central part of the Site;
- (c) all private lots within the Site were owned by the applicants;
- (d) the area where the Site was located had been zoned "OU(CDWRA)" since 2001 with the planning intention to provide incentive for restoration of degraded wetlands adjoining existing fish ponds through comprehensive residential and/or recreational development to include WRA. It was also intended to phase out existing sporadic open storage and port back-up uses on degraded wetlands. Any new buildings should be located farthest away

from Deep Bay;

- (e) the Site and its surrounding area, located strategically within the Northern Metropolis (NM), had been undergoing gradual transformation in recent years. The Site would be well served by existing and planned strategic road network and large-scale transport infrastructural projects, such as Au Tau Station (370m from the Site) of MTR Northern Link (NOL) Phase 2 and Route 11, etc.;
- (f) the Site was in close proximity to various committed and planned developments such as the planned public housing development at Sha Po with a maximum PR of 6.7 and BH of 185mPD (about 260m from the Site). The proposed development intensity was considered compatible with the planned developments in the vicinity of the Site;

Key Development Parameters and Design Merits

- (g) the proposed development would have a domestic PR of not more than 1.5 and a non-domestic PR of 0.048, a site coverage of not more than 15% and a BH of not more than 15 storeys (on top of 2-level basement), providing seven residential towers with 1,997 units with an average size of about 48.9m²;
- (h) retail/dining facilities (gross floor area (GFA) of about 900m²) and privately-operated GIC facilities (GFA of 2,200m²), including a 6-classroom kindergarten and a 100-place child care centre, would be provided to serve future residents and the neighbourhood;
- (i) the Site was located within the Wetland Buffer Area (WBA), and the proposed development and the indicative scheme were in line with the planning intention of the “OU(CDWRA)” zone as well as the “no net loss in wetland” principle under the Town Planning Board Guidelines No. 12C for Developments within Deep Bay Area (TPB PG-No. 12C) in achieving the conservation objectives of wetland ecosystem in the Deep Bay Area;

- (j) there were previously approved applications for comprehensive/residential developments with similar or higher development intensity within the WBA in the vicinity of the Site, as well as in Tung Shing Lei and other areas in Nam Sang Wai and Mai Po;
- (k) to enhance the ecological function of the Site, a WRA of about 20,200m² (about 31% of the development site area) and planting buffer ranging from 6m to 30m from the adjacent wetland and/or WRA with the Site would be provided. Buildings would be dispositioned farthest away from Deep Bay within the Site to ensure adequate buffer from the Wetland Conservation Area (WCA). Appropriate landscaping treatment (including green roof) would also be incorporated to soften the visual appearance of the structures and minimise any visual impact. Wind/visual corridors of at least 15m in width would be allowed within the Site to improve air and/or visual permeability;
- (l) in response to the Transport Department's comments, a new circular bus route from the proposed development to Kam Sheung Road Station was proposed and the bus lay-by would be maintained and managed by the applicants. The detailed design would be explored at s.16 application stage;
- (m) the proposed development would still be subject to various development controls under separate regimes, e.g. submission of Environmental Impact Assessment (EIA) report under the EIA Ordinance (EIAO), s.16 application, land exchange application and general building plan submissions;

Ecological Enhancement

- (n) the Ecological Impact Assessment (EcoIA) was conducted for a one-year period covering both the wet and dry seasons;
- (o) the abandoned pond within the Site was about 11,900m² and was physically separated from the wetland in the WCA to the immediate west of the Site by brownfield operations. The applicants proposed a WRA comprising

two commercial fishponds of about 20,200m² which would be located adjoining the existing wetland in WCA to the west of the Site, representing an increase in area of 8,300m² and an enhancement in quality of the wetland area;

- (p) the applicants were willing to commit to the construction and the long-term management and maintenance of the commercial fishponds, and would engage local fish farmers to undertake the daily operation and management; and
- (q) the Agriculture, Fisheries and Conservation Department (AFCD) had no objection to the findings of the EcoIA and the proposed mitigation measures recommended therein.

30. As the presentations of PlanD's representative and the applicants' representative were completed, the Chairman invited questions from Members.

WRA

31. Two Members raised the following questions:

- (a) whether there was precedent case which involved the provision of WRA as part of the development proposal (such as Park Yoho);
- (b) how the proposed commercial fishponds as compared to traditional fishponds could achieve the function of the WBA, whether the applicants had assessed the possibility of engaging fish farmers/operators for the management of the proposed commercial fishponds, and the fallback scenario if such arrangement could not be taken forward; and
- (c) AFCD's comments on the applicants' WRA proposal.

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

- (a) there were several planning applications approved within the WBA, including a comprehensive commercial development to the south of the Site with provision of wetland restoration (No. A/YL-NSW/241). The proposed development under that application had not yet commenced. Besides, there was a completed residential development (Park Yoho) with WRA covered by a planning permission, which provided brackish marsh habitat for damselflies and butterflies, located to the southwest of the Site across San Tin Highway, but the development was located outside the WBA;
- (b) there were wetland enhancement projects in the form of commercial fishponds operating under the Fishpond Management Agreement (MA) in the Northwest New Territories (NWNT). Fishpond operators were required to drain down the fishponds to a certain water level in order to provide a suitable habitat for waterbirds to forage and roost;
- (c) according to the EcoIA submitted by the applicants in accordance with TPB PG-No. 12C, the overall ecological value of the abandoned pond within the Site was “low to medium”. Although the proposed development would lead to direct loss of part of the abandoned pond, the proposed WRA would result in a net increase in wetland area within the Site and hence, complying with the “no-net-loss in wetland” principle under TPB PG-No. 12C. As stated in TPB PG-No. 12C, higher bird usage was observed to correlate with ponds contiguous to each other and with a greater and continuous area compared to fragmented and isolated ponds. Hence, the proposed WRA with fishponds located at the southwestern part of the Site that would achieve an extension of a continuous area of fishponds to its west could improve the ecological function. The Director of Agriculture, Fisheries and Conservation (DAFC) had no objection to the application and had no adverse comment on the EcoIA and the Wetland Restoration and Creation Scheme (WRCS) in the form of commercial fishponds, as well as its long-term management as proposed by the applicants; and
- (d) in view of the above, the proposed development could fulfil the

“no-net-loss in wetland” principle in terms of area and function, and was considered in line with the TPB PG-No. 12C. In addition, the proposed development was a designated project under the EIAO and the applicants were required to obtain an Environmental Permit (EP) in accordance with the EIAO.

33. Mr Kenneth To, the applicants’ representative, with the aid of some PowerPoint slides, supplemented the following main points:

- (a) apart from Park Yoho, there was another comprehensive residential development with a completed WRA comprising ponds and marshes within the WBA in Wo Sang Wai, Mai Po;
- (b) the area to the immediate west and south of the Site fell within the “Conservation Area” zone and the WCA, and had been occupied by traditional commercial fishponds which were still in operation for a long period of time. As such, it was proposed to have a WRA comprising commercial fishponds at the southwestern part of the Site to enhance the ecological function and linkages with the existing ponds within the adjoining WCA; and
- (c) the operation of the commercial fishponds would make reference to the conservation friendly operation adopted in the MA in the NWNT under the New Nature Conservation Policy (NNCP), such as annual partial/full drain-down to provide more feeding opportunities for waterbirds. This practice had been adopted by the fishponds in the vicinity of the Site and was thus considered suitable for the operation of the proposed WRA. The future fishpond operator could apply for funding support from the Environmental and Conservation Fund for carrying out conservation friendly fishpond operation.

34. To supplement, Mr Vincent Lai, the applicants’ representative, said that the commercial fishponds proposed for the WRA were traditional fishponds. Their ecological value had long been recognised as an example of prudent use of wetland under which fish

culture practice coexisted in harmony with bird conservation as recommended in the Study on Ecological Value of Fish Ponds in the Deep Bay Area (the Study) completed by PlanD in 1997. The MA arrangement with funding support was to further encourage the fishpond operators to adopt a traditional and ecologically sustainable operation mode in managing their fishponds, such as extending the time of/more frequent drain-down of ponds to prolong the time for feeding of birds and prohibit the use of lethal bird deterring device at their ponds.

35. In response to a Member's enquiry on whether the MA arrangement was confirmed to be adopted for the proposed commercial fishponds, Mr Kenneth To and Ms Pauline Lam, the applicants' representatives, said that the applicants would submit a detailed maintenance and management (M&M) plan at the s.16 application stage. The applicants would decide at land exchange stage on whether to adopt the MA in the NWNT under the NNCP or put forward a private MA with the future fishpond operator(s).

36. In response to the Chairman's further enquiry on whether there were similar previous cases that upon approval of rezoning, the implementation of WRA was governed by planning conditions under the subsequent approved s.16 planning applications, Mr Anthony K.O. Luk, DPO/FSYLE, said that as mentioned in the Paper, the applicants had submitted a WRCS with the EcoIA providing information on the wetland creation and long-term management of the WRA. Should the current rezoning application and the subsequent s.16 application for the proposed comprehensive development with WRA be approved by the Board, the planning permission of the latter would be subject to approval conditions, which could include the submission and implementation of a Habitat Creation and Management Plan with funding arrangement proposal to ensure the long-term maintenance and management of the WRA to the satisfaction of the Director of Environmental Protection and DAFC. Such arrangement was similar to some previous planning permissions where WRA was required in tandem with the residential development.

NM Development Strategy (NMDS) and the Overall Planning Context

37. A Member asked how the proposed scheme could echo with the planning principles of the NMDS in expanding the environmental capacity and achieving carbon neutrality, such as provision of air ventilation corridor to ensure wind permeability, landscape design to ensure greenery, measures to minimise excavation for the construction of the

proposed basement carpark and hence adverse impact on the environment.

38. In response, Mr Anthony K.O. Luk, DPO/FSYLE, with the aid of some PowerPoint slides, said that upon rezoning, the applicants would be required to submit a detailed development scheme at the s.16 application stage and further demonstrate the technical feasibility and acceptability of proposed development as well as infrastructural capacity. Taking air ventilation as an example, according to the Air Ventilation Assessment – Expert Evaluation (AVA-EE) submitted, the annual and summer prevailing winds were mainly from the east and the south or southwest, respectively. Considering the surrounding context, the west of the Site mainly comprised fishponds and open areas without developments whereas some low-rise structures and village houses were located at Pok Wai Village and Wing Kei Tsuen to the northeast and east of the Site. Optimal building disposition was proposed in the indicative scheme to facilitate the penetration of annual and summer prevailing winds. The AVA-EE demonstrated that the proposed development would unlikely generate significant adverse air ventilation impact on the surrounding environment with the implementation of the proposed mitigation measures. In that regard, CTP/UD&L, PlanD had no objection to the current application.

39. Mr Kenneth To, the applicants' representative, said that the subject application was for rezoning the Site to "OU(CDWRA)1" with higher PR and BH restrictions for the proposed low-to-medium rise comprehensive residential development with a WRA of not less than 31% of the development site area. The development scheme proposed in the application, including the car park design, could be refined at the s.16 application stage to incorporate elements to complement the planning principles of NMDS, while at the same time fulfilling relevant government departments' requirements.

40. A Member raised the following questions:

- (a) the consideration and reference of development parameters of surrounding developments (including Park Yoho) for the proposed development parameters in the application; and
- (b) considering that the Site was located within the ambit of NMDS in close proximity to Shenzhen, which was already well developed, what the value

of wetland in Deep Bay Area was, and whether there was any scope to increase the development intensity of the Site and the surrounding area to promote economic growth while striking a balance for conservation of the wetland.

41. In response, Mr Kenneth To and Ms Pauline Lam, the applicants' representatives, made the following points:

- (a) reference was made to the development parameters of the planned/committed developments in the vicinity of the Site, including an approved hotel development (application No. Y/YL-NSW/3) with a PR of 1.5; the planned public housing development at Sha Po with a PR of 6.7 and a BH of about 185mPD; Park Yoho with a PR of 1.25 and BH of 11 to 17 storeys; a comprehensive residential developments south of Park Yoho (application No. A/YL-KTN/604) with a PR of 1.254 and BH of 12 to 18 storeys; another comprehensive residential development further south (application No. A/YL-KTN/663) with a PR of 1.67 and a BH of 62.2mPD; the Land Sharing Pilot Scheme (LSPS) at Tung Shing Lei with a PR of 3.23, as well as a comprehensive residential development to the further south (application No. A/YL-NSW/274) with a PR of 2.29 and a BH of 75mPD. For Wetland Seasons Bay to the west of the Site close to Hong Kong Wetland Park, the PR was 1.5 and the BH was 15 storeys;
- (b) while the planned public housing development at Sha Po was of higher development intensity (PR of 6.7), Park Yoho and the comprehensive developments nearby were of lower development intensity as they were approved before the planning of the said public housing development;
- (c) the LSPS at Tung Shing Lei and its adjacent comprehensive residential development (application No. A/YL-NSW/274) were of higher development intensity than that of the subject application, as the two developments were closer to Yuen Long Town Centre and further away from Deep Bay Area; and

- (d) as about 31% of the development site area would be reserved as a WRA, a higher PR for the proposed development would result in higher BH, larger building bulk and less building separation. Having taken into account the site context and the location of being within the WBA, a PR of 1.5 was considered compatible with the surroundings and was therefore appropriate for the Site.

42. In response, Mr Anthony K.O. Luk, DPO/FSYLE, with the aid of TPB PG-No. 12C (Figure A – Deep Bay Wetland Conservation and Buffer Areas Boundaries), made the following main points:

- (a) areas within the WCA were designated with conservation zonings including “Conservation Area”, “Site of Specific Science Interest” and “Other Specified Uses” annotated “Comprehensive Development and Wetland Enhancement Area”. Fishponds providing feeding grounds for birds were within those areas and there was a general presumption against development in those zones;
- (b) according to the principles laid down in TPB-PG No. 12C, the planning intention of the WCA was to conserve the ecological value of the fish ponds which formed an integral part of the wetland ecosystem in the Deep Bay Area. The WBA was designated as a buffer zone to protect the WCA. Development within the WBA which would help to remove the existing open storage use and/or to restore some of the fishponds and would not have adverse ecological impacts on the WCA might be allowed, such as those previous applications approved within the WBA to the south of the Site as previously mentioned;
- (c) an example of striving for co-existence of development and conservation was the San Tin Technopole proposed under the NDMS;
- (d) Park Yoho was approved in 2012 at the time when the area was still under a more rural setting, while the proposed public housing development at Sha Po was only approved by the Board and gazetted in 2023, benefitting from

the improvement in transport infrastructure and connectivity of the area from the implementation of NOL Phase 2; and

- (e) there were other planning applications under processing within the WBA. PlanD would continue to follow the principles established under TPB-PG No. 12C when striking a balance between development and conservation of ecological integrity of Deep Bay wetland ecosystem.

Environmental Impacts during Construction Stage

43. In response to a Member's enquiry about the ways to minimise impact on the environment during construction phase of the proposed development, Mr Vincent Lai, the applicants' representative, made the following points:

- (a) in terms of development programme, it was planned to construct the commercial fishponds for the WRA first during the wet season given the lower bird abundance during that period of time. This would also allow the WRA to serve as a buffer between the works area of the residential portion and fishponds outside the Site. While the construction methodology or foundation works of the residential portion would be subject to further study, it was envisaged that quieter piling methods instead of traditional percussive piling would be adopted with a view to minimising the disturbances. Also, the piling works for towers located closest to the fishponds outside the Site and the proposed WRA should be planned to be conducted during the wet season where feasible; and
- (b) during the operation phase, the fishponds in the WRA and the 30m planting buffer in the western portion of the Site would provide screening effects and serve as a buffer to shield any potential noise and disturbance from the Site to the surrounding environment, including the WCA.

Au Tau Station of NOL

44. Two Members raised the following questions:

- (a) the target completion date of Au Tau Station of NOL noting that the tentative completion year of the proposed development was 2028; and
- (b) the pedestrian connectivity to the future Au Tau Station.

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

- (a) the planned Au Tau Station was part of MTR NOL Phase 2 which was expected for completion in 2034. As the proposed development was targeted to complete by 2028, the transport demand of which would rely on road network before the commissioning of Au Tau Station; and
- (b) the future Au Tau Station could be accessible from the Site via the existing footbridge over and underpass across San Tam Road, San Tin Highway and Castle Peak Road-Tam Mi.

46. As Members had no further question to raise, the Chairman said that the hearing procedures of the application had been completed. The Board would further deliberate on the application in the absence of the applicants' representatives and inform the applicants of the Board's decision in due course. The Chairman thanked PlanD's representatives and the applicants' representatives for attending the meeting. They left the meeting at this point

[Mrs Vivian K.F. Cheung, Ms Jane K.C. Choi, Miss Winnie W.M. Ng and Ms Clara K.W. U left the meeting during the question and answer session.]

Deliberation Session

47. The Chairman remarked that under the subject application, the proposed rezoning only involved relaxation of PR and BH restrictions without changing the planning intention of the subject "OU(CDWRA)" zone. The proposed comprehensive residential development with WRA was in line with the planning intention of phasing out the existing brownfield uses at the Site with the provision of WRA to restore the wetland function and improve the

existing degraded environment. The proposed relaxation of PR and BH restrictions, as PlanD's representative had explained, had taken account of the changes in planning circumstances of the area in recent years, such as the implementation of MTR NOL and its Au Tau Station, which would create capacity for development of higher intensity, e.g. the planned public housing development in Sha Po, and facilitate the transformation of this part of Nam Sang Wai area into a medium-rise residential neighbourhood. According to the EcoIA submitted by the applicants and agreed by DAFC, the ecological value of the habitats at the Site was very low to low. That said, the applicants came up with a planning merit by proposing a net increase of wetland, from the about 11,900m² of existing abandoned pond to not less than 20,200m² of commercial fishponds, with an improved layout, enhanced function and better operation under the rezoning proposal. Upon rezoning of the Site and to take forward the proposed development, the applicants would be obliged to submit a comprehensive development scheme with more details under a s.16 application, and approval conditions could be imposed to ensure that the proposed WRA would be properly implemented and sustained in the long run. Also, the proposed development was subject to the provision of EIAO that the applicants was required to submit an EIA report and apply for an EP. Relevant government departments had no comment on/objection to the application and PlanD had no in-principle objection to the proposed rezoning.

48. A Member supported the WRA under the proposal and considered that the rezoning application could be agreed to facilitate the restoration of wetland in the area.

49. Another Member expressed that some issues regarding the proposed scheme could only be addressed with more details in the s.16 application stage, and such approach could not facilitate a comprehensive evaluation of the proposal at the current s.12A application stage and might pre-empt the Board's decision on whether the Site could be developed with higher intensity. In particular, the Member had the following observations:

- (a) according to the indicative layout, the part of the Site currently occupied by brownfield operations was proposed as WRA while the existing abandoned fishpond would be developed, and whether such arrangement was appropriate in terms of wetland conservation;
- (b) the ecological function of the proposed WRA and whether the MA for

securing the operation of the commercial fishponds in a conservation friendly manner could be realised; and

- (c) the proposed development might cause blockage of air paths in the area.

50. The Chairman drew Members' attention that the planning intention of "OU(CDWRA)1" zone was to provide incentive for the restoration of degraded wetlands adjoining existing fish ponds through comprehensive residential and/or recreational development to include wetland restoration area. There was no general presumption against development within this zone. Under the established statutory planning mechanism, planning applications should be considered based on the planning intention of the relevant land use zoning as laid down on the statutory plan, as well as the relevant considerations on latest planning circumstances, technical feasibility and infrastructural capacity. For the subject application, even if the rezoning was agreed by the Board, the applicants would still need to submit a comprehensive development scheme for the Board's consideration and approval conditions could be imposed to ensure that the major issues and elements of the scheme could be duly addressed and implemented. For instance, an approval condition on the conservation and management plan for the proposed WRA could be imposed and the applicants would be obliged to fulfil all requirements and conditions imposed by the relevant government departments in order to fulfil the condition. The proposed development was also subject to the requirements under other relevant regimes, including the submission of an EIA report under EIAO, applications for land exchange/lease modification and under both of which the details of the management of the WRA could be formulated and scrutinised.

51. A Member raised concern on the lack of comprehensive planning for the area and hence, the basis for the approval of rezoning applications of this kind. Without the benefit of a comprehensive planning and review, it was uncertain how the PR and BH of the Site could be determined in relation to its surrounding developments and approval of the application and similar applications for relaxation of development restrictions might result in sporadic developments that might overstrain the infrastructure capacity, provisions of GIC facilities as well as the environmental capacity of the area. Besides, the Committee could only rely on AFCD's comments regarding the ecological aspect of the rezoning proposal and the proposed scheme. Another Member opined that the statutory plans had already provided the land use framework for development of individual planning scheme area, which were

formulated based on development strategies at territorial level, and formed the basis for assessment of planning applications. Hence, approval of individual applications would not result in piecemeal developments.

52. The Chairman supplemented that as explained in the Policy Address and the relevant Action Agenda, the Government would take the lead in the development of the NM, which extended across some 30,000 ha of land in the New Territories. For major development nodes in NM, including Lau Fau Shan, San Tin, the New Territories North and Lo Wu/Man Kam To, the Government was conducting planning studies to formulate land use and development proposals, and would take forward the development proposals. Given the private land ownership and site conditions of other areas, developments therein were primarily privately initiated. As per a Member's view above, land use and development framework for each planning scheme area had already been established under extant statutory plans. Taking the subject application as an example, the planning framework for the Site was already established under the subject "OU(CDWRA)" on the OZP, i.e. comprehensive development with the provision of WRA. Applications involving any deviations from the provisions under the OZP, such as the subject application for relaxation of PR and BH restrictions, would be processed in accordance with the established statutory planning mechanism. PlanD and relevant government departments, including AFCD and Environmental Protection Department, would carefully consider the development proposals from different policy angles, as well as strategic planning and technical feasibility points of view, and offer professional comments for the Board's consideration. Members concurred with the aforesaid considerations were of the view that the current rezoning application could be agreed.

53. After deliberation, the Committee decided to agree in-principle to the application for rezoning the Site to "OU(CDWRA)1" with higher permissible PR and BH for the proposed comprehensive residential development. The relevant proposed amendments to the OZP, together with the revised Notes and Explanatory Statement, would be submitted to the Committee for consideration prior to gazetting under section 5 of the Town Planning Ordinance.

Sha Tin, Tai Po and North District

[Messrs Tim T.Y. Fung and Jeffrey P.K. Wong, Senior Town Planners/Shan Tin, Tai Po and North (STPs/STN), Ms Aileen K.Y. Cheng, Town Planner/Shan Tin, Tai Po and North (TP/STN) and Ms Amy Y.T. Chong, Assistant Town Planner/Shan Tin, Tai Po and North (ATP/STN), were invited to the meeting at this point.]

Agenda Item 6

Section 16 Application

[Open Meeting (Presentation and Question Sessions Only)]

A/NE-FTA/220 Proposed Temporary Cold Storage for Poultry and Distribution Centre for a Period of 3 Years and Filling of Land for Site Formation Works in “Agriculture” Zone, Lots 471 S.B RP (Part), 472, 473, 474, 475, 476, 483, 501, 502, 504 S.B, 505 and 506 S.B RP in D.D. 89 and Adjoining Government Land, Man Kam To Road, Sha Ling
(RNTPC Paper No. A/NE-FTA/220B)

Presentation and Question Sessions

54. With the aid of a PowerPoint presentation, Ms Amy Y.T. Chong, ATP/STN, briefed Members on the background of the application, the proposed development, departmental and public comments, and the planning considerations and assessments as detailed in the Paper. The Planning Department (PlanD) considered that the proposed temporary use could be tolerated for a period of three years.

55. Two Members raised the following questions:

- (a) the location of the vertical gap between the proposed ground level and the structures of the proposed temporary cold storage for poultry and distribution centre (CSDC) as mentioned in paragraph 1.4 of the Paper and whether 1.2m was sufficient for clearing and maintaining the existing watercourse;

- (b) as shown on Drawing A-10, noting that the trees to be planted along the boundary of the Site were relatively small, the reason why the central portion of the rooftop of the main structure was not proposed with greening to enhance the landscape proposal;
- (c) the location of the existing watercourse running underneath the proposed structures and whether it would be affected; and
- (d) the Director of Agriculture, Fisheries and Conservation (DAFC)'s comments on the application from agricultural rehabilitation point of view.

56. In response, with the aid of some PowerPoint slides, Mr Tim T.Y. Fung, STP/STN and Ms Amy Y.T. Chong, ATP/STN, made the following main points:

- (a) the concerned vertical gap between the proposed ground level and the structures was indicated in Drawing A-4 of the Paper. The gap of 1.2m was agreed by the Drainage Services Department taking into account the need for undertaking the maintenance works of the existing watercourse while, minimising the impact on the operation of the proposed CSDC;
- (b) as shown on Drawing A-8 of the Paper, the greenery was proposed along the periphery of the main roof of the main structure while the central portion would be provided as a communal open space to cater for passive recreational needs of the users;
- (c) noting that there was an existing watercourse traversing the Site from northeast to southwest, the proposed structures would be erected on the decked platform to minimise potential disturbance to the watercourse; and
- (d) DAFC had no adverse comment on the application from nature conservation and agricultural rehabilitation perspectives. That said, PlanD suggested that a condition be imposed to require the reinstatement of the Site to an amenity area upon expiry of the planning permission.

Deliberation Session

57. Members generally had no objection to the application. In response to a Member's enquiry, the Chairman confirmed that it was an established practice to impose an approval condition of reinstating the application site to an amenity area when granting temporary approval in "Agriculture" zone. A Member observed that it might not be feasible to reinstate the Site for agricultural use after using it for the proposed development for three years. With reference to approval condition (w) in paragraph 12.2 of the Paper, the Committee agreed that the restatement of the Site should be specified as "to an amenity area".

58. After deliberation, the Committee decided to approve the application on a temporary basis for a period of 3 years until 10.11.2026, on the terms of the application as submitted to the Town Planning Board and subject to the approval conditions stated in the Paper with revision to approval condition (w) as follows:

“(w) upon the expiry of the planning permission, the reinstatement of the Site *to an amenity area* to the satisfaction of Director of Planning or of the Town Planning Board.”

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

Agenda Item 7

Section 16 Application

[Open Meeting (Presentation and Question Sessions Only)]

A/NE-LYT/809 Proposed Two Houses (New Territories Exempted Houses - Small Houses) in “Agriculture” and “Village Type Development” Zones, Lots 639 S.A and 639 S.B in D.D.83, Kwan Tei, Fanling
(RNTPC Paper No. A/NE-LYT/809)

Presentation and Question Sessions

60. Dr Conrad T.C. Wong declared that his firm owned a factory in Kwan Tei and would refrain from participating in the discussion of the item. The Committee agreed that he could stay in the meeting but should refrain from participating in discussion of the item.

61. 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.

62. Members had no question on the application.

Deliberation Session

63. 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 10.11.2027, 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.

Agenda Item 8

Section 16 Application

[Open Meeting (Presentation and Question Sessions Only)]

A/NE-MKT/29 Proposed Temporary Warehouse for Storage of Engineering Tools and Equipment for a Period of 3 Years in “Agriculture” Zone, Lot 580 (Part) in D.D. 90, Lin Ma Hang Road, Man Kam To (RNTPC Paper No. A/NE-MKT/29A)

Presentation and Question Sessions

64. 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 did not support the application.

65. Members had no question on the application.

Deliberation Session

66. After deliberation, the Committee decided to reject the application for the following reasons:

- “(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 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 such planning intention, even on a temporary basis; and
- (b) the applicant fails to demonstrate that the proposed development would not generate adverse environmental impact on the surrounding areas.”

Agenda Item 9

Section 16 Application

[Open Meeting (Presentation and Question Sessions Only)]

A/NE-MUP/183 Proposed Temporary Place of Recreation, Sports or Culture (Hobby Farm) and Holiday Camp (Caravan) 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)

Presentation and Question Sessions

67. 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 considered that the proposed temporary use could be tolerated for a period of three years.

68. Members had no question on the application.

Deliberation Session

69. After deliberation, the Committee decided to approve the application on a temporary basis for a period of 3 years until 10.11.2026, 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 10

Section 16 Application

[Open Meeting (Presentation and Question Sessions Only)]

A/NE-TKL/732 Proposed Temporary Industrial Use and Dangerous Goods Godown (Class 2.2 Dangerous Goods) for a Period of 5 Years in “Open Storage” Zone, Lot 93 (Part) in D.D. 83, Kwan Tei North, Fanling (RNTPC Paper No. A/NE-TKL/732A)

70. 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 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 Site, the Committee agreed that he could stay in the meeting.

Presentation and Question Sessions

71. 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.

72. Members had no question on the application.

Deliberation Session

73. After deliberation, the Committee decided to approve the application on a temporary basis for a period of 5 years until 10.11.2028, 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 11 and 12

Section 16A Applications

[Open Meeting (Presentation and Question Sessions Only)]

A/NE-TK/743-4 Proposed Extension of Time for Compliance with Planning Conditions (a), (b), (c) and (d) for the approved temporary shop and services (store) for a period of 3 years in “Agriculture” Zone, Lot 137 in D.D. 17, Ting Kok, Tai Po
(RNTPC Paper No. A/NE-TK/743-4)

A/NE-TK/744-4 Proposed Extension of Time for Compliance with Planning Conditions (a), (b), (c) and (d) for the approved temporary place of recreation, sports or culture (picnic area) and shop and services (store) for a period of 3 years in “Agriculture” Zone, Lot 698 in D.D. 29, Ting Kok, Tai Po
(RNTPC Paper No. A/NE-TK/744-4)

74. The Committee agreed that as the two applications for extension of time for compliance with planning conditions were similar in nature, they could be considered together

Presentation and Question Sessions

75. With the aid of some plans, Mr Jeffrey P.K. Wong, STP/STN, briefed Members on the background of the applications, the proposed extension of time for compliance with planning conditions, departmental comments, and the planning considerations and assessments as detailed in the Papers. The Planning Department did not support the applications.

76. Members had no question on the applications.

Deliberation Session

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

- “(a) the applicant fails to provide strong justifications for further extension of the time limit for compliance with approval conditions (a), (b), (c) and (d) ; and
- (b) the applicant has not demonstrated that reasonable actions have been taken to comply with all the approval conditions within the prescribed time limit.”

Agenda Item 13

Section 16 Application

[Open Meeting (Presentation and Question Sessions Only)]

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 (RNTPC Paper No. A/NE-TK/772B)

Presentation and Question Sessions

78. With the aid of some plans, Ms Aileen K.Y. Cheng, TP/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 (PlanD) had no objection to the application.

79. Noting that the application site (the Site) was extensively vegetated and most trees on the Site would be felled for the proposed use, a Member asked how such loss of greenery could be compensated and the prospect of reinstating the Site upon expiry of the planning permission.

80. In response, Mr Jeffrey P.K. Wong, STP/STN, made the following points:

- (a) the Site fell within an area zoned “Open Space” (“O”), which was a development zone, and the planning intention of this zone was primarily for

the provision of outdoor open-air public space for active and/or passive recreational uses serving the needs of local residents as well as the general public. Situated to the south of Ting Kok Road, the Site was close to Tai Po Lung Mei Beach, but far away from the conservation zones, namely “Site of Specific Science Interest” and “Coastal Protection Area”, to the further southwest;

- (b) according to the tree survey submitted by the applicant, a total of 61 trees of common species on the Site would unavoidably be affected by the proposed development, with 59 proposed to be felled and two to be retained. Many of the trees recorded were *Leucaena leucocephala* (銀合歡) which was an invasive species. To compensate for the loss of existing trees, 22 new trees (*Bauhinia blakeana*) (洋紫荊) and ground covers would be provided within the designated landscaped area of the Site. The Chief Town Planner/Urban Design and Landscape of PlanD had no adverse comment on the application from landscape planning perspective, having considered the proposed landscape mitigation measures; and
- (c) given that the Site was a development zone, no approval condition requiring the reinstatement of the Site upon expiry of the planning permission was proposed should the application be approved. As the Leisure and Culture Services Department (LCSD) had no plan to develop the Site into a public open space at present, the proposed use on a temporary basis of five years would not jeopardise the long-term planning intention of the “O” zone. The Site could still be developed into a public open space when LCSD decided so in future.

81. In response to a Member’s enquiry on whether there was restriction on tree felling within the “O” zone, albeit not being a conservation zoning, Mr Jeffrey P.K. Wong, STP/STN, said that while there was no such restriction from statutory planning perspective, the applicant would need to seek prior approval for any tree felling from the relevant government departments including Lands Department.

82. Considering that the area to the north of Ting Kok Road was already concentrated

with commercial activities while the area to the south of Ting Kok Road closer to Lung Mei Beach, where the Site was situated, was characterised with a more tranquil and green setting, a Member asked if there was any planning vision for the area and whether approval of the application would set an undesirable precedent for similar developments in the “O” zone. In response, Mr Jeffrey P.K. Wong, STP/STN, with the aid of a plan, said that the Site was located within an open space strip to the south of Ting Kok Road, extending from Tai Mei Tuk and Lung Mei Beach to the east and Ting Kok east seashore to the west, for provision of public open space and recreation space. To the immediate west of the Site was a site mainly zoned “Agriculture” (“AGR”) with planning approval for a temporary hobby farm with ancillary facilities and eating place, which was yet to be implemented.

Deliberation Session

83. Two Members raised concerns on the subject application and opined that a lot of eating places were currently located to the north of Ting Kok Road opposite to Lung Mei Beach, and the tranquil and green setting of the area to the south of Ting Kok Road should be preserved. Despite the site to the immediate west of the Site mainly within the “AGR” zone being approved for a temporary hobby farm, such use was considered more compatible with the surrounding green environment. The proposed use at the Site deviated from the planning intention of the “O” zone and approval of the application would set an undesirable precedent for similar developments within the “O” zone, the cumulative effect of which would lead to proliferation of developments in the area to the south of Ting Kok Road, and hence, deterioration of the tranquil and green setting thereof. The Chairman noted Members’ concerns and concurred that developments should be concentrated in the area to the north of Ting Kok Road, and approval of the application might give rise to proliferation of developments in the area to the south of Ting Kok Road, which was not desirable in view of the tranquil and green setting thereof. Such planning consideration should be reflected in the rejection reason.

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

- (a) “the “Open Space” (“O”) zone is intended primarily for the provision of outdoor open-air public space for active and/or passive recreational uses serving

the needs of local residents as well as the general public. There is no strong planning justification in the current submission for a departure from the planning intention, even on a temporary basis; and

(b) approval of the application would set an undesirable precedent for other similar applications within the “O” zone. The cumulative effect of approving such similar applications would result in proliferation of developments in the area to the south of Ting Kok Road leading to deterioration of the tranquil and green setting thereof.”

[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

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

Agenda Item 19

Section 16 Application

[Open Meeting (Presentation and Question Sessions Only)]

A/YL-KTS/972 Proposed Temporary Shop and Services, Eating Place, Place of Recreation, Sports or Culture and Public Vehicle Park (excluding Container Vehicle) with Ancillary Facilities for a Period of 5 Years in “Residential (Group C)” Zone, Lots 341, 342, 343, 344 (Part) and 350 (Part) in D.D. 109, Kam Sheung Road, Kam Tin, Yuen Long (RNTPC Paper No. A/YL-KTS/972A)

Presentation and Question Sessions

85. 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.

86. Members had no question on the application.

Deliberation Session

87. After deliberation, the Committee decided to approve the application on a temporary basis for a period of 5 years until 10.11.2028, 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.

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

Tuen Mun and Yuen Long West District

[Mr Raymond H.F. Au, District Planning Officer/Tuen Mun and Yuen Long West (DPO/TMYLW), and Mr Max Y.L. Wong, Town Planner/Tuen Mun and Yuen Long West (TP/TMYLW), were invited to the meeting at this point.]

Agenda Item 29

Section 16 Application

[Open Meeting (Presentation and Question Sessions Only)]

A/YL-TYST/1234 Proposed Temporary Warehouse and Open Storage of Construction Materials for a Period of 3 Years in “Residential (Group D)” Zone, Lot 551 (Part) in D.D. 121, Tong Yan San Tsuen, Yuen Long
(RNTPC Paper No. A/YL-TYST/1234)

Presentation and Question Sessions

88. With the aid of some plans, Mr Max Y.L. Wong, TP/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) considered that the proposed temporary use could be tolerated for a period of three years.

89. Members had no question on the application.

Deliberation Session

90. After deliberation, the Committee decided to approve the application on a temporary basis for a period of 3 years until 10.11.2026, 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 30

Any Other Business

[Open Meeting]

91. In response to a Member's enquiry related to the Planning Department (PlanD)'s presentation of information on similar applications for animal boarding establishment in RNTPC papers as raised by a representer at the Town Planning Board (the Board) meeting on 3.11.2023, the Chairman said that PlanD was investigating the matter and would report to the Board in due course.

92. There being no other business, the meeting was closed at 5.45 p.m..

**Minutes of 730th Rural and New Town Planning Committee
(held on 10.11.2023)**

Deferral Cases

(a) Request for Deferment by Applicant for Two Months

Item No.	Application No.*	Times of Deferment
5	Y/YL-NTM/6	1 st
14	A/NE-TK/778	2 nd [^]
17	A/NE-KTS/532	1 st
22	A/YL-NSW/317	2 nd [^]
Note: [^] <i>The 2nd Deferment is the last deferment and no further deferment will be granted unless under special circumstances and supported with strong justifications.</i>		

(b) Request for Deferment by Applicant for One Month

Item No.	Application No.*	Times of Deferment
23	A/YL-SK/349	2 nd [^]
Note: [^] <i>The 2nd Deferment is the last deferment and no further deferment will be granted unless under special circumstances and supported with strong justifications.</i>		

**Refer to the agenda at https://www.tpb.gov.hk/en/meetings/RNTPC/Agenda/730_rnt_agenda.html for details of the planning applications.*

**Minutes of 730th Rural and New Town Planning Committee
(held on 10.11.2023)**

Renewal Cases

Applications for renewal of temporary approval for 3 years

Item No.	Application No.	Renewal Application	Renewal Period
25	A/HSK/488	Temporary Dangerous Goods Godown (Cat. 3 Dangerous Goods) in “Government, Institution or Community” Zone, Lots 856 RP, 857 RP, 858 RP, 859 RP and 860 RP in D.D.124 and Lots 238, 239 and 367 in D.D. 127, Hung Tin Road, Ping Shan, Yuen Long	27.1.2024 – 26.1.2027
27	A/YL-TT/614	Temporary Forklift Training Centre with Ancillary Facilities in “Agriculture” Zone, Lots 2269 S.B ss.1 (Part), 2270 S.A (Part), 2270 S.B (Part), 2271 (Part), 2272 and 2273 (Part) in D.D. 118 and Adjoining Government Land, Sung Shan New Village, Tai Tong, Yuen Long	13.12.2023 – 12.12.2026

**Minutes of 730th Rural and New Town Planning Committee
(held on 10.11.2023)**

Cases for Streamlining Arrangement

(a) Applications approved on a temporary basis for a period of 3 years until 10.11.2026

Item No.	Application No.	Planning Application
18	A/YL-KTN/959	Proposed Temporary Warehouse (excluding Dangerous Goods Godown) with Ancillary Office and Open Storage and Filling of Land in “Agriculture” Zone, Lots 1367 RP, 1368 S.A, 1368 RP, 1372 S.A, 1372 RP, 1376 S.A, 1376 S.B, 1376 S.C and 1376 S.D in D.D. 109, Yuen Long
21	A/YL-PH/972	Temporary Shop and Services (Sales of Motor-vehicle and Showroom) and Filling of Land in “Agriculture” Zone, Lot 303 (Part) in D.D. 110, Pat Heung, Yuen Long
24	A/YL-SK/351	Temporary Shop and Services in “Village Type Development” Zone, Lot 1370 RP (Part) in D.D. 112, Shui Tsan Tin, Shek Kong, Yuen Long
26	A/YL-LFS/492	Temporary Eating Place in “Recreation” Zone, Lots 2098, 2099, 2100 (Part), 2101 S.A (Part), 2101 S.B (Part) and 2116 (Part) in D.D. 129, Lau Fau Shan, Yuen Long
28	A/YL-TYST/1225	Proposed Temporary Private Vehicle Park (Private Cars) in “Village Type Development” Zone, Lot 249 RP (Part) in D.D. 121, Tai Tao Tsuen, Yuen Long

(b) Applications approved on a temporary basis for a period of 5 years until 10.11.2028

Item No.	Application No.	Planning Application
15	A/NE-KLH/630	Proposed Temporary Shop and Services with Ancillary Facilities in “Open Storage” Zone, Lot 626 RP in D.D. 9, Nam Wa Po, Tai Po
16	A/ST/1019	Shop and Services (Fast Food Shop) in “Industrial Zone”, Unit C3, G/F, Block 1, Kin Ho Industrial Building, 14-24 Au Pui Wan Street, Fo Tan, Sha Tin
20	A/YL-PH/956	Proposed Temporary Recyclable Materials Recycling Centre (Waste Metalware, Plastic and Plastic Bottle) with Ancillary Office and Filling of Land in “Residential (Group D)” Zone, Lots 91 (Part), 98, 99, 100 and 101 in D.D. 108, Pat Heung, Yuen Long

Declaration of Interest

The Secretary reported the following declaration of interests:

Item No.	Members' Declared Interests	
16	The application site was located in Fo Tan, Sha Tin.	<ul style="list-style-type: none"> - Professor John C.Y. Ng for owning a property in Sha Tin - Mr Vincent K.Y. Ho for co-owning with spouse a property in Sha Tin - Ms Carrie K.Y. Leung for owning a property in Sha Tin

The Committee noted that Mr Vincent K.Y. Ho had tendered an apology for being unable to attend the meeting. As the properties owned by Professor John C.Y. Ng and Ms Carrie K.Y. Leung had no direct view of the application site, the Committee agreed that they could stay in the meeting.