

TOWN PLANNING BOARD

Minutes of 731st Meeting of the Rural and New Town Planning Committee held at 2:30 p.m. on 24.11.2023

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

Professor John C.Y. Ng

Dr Venus Y.H. Lun

Dr Conrad T.C. Wong

Mrs Vivian K.F. Cheung

Mr Vincent K.Y. Ho

Mr K.L. Wong

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

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

Principal Environmental Protection Officer (Territory North),
Environmental Protection Department
Dr Tom T.H. Tam

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

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

Secretary

Absent with Apologies

Mr K.W. Leung

In Attendance

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

Town Planner/Town Planning Board
Mr Brian C.L. Chau

Agenda Item 1

Confirmation of the Draft Minutes of the 730th RNTPC Meeting held on 10.11.2023

[Open Meeting]

1. The draft minutes of the 730th RNTPC meeting held on 10.11.2023 were confirmed without amendments.

Agenda Item 2

Matter Arising

[Open Meeting]

2. The Secretary reported that with the promulgation of the Town Planning Board Guidelines No. 13G for ‘Application for Open Storage and Port Back-up Uses’ (Revised Guidelines) in April 2023, some sites were re-classified from Category 3 or 4 to Category 2 (re-classified sites).

3. On 19.5.2023, the Committee agreed that for cases for temporary open storage and port back-up uses that were to be considered in one group under the streamlining arrangement, should the applications involve re-classified sites under the Revised Guidelines, the Planning Department (PlanD)’s representatives would make presentations at the meeting as an interim arrangement for around six months.

4. The interim arrangement had now been implemented for six months. During that period, five applications (out of the 33 applications for temporary open storage and port back-up uses considered under streamlining arrangement) involving re-classified sites were considered by the Committee. Members had no question on all those applications after the presentations by PlanD’s representatives and all the applications were approved.

5. Noting the above, the Committee agreed that there was no need to continue the interim arrangement with immediate effect.

Deferral Cases

Sections 12A and 16 Applications

[Open Meeting (Presentation and Question Sessions only)]

Presentation and Question Sessions

6. The Secretary reported that there were 12 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

7. 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

8. The Secretary reported that there were two cases for renewal of temporary planning approval and the Planning Department had no objection to the application or considered that the temporary use could be tolerated for the further periods as applied for. Details of those planning applications were in **Annex 2**.

Deliberation Session

9. 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 Paper. 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

10. The Committee noted that there were 10 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 were in **Annex 3**.

Deliberation Session

11. 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]

Y/NE-LYT/16 Application for Amendment to the Approved Lung Yeuk Tau & Kwan Tei South Outline Zoning Plan No. S/NE-LYT/19, To rezone the application site from “Residential (Group C)” and “Agriculture” to “Residential (Group A) 2” and amend the Notes of the zone applicable to the site, Various Lots in D.D. 83 and Adjoining Government Land, Lung Yeuk Tau, Fanling

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

Tuen Mun and Yuen Long West District

Agenda Item 5

Section 12A Application

[Open Meeting (Presentation and Question Sessions Only)]

Y/TM/30 Application for Amendment to the Draft Tuen Mun Outline Zoning Plan No. S/TM/38, To rezone the application site from “Green Belt” and an area shown as ‘Road’ to “Residential (Group A) 29”, No. 430 Castle Peak Road - Castle Peak Bay, Tuen Mun (Ping Shan Inland Lot 6)

(RNTPC Paper No. Y/TM/30)

Presentation and Question Sessions

13. The following representatives from the Planning Department (PlanD) and the

applicant's representatives were invited to the meeting at this point:

PlanD

- | | |
|----------------------|--|
| Mr Raymond H.F. Au | - District Planning Officer/ Tuen Mun and Yuen Long West (DPO/TMYLW) |
| Ms Janet K.K. Cheung | - Senior Town Planner/ Tuen Mun and Yuen Long West (STP/TMYLW) |
| Mr Chris S.M. Leung | - Town Planner/ Tuen Mun and Yuen Long West |

Applicant's Representatives

Deltum Company Ltd.

Mr Cheung Chi Wai

Arup Hong Kong Ltd.

Ms Theresa Yeung

Mr Wai Lam Lee

Mr Steven Ma

Ms Constance Hung

Ms Carmen Chu

Ramboll Hong Kong Ltd.

Mr Calvin Chiu

WSP Asia Ltd.

Ms Cleo Yip

Mr Roy Cheung

Archiplus International Ltd.

Mr Anthony Law

CM Wong & Associates Ltd.

Mr Lennon Chan

URBIS Ltd.

Mr Tim Osborne

14. 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.

15. With the aid of a PowerPoint presentation, Ms Janet K.K. Cheung, STP/TMYLW, briefed Members on the background of the application, the proposed rezoning of the application site (the Site) from "Green Belt" ("GB") and area shown as 'Road' to "Residential (Group A) 29" ("R(A)29"), departmental and public comments, and the planning considerations and assessments as detailed in the Paper. PlanD had no in-principle objection to the application.

[Mrs Vivian K.F. Cheung joined the meeting at this point.]

16. The Chairman then invited the applicant's representatives to elaborate on the application. With the aid of a PowerPoint presentation, Mr Wai Lam Lee, the applicant's representative, made the following main points:

- (i) the Site was currently formed, vacant and ready for development;
- (ii) the Site was situated near the Tuen Mun Town Centre. To the north were three housing lots and the one located furthest north was recently rezoned to "R(A)27" for residential development to reflect the Board's decision on application No. Y/TM/20;
- (iii) the Site had building entitlement and there was a house thereat in 1964. Under the lease, residential development was always permitted with a building height (BH) restriction of about 10.668m/3 storeys which was equivalent to a plot ratio (PR) of 2;

- (iv) the Board had approved a s.16 application No. A/TM/417 for development of a 3-storey house with a PR of 0.4 at the Site in November 2011 and general building plans were approved for that house proposal;
- (v) the proposed development was in line with the Government's policy to increase housing supply by making use of readily available formed land. As compared to the single house development, the proposed development under the indicative scheme would provide 224 flats which would allow better use of the Site;
- (vi) reference had been made to the BH profile and development densities of similar residential developments in Tuen Mun New Town in formulating the layout and key development parameters of the indicative scheme. The proposed 100mPD was in line with the general BH profile of the surroundings. The proposed domestic and non-domestic PRs of the development were 5.892 and 0.171 respectively. The non-domestic PR was to accommodate the social welfare facility;
- (vii) the applicant had liaised with the Social Welfare Department (SWD) to identify the suitable type of social welfare facilities to be provided and a School Social Work Unit with a net operational floor area (NOFA) of about 143m² (or an equivalent gross floor area (GFA) of about 314.6m²) providing youth services was proposed to cater for the needs of the local community. The requirement for the provision of the said Government, institution and community (GIC) facilities was proposed to be stipulated in the Notes;
- (viii) technical assessments had been undertaken, demonstrating that the indicative scheme was technically feasible and relevant bureaux/departments had no adverse comments on the application; and
- (ix) the Site was proposed to be rezoned to "R(A)29" with the same PR and

BH as the nearby “R(A)27” zone. The development intensity was considered in line with the general profile of the development cluster in Tuen Mun New Town located to the west of Castle Peak Road.

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

Developments within the “GB” zone

18. Two Members raised the following questions:

- (i) noting that the area to the east of Castle Peak Road was mainly zoned “GB” and was mostly covered with vegetation, whether the greening area along the east side of Castle Peak Road would be further reduced; and
- (ii) responses to the public comments raising concern on the visual impacts of the proposed development, including to hikers.

19. In response, Mr Raymond H.F. Au, DPO/TMYLW, with the aid of some Powerpoint slides, made the following main points:

- (i) the known developments along the eastern side of Castle Peak Road included that in the “R(A)27” zone located further north of the Site and the public housing developments in Tuen Hing Road and Hin Fat Lane further south;
- (ii) there was no intention to rezone the entire “GB” zone to the east of Castle Peak Road for development. Apart from the area located to the immediate north of the Site which had previous planning permissions for residential use, the remaining “GB” areas were unlikely to be suitable for developments due to the sloping terrain;
- (iii) there was a 17m-wide setback of the Site from the road kerb of

Castle Peak Road which would provide visual relief and buffer from the neighbouring highway;

- (iv) a Visual Impact Assessment (VIA) was conducted by the applicant to assess the visual impact of the proposed development from nine public viewing points (VPs). The VIA concluded that the visual impact of five out of the nine VPs was negligible while that for the remaining four would be slightly adverse; and
- (v) the BH profile of the indicative scheme was similar to the BHs in the surrounding areas, and with the implementation of mitigation measures, including green features and setback, no significant adverse visual impact was anticipated.

Landscape proposal

20. Some Members raised the following questions:

- (i) the compensation arrangement of the *Leucaena leucocephala* (銀合歡). In that regard, it was understood that while *Leucaena leucocephala* could be felled, it would still need to be compensated;
- (ii) whether enhancement of biodiversity under the Biodiversity Strategy and Action Plan (BSAP) had been taken into account, and could be enhanced in the landscape proposal as the Site was close to “GB” areas;
- (iii) whether any studies on the neighbouring habitats had been undertaken by the applicant and how to demonstrate that the landscape proposal was sympathetic to such habitats; and
- (iv) noting that only lines of individual trees were proposed in the indicative scheme, the possibility to incorporate groups of trees on the Site despite its small footprint.

21. Regarding the issue on tree compensation, Mr Raymond H.F. Au, DPO/TMYLW, said that according to the applicant, the proposed tree compensation arrangement was based on the guidance notes on tree preservation and removal proposals issued by the Lands Department, and undesirable species, such as *Leucaena leucocephala*, characterised by its invasive growing habits might not need to be compensated in accordance with the guidance notes.

22. Regarding the issue on landscape proposal and biodiversity, Mr Tim Osborne, the applicant's representative, with the aid of some Powerpoint slides, made the following main points:

- (i) efforts had been made to include over 50% of trees and shrubs of native species in the indicative plant palette. While the landscape proposal was only indicative and would be subject to detailed design, it was the applicant's intention to provide a landscape design sympathetic to the "GB" setting. In that regard, an organic layout, instead of a geometric form originally considered, was adopted;
- (ii) to maximise the overall greening, different layers of shrub, vertical greening and green roof were proposed, in addition to the compensatory trees. A range of plant species (12 tree and 12 shrub species) of different attributes and landscaping layers were incorporated with an intention to creating habitats for a wide range of flora and fauna while at the same time creating interests for the future residents;
- (iii) the general approach to enhance biodiversity would be to maximise the greening on the Site. In that regard, no less than 20% greening coverage would be provided under the indicative scheme;
- (iv) while the applicant had not undertaken an ecological assessment, the species proposed in the indicative landscape proposal provided an enhanced ecological effect as the native species would promote local wildlife and integrate better with the existing vegetation in the

neighbouring “GB” zone; and

- (v) the indicative design with lines of trees located at the periphery of the Site was formulated with an aim to better integrate the development with the surrounding “GB” zone and some groups of trees were proposed at the podium level. Nonetheless, the possibility to further group up the trees could be explored at the detailed design stage.

23. A Member said that the information on the landscape proposal provided in the applicant’s submission and that shown in the Powerpoint seemed to be different, and enquired on the basis for the Committee to make a decision. In response, the Chairman stated that both the applicant’s submission and the material presented at the meeting should be taken into account when the Committee considered the application.

24. The Chairman enquired whether the proposed 20% green coverage could be further enhanced. Mr Tim Osborne, the applicant’s representative, supplemented that while the green coverage could be further enhanced at the detailed design stage, the design needed to balance between providing more greenery and allowing an accessible open space for the future residents.

Proposed social welfare facility

25. On the provision of social welfare facility, some Members raised the following questions:

- (i) the rationale for incorporation of the particular social welfare facility (i.e. a School Social Work Unit) given that other forms of social welfare facilities might also be in high demand;
- (ii) the basis for the conversion factor of NOFA to GFA that appeared to be on the high side;
- (iii) whether the facility could be easily accessible to the future users of the facility in view that it was located within the proposed

residential development via a narrow pedestrian footpath; and

- (iv) whether the trees along the pedestrian footpath would adversely affect the pedestrian flow and accessibility for future users of the social welfare facility.

26. In response, Ms Theresa Yeung and Ms Carmen Chu, the applicant's representatives, with the aid of a Powerpoint slide, made the following main points:

- (i) the applicant had been in close liaison with SWD since last year to agree on the type of social welfare facility to be provided at the Site. SWD suggested a School Social Work Unit with specific requirements on the NOFA, and the applicant undertook to construct such premises and hand it over to SWD;
- (ii) the NOFA excluded any circulation area and only reflected the usable floor area. Generally speaking, SWD adopted a conversion factor within the range of 2 to 2.2, and their adopted conversion factor for the proposed social welfare facility was agreeable to SWD;
- (iii) the proposed access road would not be gated and the future users of the social welfare facility could gain access by using a designated entrance lobby separated from that used by residents; and
- (iv) indicative designs for both the road and pedestrian footpath were based on the latest government standards (7.3m-wide with pedestrian pavements on both sides). Subject to detailed design, the proposed tree grid on the footpaths could be designed in such a way that it would minimise obstruction to the pedestrian flow.

Others

27. The Vice-chairman and a Member raised the following questions:

- (i) whether the owner of the land parcels situated between the “R(A)27” zone and the Site had submitted any planning application;
- (ii) details for the proposed access road that was outside the Site;
- (iii) what would be done to minimise the amount of cut and fill slope works in order to reduce the burden on public fill; and
- (iv) in view of the proposed increase in development intensity of the Site and that more residential developments would be constructed in the eastern side of Castle Peak Road, what the pedestrian and transport connections between the Site and the major facilities in Tuen Mun New Town across Castle Peak Road were.

28. In response, Mr Raymond H.F. Au, DPO/TMYLW, with the aid of some Powerpoint slides, made the following main points:

- (i) a s.16 planning application was previously approved for the area covering the “R(A)27” zone, the Site and the land parcels in between with a proposed residential development at a PR of 0.4, and so far no rezoning application for higher intensity development was received;
- (ii) there was currently an existing sub-standard road located on government land leading from the Site to Castle Peak Road. The applicant proposed to widen the access road to serve the future development on the Site; and
- (iii) there were existing at-grade pedestrian crossings along Castle Peak Road – Castle Peak Bay nearby. It was observed during recent site visits that the waiting time for the pedestrians to cross the road was not too long and the traffic flow was not very high. Hence, the existing pedestrian crossing facilities were considered sufficient to cater for the foreseeable increase in population.

29. Mr Lennon Chan, the applicant's representative, explained that cut and fill works would mainly be due to construction of the basement carpark where excavation would be unavoidable. The estimated amount of excavated material would be about 21,500m³. Nonetheless, to minimise the depth and extend of excavation, the applicant had fine-tuned the design of the access road and there would be no open cut. As the Site mainly involved normal soil and granite, the excavated material could be reused for other public works or construction in the surrounding areas.

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

Deliberation Session

31. The Chairman recapitulated that the applicant proposed to rezone the Site from "GB" to "R(A)29" for high density residential development. The Site was held under a lease with building entitlement for a house. As outlined in the Paper, the character of the neighbouring areas had been changing with a site located to its north recently rezoned to "R(A)27" and the proposed development intensity of development was considered to be compatible with those in the area to the west of the Castle Peak Road. Regarding the concern on precedent effect for further rezoning of the "GB" zone, the area to the south of the Site was mainly government land with sloping terrain that had limited potential for further development.

32. Members generally had no objection to the proposed development in view that the Site was located at the fringe of the "GB" zone with changing character of the neighbouring areas which were predominantly high-rise residential developments. Some Members, however, raised the following concerns:

- (i) the ecological impact of the proposed development given its location in the "GB" zone and no ecological assessment had been undertaken;

- (ii) more compensatory planting should be proposed and the landscaping proposal should be sympathetic to the neighboring habitat in the “GB” zone and should adhere to the requirements of BSAP;
- (iii) should consider off-site compensatory planting arrangement to compensate for the tree loss;
- (iv) biophilic design could be adopted to enhance the environmental capacity of the development; and
- (v) the applicant should consider at the detailed design to further minimise cut and fill works to reduce the burden to public fill.

33. A Member enquired about the arrangement for the proposed access road which was located on government land and whether such area would be granted to the applicant. In response, the Chairman remarked that one option was for the area to be rezoned as part of the “R(A)29” zone or the access requirement could be dealt with under the lease, as appropriate.

34. The Chairman remarked that the Committee generally agreed that the proposed rezoning of the Site for high density residential development was acceptable. Regarding the concerns on landscape design, the applicant would need to comply with the latest requirements that would be stipulated in the landscape clause of the lease. In addition, Members’ comments as highlighted in paragraph 32 above were recorded for applicant’s consideration at detailed design, as appropriate. The Chairman said that should the Committee agree to the rezoning application, amendments to the OZP would be submitted to the Committee for consideration prior to gazetting under section 5 of the Town Planning Ordinance. The Secretary supplemented that relevant landscaping requirements could be included in the Explanatory Statement (ES) of the Outline Zoning Plan (OZP) at the plan making stage.

35. After deliberation, the Committee decided to agree to the application, the relevant proposed amendments to the OZP, together with revised Notes and ES, would be submitted

to the Committee for consideration prior to gazetting under section 5 of the Town Planning Ordinance upon reference back of the OZP.

Sai Kung and Islands District

[Ms Tammy S.N. Kong and Mr Kenneth C.K. Yeung, Senior Town Planners/Sai Kung and Islands (STPs/SKIs), and Ms Vicky L.K. Ma, Town Planner/Sai Kung and Islands, were invited to the meeting at this point.]

Agenda Item 7

Section 16 Application

[Open Meeting (Presentation and Question Sessions only)]

A/SK-PK/290 Proposed House and Minor Relaxation of Plot Ratio Restriction in
 “Residential (Group D)” Zone, Lots 179 and 180 S.A in D.D. 215 and
 Adjoining Government Land, Yau Ma Po, Sai Kung
 (RNTPC Paper No. A/SK-PK/290)

Presentation and Question Sessions

36. 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 had no objection to the application.

37. Members had no question on the application.

Deliberation Session

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 24.11.2027, 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/SLC/178 Temporary Holiday Camp (Caravan Holiday Camp) and Place of Recreation, Sports or Culture (Barbecue Site) with Ancillary Facilities for a Period of 3 Years and Associated Filling and Excavation of Land in “Coastal Protection Area” Zone, Lots 62 (Part), 63, 64, 65, 66 S.B, 66 RP and 67 in D.D. 331L and Adjoining Government Land, Cheung Sha, Lantau Island

(RNTPC Paper No. A/SLC/178A)

Presentation and Question Sessions

39. With the aid of some plans, Mr Kenneth C.K. Yeung, STP/SKIs, 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 (PlanD) considered that the temporary use could be tolerated for a period of three years.

40. Noting that the applied uses had already been in operation, a Member enquired since when the application site (the Site) had been used for such activity and whether there were previous damages to vegetations on the Site. With the aid of some aerial photos, Mr Kenneth C.K. Yeung, STP/SKIs, said that the Site seemed to be used for cultivation purpose in the 1980s and a suspected holiday camp use was observed in the period between 2009 and 2013 without planning permission.

41. The same Member enquired whether enforcement actions had been undertaken and how to ensure that the approval of the subject application would not set an undesirable precedent for simliar applications. Mr Kenneth C.K. Yeung, STP/SKIs, explained that since the Site had not been covered by any Development Permission Area (DPA) plans before, the

Planning Authority previously had no enforcement power against unauthorised developments and the Site had not been subject to planning enforcement action. Nonetheless, the Site was within the 'Regulated Area' for South Lantau designated by the Secretary for Development under the amended Town Planning Ordinance in September 2023 and enforcement action could be undertaken in the future, should there be material change in the use of the Site that did not conform with the provisions of the Outline Zoning Plan (OZP). Mr Yeung supplemented that there were three relevant approved similar applications for holiday camp and/or ancillary uses on areas zoned "Coastal Protection Area" ("CPA") of the OZP. The applications were approved after taking into account various factors including their locations as well as whether there were any insurmountable technical issues. Future applications would continue to be considered on individual merits having regard to site conditions and other relevant planning considerations.

42. Some Members enquired about the existing drainage, fire services and access arrangements of the holiday camp and the licensing requirements for such use. In response, Mr Kenneth C.K. Yeung, STP/SKIs, said that:

- (i) half of the Site was unpaved with natural slope and according to the applicant, no flooding, landslide and land subsidence had occurred at the Site during the previous extreme weather incidents;
- (ii) the applicant proposed to use four septic tanks for temporary storage of sewage, and licenced collectors would be employed to collect and dispose of the sewage generated on the Site regularly. Such arrangement was considered acceptable by the Director of Environmental Protection;
- (iii) regarding fire service installations, there would be specific requirements if licence was applied for under the Hotel and Guesthouse Accommodation Ordinance (Cap. 349). Relevant approval conditions including those on fire safety aspect were recommended to be imposed should the application be approved; and
- (iv) the Site could be accessed from South Lantau Road through a local

footpath, which could allow access for small to medium sized vehicles including emergency vehicles. Two private car parking spaces were proposed at the Site for staff use only.

43. Given the close proximity of the Site to Upper Cheung Sha Beach, some Members enquired whether there would be any environmental impacts on the surrounding environment, whether any form of assessments had been undertaken and whether there were complaints on the operation. In response, Mr Kenneth C.K. Yeung, STP/SKIs, stated that while there was no environmental impact assessment undertaken, the Director of Agriculture, Fisheries and Conservation considered that the Site had limited ecological value and no complaint had been received so far.

Deliberation Session

44. The Chairman recapitulated that the Planning Authority had no enforcement power on the Site in the past as it was not previously covered by a DPA plan. For the purpose of protecting the area from environmental degradation, the amended Town Planning Ordinance introduced the provisions for designation of ‘Regulated Area’ within which the Planning Authority could take enforcement actions should there be unauthorised development after the material date (i.e. 9.12.2022). In that regard, the caravan holiday camp was in existence before the material date. Regarding the overarching principle of “Development in the North; Conservation for the South” which was embraced under the Sustainable Lantau Blueprint (the Blueprint), Sustainable Lantau Office (SLO)’s comments in paragraph 9.1.2 of the Paper were that the application was considered to be in line with the initiatives set out in the Blueprint in which low-impact leisure and recreational uses would be developed in South Lantau for public enjoyment, where appropriate. Regarding the concerns on drainage and sewerage impacts, relevant government departments had no comment in those regards and the use might be subject to licensing control under the Hotel and Guesthouse Accommodation Ordinance (Cap. 349).

45. Members acknowledged the need of such recreational use and agreed that it should be regularised to allow proper control. In view that the Site was in operation before planning permission was obtained, Members indicated the importance to explain to the general public that “destroy first, build later” should not be allowed. The Chairman agreed

that publicity work to explain the new enforcement mechanism in ‘Regulated Area’ could be undertaken to better educate the general public.

46. Another Member said that the “CPA” zone might be considered for rezoning to more suitable zonings. In response, the Chairman said that the overall development strategy of the South Lantau area was subject to the study by SLO, and with the findings of that study, some areas might be considered for rezoning, as appropriate.

47. After deliberation, the Committee decided to approve the application on a temporary basis for a period of 3 years until 24.11.2026, 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.]

Sha Tin, Tai Po and North District

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

Agenda Item 9

Section 16 Application

[Open Meeting (Presentation and Question Sessions Only)]

A/MOS/128 Proposed Temporary Public Vehicle Park (excluding container vehicle)
for a Period of 7 Years in “Open Space” Zone, Government Land at Po
Tai Street, Ma On Shan
(RNTPC Paper No. A/MOS/128)

48. The Secretary reported that the application site was located in Ma On Shan and

was submitted by the Transport Department (TD). Mr K. L. Wong had declared interests on the item for owning a flat in Ma On Shan and being the representative of TD.

49. As the interests of Mr K.L. Wong were direct, the Committee agreed that he should be invited to leave the meeting temporarily for the item.

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

Presentation and Question Sessions

50. With the aid of some plans, Ms Hannah H.N. Yick, 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.

51. Members had no question on the application.

Deliberation Session

52. After deliberation, the Committee decided to approve the application on a temporary basis for a period of 7 years until 24.11.2030, on the terms of the application as submitted to the Town Planning Board. The Committee also agreed to advise the applicant to note the advisory clauses as set out in the appendix of the Paper.

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

Deliberation Session

57. A Member remarked that the design of the proposed development as shown in Drawing A-5c of the Paper was not very attractive in a rural setting. The Chairman suggested, and the Committee agreed, that an advisory clause would be incorporated to request the applicant to improve the greening of the development.

58. 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 24.11.2027, 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 and the following additional advisory clause.

“the greening of the pumping station should be improved so as to be more compatible with the rural setting, as appropriate.”

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

Agenda Items 13 and 14

Section 16 Applications

[Open Meeting (Presentation and Question Sessions Only)]

A/NE-LYT/810 Proposed House (New Territories Exempted House - Small House) in “Agriculture” Zone, Lot 1769 in D.D.76, Ma Mei Ha Leng Tsui, Fanling

A/NE-LYT/811 Proposed House (New Territories Exempted House - Small House) in “Agriculture” and “Village Type Development” Zones, Lot 1776 in D.D. 76, Ma Mei Ha Leng Tsui, Fanling
(RNTPC Paper No. A/NE-LYT/810 and 811)

59. The Committee noted that two s.16 applications each for a proposed house were similar in nature and the application sites were located in close proximity involving the same

“Agriculture” zone, and agreed that they could be considered together.

Presentation and Question Sessions

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

61. Members had no question on the applications.

Deliberation Session

62. Dr Tom T.H. Tam, Principal Environmental Protection Officer (Territory North), Environmental Protection Department said that the applicant of A/NE-LYT/811 should be advised to connect the sewerage discharge from the proposed house to the public sewer. The Chairman suggested, and the Committee agreed, that such advice would be incorporated in the advisory clause.

63. After deliberation, the Committee decided to approve the applications, on the terms of the application as submitted to the Town Planning Board. Each of the permissions should be valid until 25.8.2027, 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 and the following additional advisory clause for application No. A/NE-LYT/811.

“the sewerage discharge from the proposed house should be connected to the public sewer, if possible.”

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

Agenda Item 15

Section 16 Application

[Open Meeting (Presentation and Question Sessions Only)]

A/NE-MKT/32 Proposed Temporary Vehicle Repair Workshop with Ancillary Office
for a Period of 3 Years in “Agriculture” Zone, Lot 610 S.A RP in D.D.
90, Lin Ma Hang Road, Man Kam To
(RNTPC Paper No. A/NE-MKT/32)

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 (PlanD) did not support the application.

65. Members had no question on the application.

Deliberation Session

66. Members noted that the application site was once covered with vegetation but now paved with concrete with vegetation clearance as shown in the aerial photos and based on PlanD’s record, the case had been referred to the Planning Authority for possible follow up enforcement action.

67. 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 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 such planning intention, even on a temporary basis; and

- (b) the applicant fails to demonstrate in the submission that the proposed development would not generate adverse traffic impact on the surrounding areas.”

Agenda Item 17

Section 16 Application

[Open Meeting (Presentation and Question Sessions Only)]

A/NE-TKL/733 Temporary Open Storage of Hospital Beds Materials and Water-filled Barriers with Ancillary Office for a Period of 3 Years in “Agriculture” Zone, Lot 11 RP in D.D. 46, Sha Tau Kok Road - Ma Mei Ha, Ta Kwu Ling
(RNTPC Paper No. A/NE-TKL/733A)

Presentation and Question Sessions

68. With the aid of some plans, Mr Tim T.Y. Fung, STP/STN, briefed Members on the background of the application, the applied use, departmental and public comments, and the planning considerations and assessments as detailed in the Paper. The Planning Department (PlanD) did not support the application.

69. Members had no question on the application.

Deliberation Session

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

- “(a) the development is not in line with the planning intention of the “Agriculture” zone which is primarily to retain and safeguard good quality agricultural land/farm/fish ponds for agricultural purposes. It is 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 such planning intention, even on a temporary basis;

- (b) the development does not comply with Town Planning Board PG-No. 13G for “Application for Open Storage and Port Back-up Uses” in that no previous approval has been granted to the site and there are adverse departmental comments and local objections; and
- (c) the applicant fails to demonstrate in the submission that the development would not generate adverse traffic, drainage, landscape and environmental impacts on the surrounding areas.”

[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 Richard Y.L. Siu, Planning Coordinator/Fanling, Sheung Shui and Yuen Long East (PC/FSYLE), was invited to the meeting at this point.]

Agenda Item 25

Section 16 Application

[Open Meeting]

A/YL-MP/337 Proposed Utility Installation for Private Project (Electricity Transformer Room) and Excavation of Land in “Village Type Development” and “Residential (Group D)” Zones, Lots 3235 S.B and 3235 RP (Part) in D.D. 104 and Adjoining Government Land, Chuk Yuen Tsuen, Yuen Long

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

Agenda Item 28

Section 16 Application

[Open Meeting (Presentation and Question Sessions Only)]

A/YL-SK/346 Proposed Filling and Excavation of Land for Permitted Houses (New Territories Exempted Houses) in “Village Type Development” Zone, Lots 142 S.A, 142 RP and 143 S.B ss.1 in D.D. 112 and Adjoining Government Land, Shek Kong, Yuen Long
(RNTPC Paper No. A/YL-SK/346A)

Presentation and Question Sessions

72. With the aid of some Powerpoint slides, Mr Richard Y.L. Siu, PC/FSYLE, briefed Members on the background of the application, the proposed works, 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.

73. Members had no question on the application.

Deliberation Session

74. 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 24.11.2027, 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 permission was 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, Ms Carol K.L. Kan, Mr Eric C.Y. Chiu and Mr Alexander W.Y. Mak, Senior Town Planners/Tuen Mun and Yuen Long West (STPs/TMYLW), and Ms Carmen K.K. Cheung, Town Planner/Tuen Mun and Yuen Long West, were invited to the meeting at this point.]

Agenda Item 36

Section 16 Application

[Open Meeting (Presentation and Question Sessions Only)]

A/YL/312 Proposed Minor Relaxation of Gross Floor Area and Building Height Restrictions for Permitted Industrial Use, Public Vehicle Park (Excluding Container Vehicle) and Ancillary Facilities within Development Site in “Other Specified Uses” annotated “Industrial Estate” Zone, Yuen Long INNOPARK, Yuen Long
(RNTPC Paper No. A/YL/312)

75. The Secretary reported that the application was submitted by the Civil Engineering and Development Department (CEDD). Dr C.H. Hau had declared interests on the item for being a member of the Urban Forestry and Diversity Focus Group of CEDD on the study related to the Kau Yi Chau Artificial Islands; being an honorary professional adviser of CEDD on wetland conservation and biodiversity enhancement associated with the development of New Territories North; and conducting contract research projects with CEDD.

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

Presentation and Question Sessions

77. With the aid of a Powerpoint presentation, Ms Carol K.L. Kan, 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.

78. Members had no question on the application.

Deliberation Session

79. The Chairman remarked that the application was in line with the policy for the development of multi-storey building for industrial uses and consolidating brownfield operations. 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 24.11.2027, 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 38

Section 16 Application

[Open Meeting (Presentation and Question Sessions Only)]

A/YL-LFS/494 Proposed Temporary Place of Recreation, Sports or Culture (Hobby Farm) for a Period of 3 Years and Filling of Land in “Green Belt” Zone, Lots 626, 710 and 712 in D.D. 129 and Adjoining Government Land, Lau Fau Shan, Yuen Long
(RNTPC Paper No. A/YL-LFS/494)

Presentation and Question Sessions

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

81. Members had no question on the application.

Deliberation Session

82. Noting from the site photos in the Paper that all the vegetation on the application site was recently cleared, a Member remarked that a clear message needed to be conveyed to the public that such damaging acts were unacceptable. The Chairman supplemented that in order to allow Members to have a holistic overview of the site history, changes to the site conditions were included in the Paper.

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

- “(a) the proposed use and associated filling of land are not in line with the planning intention of the “Green Belt” zone, which is primarily for defining the limits of urban and sub-urban development areas by natural features and to contain urban sprawl, as well as to provide passive recreational outlets. There is a general presumption against development within this zone. There is no strong planning justification in the submission for a departure from the planning intention, even on a temporary basis; and
- (b) the proposed use and associated filling of land are not in line with the Town Planning Board Guidelines for ‘Application for Development within the Green Belt zone under Section 16 of the Town Planning Ordinance’ (TPB PG-No. 10) in that the proposed use and associated filling of land are considered not compatible with the surrounding environment, and the applicants fail to demonstrate that the proposed use and associated filling of land would not have adverse landscape impact on the surrounding areas.”

Agenda Item 39

Section 16 Application

[Open Meeting (Presentation and Question Sessions Only)]

A/YL-PS/698 Proposed Temporary Public Vehicle Park (Coaches) for a Period of 5 Years and Associated Filling of Land in “Recreation” Zone, Lots 56 RP, 57 RP (Part) and 58 RP (Part) in D.D. 126, Ping Shan, Yuen Long (RNTPC Paper No. A/YL-PS/698)

Presentation and Question Sessions

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

85. A Member enquired why the previous planning application for the same use was rejected in 2016. In response, Mr Alexander W.Y. Mak, STP/TMYLW, said that the area covered under the previous application was larger, there was an active planning enforcement case that had not been discontinued at that time, and it was considered that the cumulative effect of approving such applications would result in a general degradation of the environment. As compared to the previous case, the application area of the subject application was reduced with less parking space.

Deliberation Session

86. After deliberation, the Committee decided to approve the application on a temporary basis for a period of 5 years until 24.11.2028, 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 representatives for attending the meeting. They left the meeting at this point.]

Agenda Item 42

Any Other Business

87. Noting from the news that some wetland along the Shenzhen River were proposed to be developed as part of the San Tin Technopole, a Member enquired the role of wetland in contributing to environmental protection. In response, a Member remarked that wetland performed a variety of functions, including ecological functions of providing habitat for a vast amount of species such as migratory birds (e.g. black-faced spoonbill) and endangered species (e.g. Eurasian otter); contributing to economic development through different farming activities such as shrimp and fish farming; performing drainage function being a large storage of surface runoff that helped reduce flooding; as well as having visual and recreational functions. Preservation or development of wetland were trade-offs involving a difficult balancing exercise. The Chairman remarked that the OZP amendments to take forward the development of San Tin Technopole would be submitted to the Town Planning Board for consideration when ready.

88. A Member noted from the news that there was purported abuse of the planning system by repeated submission of similar planning applications for columbarium use on the same site in Tai Po despite previous rejections by the Town Planning Board, so as to retain the temporary suspension of liability (TSOL) under the Private Columbarium Ordinance (PCO) and prolonging the operation of the columbarium. The Secretary remarked that the news was related to the rezoning applications for columbarium use in Cheung Ha Ching Shea in Tai Po which were rejected by the Town Planning Board due to incompatibility with the surrounding village settlement. While there was no statutory provision under the Town Planning Ordinance to debar an applicant from submitting repeated planning applications, TSOL was only an interim arrangement with time limit and enforcement actions would be undertaken under the PCO should the TSOL lapse. There were more planning applications for columbarium use recently as the first round of TSOL was due to expire.

89. There being no other business, the meeting was closed at 5 p.m..

**Minutes of 731st Rural and New Town Planning Committee
(held on 24.11.2023)**

Deferral Cases

(a) Request for Deferment by Applicant for Two Months

Item No.	Application No.	Times of Deferment
4	Y/YL-ST/1	1 st
12	A/NE-HT/21	1 st
16	A/NE-TKL/727	2 nd [^]
19	A/NE-TK/781	2 nd [^]
20	A/NE-TK/785	1 st
24	A/YL-PH/974	1 st
27	A/YL-ST/652	2 nd [^]
30	A/HSK/465	2 nd [^]
31	A/HSK/471	2 nd [^]
34	A/HSK/490	1 st
35	A/TM-LTYY/463	1 st
41	A/YL-PS/700	1 st

Note:
[^] The 2nd Deferment is the last deferment and no further deferment will be granted unless under special circumstances and supported with strong justifications.

Declaration of Interests

The Secretary reported the following declaration of interests:

Item No.	Members' Declared Interests	
4	The application was submitted by Birkenhead Properties & Investments Limited which was a subsidiary of New World Development Co. Limited (NWD).	<ul style="list-style-type: none"> - 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 - Mr Vincent K.Y. Ho for being a member of the Advisory Committee of New World Build for Good, which was founded by NWD
27	The application was submitted by CLP Power Hong Kong Limited (CLP).	<ul style="list-style-type: none"> - Dr Conrad T.C. Wong for having current business dealings with CLP
35	The application was submitted by Gain Million Development Ltd. which was a subsidiary of Henderson Land Development Co. Limited (HLD).	<ul style="list-style-type: none"> - Dr C.H. Hau for being an employee of the University of Hong Kong which had received donation from a family member of the Chairman of HLD before, and having past business dealings with HLD - Mr Stephen L.H. Liu for being a former member of the Council of the Hong Kong Polytechnic University which had obtained sponsorship from HLD before - Mr Vincent K.Y. Ho for having current business dealings with HLD

As the interests of Dr Conrad T.C. Wong and Mr Vincent K.Y. Ho were direct, the Committee agreed that they could stay in the meeting but should refrain from participating in the discussion of the concerned item. As the interests of Dr C.H. Hau and Mr Stephen L.H. Liu were indirect, the Committee agreed that they could stay in the meeting.

**Refer to the agenda at https://www.tpb.gov.hk/en/meetings/RNTPC/Agenda/731_rnt_agenda.html for details of the planning applications.*

**Minutes of 731st Rural and New Town Planning Committee
(held on 24.11.2023)**

Renewal Cases

Applications for renewal of temporary approval for 3 years

Item No.	Application No.	Renewal Application	Renewal Period
6	A/SK-HH/81	Temporary School (Tutorial School) in “Other Specified Uses” annotated “Residential Cum Marina Development” Zone, Shop C3, G/F, Marina Cove Shopping Centre, 380 Hiram’s Highway, Sai Kung	5.12.2023 – 4.12.2026
26	A/YL-NTM/467	Temporary Public Vehicle Park (including Container Vehicles) and Ancillary Tyre and Repairing Use in “Open Storage” Zone, Lots 2781 RP, 2782 RP, 2783 RP, 2785 RP, 2786 RP, 2787 RP, 2788 RP, 2789, 2791, 2792, 2793 S.A, 2793 S.B, 2794, 2795, 2962 RP and 2963 RP in D.D. 102 and adjoining Government Land, Ngau Tam Mei, Yuen Long	9.12.2023 – 8.12.2026

**Minutes of 731st Rural and New Town Planning Committee
(held on 24.11.2023)**

Cases for Streamlining Arrangement

(a) Applications approved on a temporary basis for a period of 3 years until 24.11.2026

Item No.	Application No.	Planning Application
11	A/NE-HLH/61	Proposed Temporary Open Storage with Ancillary Parking of Vehicles in “Agriculture” Zone, Lot 396 in D.D. 87, Hung Lung Hang
18	A/NE-PK/191	Proposed Temporary Private Car Park (Private Car and Light Goods Vehicle) in “Village Type Development” Zone, Lot 2366 RP in D.D. 91, Ping Kong, Sheung Shui
22	A/YL-KTS/973	Temporary Open Storage of Materials for Drainage Works in “Agriculture” Zone, Lot 467 RP in D.D. 106, Kam Sheung Road, Kam Tin, Yuen Long
23	A/YL-PH/973	Temporary Storage of Cleansing Products and Packaging with Ancillary Office and Filling of Land in “Agriculture” Zone, Lot 466 (Part) in D.D. 110, Pat Heung, Yuen Long
29	A/HSK/463	Proposed Temporary Shop and Services (Tea Leaf Shop) with Ancillary Office in “Village Type Development” Zone, Lot 1586 (Part) in D.D. 125, San Uk Tsuen, Yuen Long
32	A/HSK/481	Temporary Logistics Centre and Warehouse in “Open Space”, “Other Specified Uses” annotated “Port Back-up, Storage and Workshop Uses” and “Other Specified Uses” annotated “Parking and Operational Facilities for Environmentally Friendly Transport Services” Zones and area shown as ‘Road’, Various Lots in D.D. 125, Ha Tsuen, Yuen Long
33	A/HSK/489	Proposed Temporary Recyclable Collection Centre (Electronic Parts) in “Government, Institution or Community” Zone and area shown as ‘Road’, Lot 47 (Part) in D.D. 128 and Adjoining Government Land, Ha Tsuen, Yuen Long
37	A/YL-LFS/493	Temporary Open Storage of Hardware Accessories in “Recreation” Zone, Lots 1964 S.A (Part) and 1964 S.B (Part) in D.D. 129, Lau Fau Shan, Yuen Long

(b) Applications approved on a temporary basis for a period of 5 years until 24.11.2028

Item No.	Application No.	Planning Application
21	A/YL-KTN/891	Proposed Temporary Place of Recreation, Sports or Culture (Hobby Farm) with Ancillary Facilities and Filling of Land in “Agriculture” Zone, Lots 1047 RP, 1049 S.A and 1049 RP (Part) in D.D. 109, Yuen Long
40	A/YL-PS/699	Proposed Temporary Shop and Services (Selling of Gardening and Construction Materials) and Associated Filling of Land in “Recreation” Zone, Lots 57 RP (Part) and 58 RP (Part) in D.D. 126, Ping Shan, Yuen Long