

## **TOWN PLANNING BOARD**

### **Minutes of 736<sup>th</sup> Meeting of the Rural and New Town Planning Committee held at 2:30 p.m. on 16.2.2024**

#### **Present**

Director of Planning  
Mr Ivan M.K. Chung

Chairman

Mr Stephen L.H. Liu

Vice-chairman

Dr C.H. Hau

Mr K.W. Leung

Professor John C.Y. Ng

Dr Venus Y.H. Lun

Mrs Vivian K.F. Cheung

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

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

Principal Environmental Protection Officer (Territory North),  
Environmental Protection Department  
Ms Clara K.W. U

Assistant Director/Regional 3,  
Lands Department  
Mr Lawrance S.C. Chan

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

Secretary

**Absent with Apologies**

Miss Winnie W.M. Ng

Dr Conrad T.C. Wong

Mr Vincent K.Y. Ho

Mr K.L. Wong

**In Attendance**

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

Chief Town Planner/Town Planning Board  
Mr Rico W.K. Tsang

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

**Agenda Item 1**

Confirmation of the Draft Minutes of the 735<sup>th</sup> RNTPC Meeting held on 26.1.2024

[Open Meeting]

1. The Secretary reported that subsequent to the circulation of the draft minutes of the 735<sup>th</sup> RNTPC meeting to the Members, an amendment to paragraph 26 incorporating a Member's comment as shown on the screen was proposed. The Committee agreed that the minutes of the 735<sup>th</sup> RNTPC meeting held on 26.1.2024 were confirmed with incorporation of the said amendment.

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

#### Deliberation Session

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

## **Renewal Cases**

### Section 16 Applications

[Open Meeting (Presentation and Question Sessions only)]

#### Presentation and Question Sessions

5. The Secretary reported that there were three cases for renewal of temporary planning approval and the Planning Department had no objection to the applications or 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, Member's declaration of interest for an individual case and the Committee's view on the declared interest 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.

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

**Agenda Item 5**

**Section 12A Application**

[Open Meeting]

Y/YL-KTN/4                      Application for Amendment to the Approved Kam Tin North Outline Zoning Plan No. S/YL-KTN/9, To rezone the application site from “Residential (Group C) 2” and “Open Space” to “Residential (Group C)3” and amend the Notes of the zone applicable to the site, Lots 121, 137, 138, 139, 144, 145, 519 RP (Part) and 520 RP in D.D. 110 and Adjoining Government Land, Kam Tin Road, Shek Kong, Yuen Long

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

**Tuen Mun and Yuen Long West District**

**Agenda Item 6**

**Section 12A Application**

[Open Meeting (Presentation and Question Sessions Only)]

Y/TM/31                      Application for Amendment to the Draft Tuen Mun Outline Zoning Plan No. S/TM/38, To rezone the application site from “Recreation” to “Residential (Group C)”, Tuen Mun Town Lot No. 550, Tuen Mun (RNTPC Paper No. Y/TM/31A)

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**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**

- Mr Raymond H.F. Au - District Planning Officer/Tuen Mun and Yuen Long West (DPO/TMYLW)
- Ms Carol K.L. Kan - Senior Town Planner/Tuen Mun and Yuen Long West (STP/TMYLW)
- Mr Aiden S.P. Chu - Assistant Town Planner/Tuen Mun and Yuen Long West

**Applicant's Representatives**

*King Brave Limited*

Mr Alan Lau

*Lawson David & Sung Surveyors Limited*

Ms Cannis Lee

*Design Consultants Limited*

Mr Patrick Lau

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 a PowerPoint presentation, Ms Carol K.L. Kan, STP/TMYLW, briefed Members on the background of the application, the proposed rezoning of the application site (the Site) from "Recreation" ("REC") to "Residential (Group C)" ("R(C)") for a residential development, 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. With the aid of a PowerPoint presentation, Ms Cannis Lee, the applicant's representative, made the following main points:

- (a) a section 12A application (No. Y/TM/11) for rezoning a larger site from “Green Belt” (“GB”) and “Other Specified Uses (Public Recreation and Sports Centre)” (“OU(PRSC)”) to “REC” was partially agreed by the Committee in 2013. The Outline Zoning Plan was amended accordingly in 2014. Subsequently, the applicant submitted a section 16 application (No. A/TM/469) for a proposed holiday camp development at the Site, which was approved with conditions by the Committee in 2015. The proposed holiday camp development commenced with the execution of relevant land exchange in 2021;
- (b) due to socio-economic changes in recent years, such as the social unrest in 2019 and the COVID-19 pandemic, the previous proposal for a holiday camp was considered no longer financially viable under the current market situation. The proposed rezoning of the Site from “REC” to “R(C)” for a low-rise and low-density residential development could help increase housing supply and maximise land utilisation of the Site which had been idled for over 20 years;
- (c) taking into account the characteristics of the Site and its latest conditions, the proposed residential use was appropriate and the proposed development intensity, including a plot ratio (PR) of 0.4, was largely similar to that of the approved holiday camp development under application No. A/TM/469, which was considered compatible with the surrounding rural settings; and
- (d) adequate tree planting, a greenery coverage of not less than 20% and private open space with a carefully designed interplay between soft landscape and built form would be provided within the Site. Various technical assessments on traffic, environment, landscape, geotechnical, drainage and sewerage aspects had been submitted to demonstrate that the proposed development would not generate adverse impact on its surroundings.

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



15. The Chairman and some Members raised the following questions:
- (a) whether the proposed residential development was compatible with its surroundings;
  - (b) demand and supply of land for recreational uses in the area;
  - (c) whether there were any other residential developments in the area sandwiched between Lung Fu Road and Lung Mun Road;
  - (d) whether there was any other private land with development rights within the “OU(PRSC)” zone; and
  - (e) details of the objecting public comment.
16. In response, with the aid of some PowerPoint slides, Mr Raymond H.F. Au, DPO/TMYLW, made the following main points:
- (a) the proposed low-rise, low-density residential development was considered not incompatible with the low-rise recreational developments and scattered residential structures/village settlements in the surrounding areas;
  - (b) the Site was zoned “REC” and encircled by a larger area zoned “OU(PRSC)”. Major recreational facilities in the area, including the Tuen Mun Recreation and Sports Centre Archery cum Gateball Court to the east of the Site, Tuen Mun Public Riding School (TMPRS) to the south of the Site, Tuen Mun Golf Centre to the north of the Site, were located within the “OU(PRSC)” zone. Some of those facilities welcomed walk-in users while some required reservation in advance. There was still government land available within the “OU(PRSC)” zone for recreational developments;
  - (c) apart from the proposed residential development under the current application, there were some scattered domestic structures found adjacent to ‘Hung Lau’;

- (d) there was no private land with development rights within the “OU(PRSC)” zone. Other private lots in the area, including Lot 34 in D.D. 300 in the same “REC” zone of the Site, and Lots 36, 37 and 38 RP in D.D. 300 occupied by ‘Hung Lau’ in the “GB” zone to the south of the Site, were all agricultural lots; and
- (e) the objecting comment was mainly on the grounds that the Site should be used for recreational development to meet the demand of the increasing population, the construction of an access road to serve only three houses was unacceptable and whether the proposed development could meet imminent housing needs was in doubt.

17. A Member asked the applicant about the rationale for submitting the previous planning applications for holiday camp development, and the reasons why such development was not pursued. In response, Ms Cannis Lee, the applicant’s representative, said that agricultural activities on the Site had discontinued many years ago and when the Site was then zoned “GB”, it was laid idle as there was a general presumption against development within “GB” zone. After the Site was rezoned to “REC”, the applicant applied for a holiday camp with an intention to better utilise the Site complementarily with the surrounding recreational uses and unleash the development potential. With the approval of the proposal for holiday camp, it was observed that there were still areas surrounding the Site available for recreational developments. Moreover, as compared with the holiday camp development, the proposed low-density residential development would attract less visitors, which would have less impact on the horse trail and surrounding environment.

18. A Member enquired about the estimated frequency of horses using the trail and pedestrian flow of the proposed access road. In response, Ms Cannis Lee, the applicant’s representative, said that the estimated vehicular traffic flow of the proposed residential development was two passenger car units per hour during the morning and evening peak hours and the pedestrian flow would be minimal as the proposed development only comprised three houses to accommodate a total of eight residents. Although there was no information about the usage frequency of the horse trail by Tmprs, the potential conflicts on the use of the proposed access road among pedestrians, vehicles and horses could be minimised through implementation of the proposed safety measures. Mr Raymond H.F. Au, DPO/TMYLW,

supplemented that according to the information provided by the Leisure and Cultural Services Department, the horse trail was mainly used by retired racehorses of the TMPRS usually in early morning and early afternoon.

19. In response to the Member's further enquiry on the details of measures adopted to forestall potential conflicts between the residents of the proposed development and horses using the proposed access road and the existing horse trail of TMPRS respectively, Ms Cannis Lee, the applicant's representative, said that while the proposed access road for the residential development would intersect with the horse trail, the applicant would adopt safety measures including deployment of a security guard and installation of electronic gates on both sides of the intersecting point to ensure safety of road users and horses. During the processing of the New Grant No. 22878 for the proposed holiday camp at the Site, comments from relevant government departments had been sought and there was a condition on the non-exclusive right of way in the land grant document to address the possible interface issues.

20. 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 procedures for the application had been completed and the Committee would deliberate on the application in their absence and inform the applicant of the Committee's decision in due course. The Chairman thanked PlanD's representatives and the applicant's representatives for attending the meeting. They left the meeting at this point.

#### Deliberation Session

21. The Chairman recapitulated that the Site was previously rezoned mainly from "GB" to "REC" with 'Holiday Camp' being a Column 2 use requiring planning permission to take forward the decision of the Committee to partially agree to a section 12A application No. Y/TM/11 in 2013. Upon obtaining planning permission (under application No. A/TM/469) for a proposed holiday camp development with a PR of 0.4 in 2015, the applicant had executed a land exchange to effect the said development in 2021. Subsequently, the applicant decided not to proceed with a holiday camp and submitted the current section 12A application to rezone the Site from "REC" to "R(C)" for a proposed residential development with a domestic PR of 0.4. Members were invited to express views on the application.

22. The Vice-chairman and a Member enquired whether the proposed low-density residential development was compatible with the existing/planned recreational developments in the surroundings. The Secretary said that the proposed development parameters for the “R(C)” zone with a domestic PR of 0.4 and a building height (BH) of two storeys were similar to the maximum permitted PR of 0.4 and BH of two storeys (for development except residential development) in the “REC” zone. Besides, low-rise residential developments inducing low pedestrian/traffic flow in the “R(C)” zone might not be incompatible with the recreational uses in the vicinity. It was not uncommon to have “R(C)” zones intermixed with the “REC” zone in the rural areas.

23. The Chairman remarked that ‘Flat’ and ‘House’ were Column 2 uses under the “REC” zone and the applicant might consider submitting a section 16 application to pursue a residential development at the Site. The Secretary added that the applicant had proposed a domestic PR of 0.4 for the “R(C)” zone under the current application, which exceeded the maximum permitted PR of 0.2 for residential development as stipulated in the Notes of the “REC” zone. If the applicant opted for submitting a section 16 application for the proposed residential development, the applicant might have concern on whether such proposed higher PR would be regarded as minor relaxation of the PR restriction and considered acceptable by the Committee.

24. In response to a Member’s enquiry, the Chairman said that the major considerations for assessing section 12A applications were whether the proposed zoning, planning intention and development parameters were compatible with the surrounding land uses and whether the proposed rezoning was technically feasible with no insurmountable impact on the surroundings. For the current application, whilst there were no major adverse comments from relevant government departments on the technical aspects, given the Site being surrounded by recreational developments, the Committee should consider whether it was appropriate to rezone the Site from “REC” to “R(C)” for a residential development with a domestic PR of 0.4 or to retain the existing “REC” zoning for the Site.

25. The Chairman further said that the site context should be taken into consideration when deciding on the suitability of the Site for residential development and the appropriateness of the development intensity. The Committee noted that the Site which was mainly surrounded by hilly areas covered with woodland/vegetation was in proximity to the TMPRS

and other recreational facilities, and except some scattered domestic structures and ‘Hung Lau’ to the south of the Site, there were no other planned residential developments in the area.

26. A Member said that the Site and its surroundings, including the remaining “REC” zone and the area zoned “OU(PRSC)” and “GB” which were sandwiched between Lung Fu Road and Lung Mun Road, were rural in nature and mostly occupied by and planned for recreational uses. The Member opined that the proposed residential development, albeit with a low PR of 0.4, was not entirely compatible with its surroundings. The Member did not support the proposed rezoning of the Site from “REC” to “R(C)” and pointed out that as the Site had been previously rezoned mainly from “GB” to “REC” under the section 12A application No. Y/TM/11 partially agreed by the Committee in 2013, the current application, if agreed by the Committee, might have a wider implication of encouraging similar rezoning applications in the rural areas.

27. Noting that the applicant’s rezoning proposal for the residential development at the Site was out of economic incentive, a Member said that the current proposal to rezone a small area for development of only three houses within the larger area zoned “OU(PRSC)” was considered piecemeal and not desirable from land use planning perspective. Another Member said that as the Site was privately owned, it would be subject to the applicant’s decision to formulate a development scheme to support the rezoning application for the Committee’s consideration. Should the current application not be agreed, the Site might remain idle for some more years. Members generally did not support the application.

28. The Chairman concluded that while noting the applicant’s initiative to submit the current application for proposed residential development at the Site in response to the changing circumstances and market situation, Members were generally of the view that it was appropriate to retain the “REC” zoning for the Site aligned with the planning intention for recreational developments in its surrounding areas.

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

“ given that the application site (the Site) zoned “Recreation” (“REC”) is encircled by a larger area zoned “Other Specified Uses (Public Recreation and Sports Centre)”

("OU(PRSC)") intended primarily for the provision of sports and recreation facilities, it is considered appropriate to retain the "REC" zoning of the Site alongside "OU(PRSC)" for recreational developments for the use of the general public. There are no strong justifications for the proposed rezoning for residential development at the Site."

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

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

#### **Agenda Item 7**

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

[Open Meeting (Presentation and Question Sessions only)]

A/I-TCV/26            Proposed Public Convenience and Government Refuse Collection Point in "Residential (Group C) 1" Zone, Lots 2416 (Part), 2417 (Part), 2418 (Part), 2419 (Part) and 2421 (Part) in D.D. 1 TC and Adjoining Government Land, Tung Chung, Lantau Island  
(RNTPC Paper No. A/I-TCV/26)

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30.            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 focus group of CEDD on the study related to the Kau Yi Chau Artificial Islands; being an adviser to CEDD on the development of New Territories North; and conducting contract research projects with CEDD.

31.            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**

32. With the aid of some plans, Ms Kirstie Y.L. Law, 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.

33. In response to a Member's enquiry about the major service target of the proposed public toilet (PT) and government refuse collection point (RCP), Ms Kirstie Y.L. Law, STP/SKIs, said that the proposed PT and RCP would mainly serve the local residents/villagers in Shek Mun Kap (SMK) area and future residents of the planned residential developments in the "Residential (Group C)1" ("R(C)1") zone.

34. In relation to a Member's concern on the compatibility of the proposed PT and RCP with the planned residential developments in the "R(C)1" zone, the Chairman enquired about the criteria for site selection and the reasons for choosing the current location. In response, Ms Kirstie Y.L. Law, STP/SKIs, explained that four options for the reprovisioning site were identified and examined during the site selection exercise conducted by the applicant. As shown on Drawing A-6 of the Paper, the site under Option 1 was located closest to the existing PT and RCP but could not fulfil the sightline requirements in relation to the adjacent planned Road L28 in accordance with the Transport Planning & Design Manual; the site under Option 3, which was located partly in "G/IC" zone and partly in "CA" zone, was opposed by villagers due to its possible impact on the surrounding environment and the Fung Shui issue; the site under Option 4, which was located most distant from the existing PT and RCP, was not supported by the villagers. As such, the site under Option 2 (i.e. the current application site), which fulfilled all the criteria for site selection, was considered the most suitable reprovisioning site of the proposed PT and RCP taking into account technical feasibility and supportive local views.

#### Deliberation Session

35. Noting that there would be a long frontage of the proposed PT and RCP building along the planned Road L28, a Member suggested that the applicant should put more effort to improve the building design.

36. A Member said that most of the village houses nowadays would have their own

toilets for private use and no longer rely on PT facility, and the proposed PT might not be urgently needed. Due consideration could be given to integrating the proposed PT and RCP into future developments in “R(C)1” zone to attain better overall design.

37. The Committee noted that the current SMK PT had not been refurbished for more than 12 years and the current SMK RCP was considered sub-standard. The two facilities were among the Food and Environmental Hygiene Department’s priority projects for reprovisioning. Since the existing SMK PT and RCP would be affected by the construction works of the planned Road L28, reprovisioning of the affected facilities would be required and an opportunity could be taken to upgrade the facilities up to the prevailing standards.

38. The Chairman remarked that the possibility of integrating PT and RCP facilities into future developments in the “R(C)1” zone, in lieu of standalone PT and RCP, could be explored in the long run. Members generally considered the application acceptable.

39. 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 16.2.2028, 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 with the following additional advisory clause:

“ the applicant is advised to further enhance the design of the proposed public toilet and government refuse collection point to achieve better visual coherence with its surroundings.”



## **Agenda Item 8**

### **Section 16 Application**

[Open Meeting (Presentation and Question Sessions only)]

A/SK-PK/293            Proposed House (New Territories Exempted House - Small House) in  
“Recreation” Zone, Lot 293 S.B ss.2 in D.D. 221 and Adjoining  
Government Land, Sha Kok Mei, Sai Kung  
(RNTPC Paper No. A/SK-PK/293)

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### **Presentation and Question Sessions**

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

41.            Members had no question on the application.

### **Deliberation Session**

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

- “(a) the proposed development is not in line with the planning intention of the “Recreation” zone which is primarily for recreational developments for the use of the general public. There is no strong justification in the submission for a departure from the planning intention; and
- (b) land is still available within the “Village Type Development” (“V”) zone of Sha Kok Mei for Small House development. It is considered more appropriate to concentrate the proposed Small House development within the “V” zone for more orderly development pattern, efficient use of land and provision of infrastructures and services.”

[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 Jeffrey P.K. Wong, Senior Town Planners/Shu Tin, Tai Po and North (STPs/STN), were invited to the meeting at this point.]

### **Agenda Item 9**

#### **Section 16 Application**

[Open Meeting (Presentation and Question Sessions Only)]

A/ST/1025                      Proposed Public Utility Installation (Stormwater Storage and Pumping Facility) in "Open Space" Zone, Government Land at Sha Tin Park near Yi Ching Lane, Sha Tin  
(RNTPC Paper No. A/ST/1025)

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43.            The Secretary reported that the application site (the Site) was located in Sha Tin and the application was submitted by the Drainage Services Department (DSD). AECOM Asia Company Limited (AECOM) was the consultant of the applicant. The following Members had declared interests on the item:

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

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

Mr Vincent K.Y. Ho            - having current business dealings with AECOM and co-owning with spouse a property in Sha Tin.

44.            The Committee noted that Dr Conrad T.C. Wong and Mr Vincent K.Y. Ho had tendered apologies for being unable to attend the meeting. As the property owned by

Professor John C.Y. Ng had no direct view of the Site, the Committee agreed that he could stay in the meeting.

#### Presentation and Question Sessions

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

46. Noting that the proposed development was located within the Sha Tin Park, a Member expressed appreciation on the applicant's efforts to provide aesthetic design and landscape treatment in the proposed aboveground pump house.

#### Deliberation Session

47. After deliberation, the Committee decided to approve the application, on the terms of the application as submitted to the Town Planning Board. The permission should be valid until 16.2.2028, 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 20**

##### Section 16 Application

[Open Meeting]

A/NE-TKL/727      Proposed Temporary Cold Storage with Ancillary Facilities for a Period of 3 Years and Associated Filling of Land in "Agriculture" Zone, Lots 518 RP, 519, 520, 521 RP and 522 RP (Part) in D.D. 77, Ping Che

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

**Agenda Item 22**

**Section 16 Application**

[Open Meeting]

A/NE-TKLN/68 Proposed Temporary Public Vehicle Park (Excluding Container Vehicle) and Shop and Services for a Period of 5 Years in “Recreation” Zone, Lots 35 RP, 36, 42 RP, 43, 44, 45 RP, 59 RP and 64 S.B RP in D.D. 80 and Adjoining Government Land, Ta Kwu Ling North  
(RNTPC Paper No. A/NE-TKLN/68)

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

**Agenda Item 24**

**Section 16 Application**

[Open Meeting (Presentation and Question Sessions Only)]

A/NE-PK/194 Proposed House (New Territories Exempted House - Small House) in “Agriculture” Zone, Lots 1545 S.B and 1546 S.B in D.D. 91, Kai Leng, Sheung Shui  
(RNTPC Paper No. A/NE-PK/194)

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**Presentation and Question Sessions**

50. With the aid of some plans, Mr Jeffrey P.K. Wong, 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.

51. Members had no question on the application.

**Deliberation Session**

52. 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 16.2.2028, 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 25**

#### **Section 16 Application**

[Open Meeting (Presentation and Question Sessions Only)]

A/NE-TK/791 Proposed Temporary Eating Place for a Period of 3 Years in  
“Agriculture” Zone, G/F of 216B Ting Kok, Lot 1429 (Part) in D.D. 29,  
Ting Kok, Tai Po  
(RNTPC Paper No. A/NE-TK/791)

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

53. With the aid of some plans, Mr Jeffrey P.K. Wong, 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) considered that the proposed temporary use could be tolerated for a period of three years.

54. In response to a Member’s question, Mr Jeffrey P.K. Wong, STP/STN, said that the existing New Territories Exempted House (NTEH) on the application site (the Site) was not a Small House and it was recently built in 2018 to replace an existing domestic building as permitted under the covering Notes of the Outline Zoning Plan. In response to the Member’s further enquiry on whether ‘eating place’ use was always permitted on the ground floor of a NTEH, Mr Jeffrey P.K. Wong, STP/STN, explained that ‘eating place’ use was always permitted on the ground floor of a NTEH only within the “Village Type Development” zone, but the proposed temporary eating place at the Site falling within the “Agriculture” zone required planning permission from the Town Planning Board.

### Deliberation Session

55. After deliberation, the Committee decided to approve the application on a temporary basis for a period of 3 years until 16.2.2027, 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.]

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

[Mr Kimson P.H. Chiu, Senior Town Planner/Fanling, Sheung Shui and Yuen Long East (STP/FSYLE), and Mr Gary T.L. Lam, Town Planner/Fanling, Sheung Shui and Yuen Long East (TP/FSYLE), were invited to the meeting at this point.]

### **Agenda Item 30**

#### Section 16 Application

[Open Meeting (Presentation and Question Sessions Only)]

A/YL-MP/344	Proposed Comprehensive House and Wetland Habitat Development with Filling and Excavation of Land (Amendments to an Approved Scheme) in "Other Specified Uses" annotated "Comprehensive Development to include Wetland Restoration Area" Zone, Lots 50 S.A and 77 in D.D.101, Wo Shang Wai, Mai Po, Yuen Long (RNTPC Paper No. A/YL-MP/344A)
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56. The Secretary reported that the application site (the Site) was located in Mai Po and submitted by Profit Point Enterprises Limited, which was a subsidiary of Henderson Land Development Company Limited (HLD). The following Members had declared interests on

the item:

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|---|--|
| Mr K.W. Leung                                     | - owning a property in Mai Po;   |
| Mr Stephen L.H. Liu<br><i>(the Vice-chairman)</i> | - being a former member of the Council of the Hong Kong Polytechnic University which had obtained sponsorship from HLD before;   |
| Dr C.H. Hau                                       | - having past business dealings with HLD and being an employee of the University of Hong Kong which had received a donation from a family member of the Chairman of HLD before;<br>and |
| Mr Vincent K.Y. Ho                                | - having current business dealings with HLD.   |

57. The Committee noted that Mr Vincent K.Y. Ho had tendered an apology for being unable to attend the meeting. As the property owned by Mr K.W. Leung had no direct view of the Site, the interest of Mr Stephen L.H. Liu was indirect and Dr C.H. Hau had no involvement in the application, the Committee agreed that they could stay in the meeting.

#### Presentation and Question Sessions

58. With the aid of a PowerPoint presentation, Mr Gary T.L. Lam, TP/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 (PlanD) had no objection to the application.

59. Some Members raised the following questions:

#### *Proposed Development*

- (a) the mean site formation level of the proposed development;
- (b) whether there were internal roads to be provided underground and the extent of

excavation works required;

- (c) whether the proposed fence wall between the residential portion and the wetland restoration area (WRA) would be in the form of solid wall or permeable fence;

*Possible Impact on Wetland*

- (d) whether the current application would lead to additional loss of wetland;
- (e) noting that the proposed swimming pools of the clubhouse and some houses were located at the northern edge of the residential portion near the WRA, whether there were mitigation measures to reduce the lighting and noise nuisance from the swimming pools;

*Technical Aspects*

- (f) the wastewater management arrangement for the proposed swimming pools;
- (g) whether the Traffic Impact Assessment (TIA) was conducted based on the amendment scheme under the current application (the current scheme) and the details of the proposed junction improvement works; and
- (h) details of the comment submitted by the Hong Kong China Gas Company Limited (HKCGCL) and whether such comment had been addressed.

60. In response, with the aid of some PowerPoint slides, Mr Kimson P.H. Chiu, STP/FSYLE, made the following main points:

*Proposed Development*

- (a) under the current scheme, the mean site formation level of the proposed development was about 6.8mPD;
- (b) the applicant had proposed car parking spaces at the basement level of the



proposed development, which would be accessed via the proposed car ramps and underground driveway. Excavation was required and the site formation works had commenced after the approval of general building plan based on the previously approved scheme under application No. A/YL-MP/229 (the approved scheme). There was no change in the extent of excavation arising from the amendment scheme under the current application as compared to the approved scheme;

- (c) the proposed fence wall would be a 2m-high solid wall which was lower than the adjacent 2-storey houses in the residential portion;

#### *Possible Impact on Wetland*

- (d) as compared with the approved scheme, the area of the WRA would remain the same as about 4.7 hectares. The WRA had already been completed and came into operation;
- (e) according to the applicant, the swimming pools would not operate in winter based on the approved scheme, and thus the usage frequency and possible human disturbance on the WRA during the dry season would be limited. The proposed development would still be subject to the Environmental Permit (EP) issued under the Environmental Impact Assessment Ordinance (EIAO). The general conditions in the EP had set out the requirements on the maintenance and management of the WRA and the implementation of ecological mitigation measure, which provided a mechanism to monitor and control possible nuisances on the WRA, including the potential lighting and noise nuisance from the swimming pools;

#### *Technical Aspects*

- (f) the applicant had proposed to provide a tertiary sewerage treatment plant as a long-term on-site facility to treat the sewage from the proposed development, including wastewater discharged from the swimming pools. All the treated water would be reused on-site for local flushing and irrigation, thus no

wastewater would be discharged to the surrounding area and the WRA;

- (g) the TIA submitted by the applicant was based on the current scheme which had also taken into account the latest traffic conditions/assumptions of the surrounding areas. According to the TIA, junction improvement measures at the junction of Castle Peak Road – San Tin/Shek Wu Wai Road and the junction of Fairview Park Interchange were considered necessary. Approval conditions were recommended on the design and provision of the proposed improvement measures before occupation of the proposed development at the two junctions, as appropriate, should the current application be approved. Having considered the TIA and the proposed junction improvement measures, the Commissioner for Transport had no in-principle objection to the application; and
  
- (h) the Director of Electrical and Mechanical Services (DEMS) had been consulted on the application and DEMS noted HKCGCL’s request for a Quantitative Risk Assessment (QRA) for the proposed development. Having examined the site condition, DEMS considered that QRA was not a compulsory requirement from town gas safety point of view.

### Deliberation Session

61. The Chairman remarked that the application was submitted to amend the approved scheme for a proposed comprehensive house and wetland habitat development with filling and excavation of land at the Site falling within an area zoned “Other Specified Uses” annotated “Comprehensive Development to include Wetland Restoration Area”. The WRA under the approved scheme had been completed and would remain unchanged under the current application. The current application was considered technically acceptable by relevant government bureaux/departments, taking into account the revised technical assessments, proposed junction improvement works and environmental/ecological mitigation measures submitted by the applicant.

62. At the invitation of the Chairman, Ms Clara K.W. U, Principal Environmental Protection Officer (Territory North), Environmental Protection Department (PEPO(TN), EPD)

explained that the proposed development was a designated project under EIAO and its construction and operation would be subject to the EP including the requirement of an Environmental Monitoring and Audit (EM&A) programme. The holder of the EP, i.e. the applicant, was required to submit monthly EM&A reports to the Director of Environmental Protection (DEP) during construction to facilitate close monitoring of the latest condition of the WRA. While DEP had no objection to the application from environmental planning perspective, the applicant would be required to address the proposed amendments under the current scheme in the subsequent EM&A reports and implement corresponding environmental and ecological mitigation measures, should the application be approved. The established mechanism would allow DEP to carry out effective monitoring and control of the proposed development at the Site to minimise the impacts on the WRA through the EP and EM&A programme.

63. In response to a Member's question, Ms Clara K.W. U, PEPO(TN), EPD said that the expected disturbance on the WRA due to the potential glare and noise impact from the swimming pools was limited, given the closure of swimming pools during the winter. In that regard, a Member suggested and the Committee agreed to incorporate an additional advisory clause to alert the applicant to address the potential light pollution and the impact on the WRA.

64. Members generally considered the the application acceptable.

65. 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 16.2.2028, 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 with the following additional advisory clause:

“the applicant should cautiously design and install the lighting facilities for the swimming pools within the proposed development to minimise the possible impact on the wetland restoration area.”

[The Chairman thanked PlanD's representatives for attending the meeting. They left the

meeting at this point.]

**Tuen Mun and Yuen Long West District**

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

**Agenda Item 36**

**Section 16 Application**

[Open Meeting (Presentation and Question Sessions Only)]

A/TM/573                      Proposed Minor Relaxation of Plot Ratio Restriction for Permitted Information Technology and Telecommunications Industries Use in “Other Specified Uses” annotated “Business” Zone, No. 3 Kin Tai Street, Tuen Mun  
(RNTPC Paper No. A/TM/573)

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**Presentation and Question Sessions**

66.                      With the aid of some plans, 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.

67.                      A Member enquired whether the proposed glass canopies surrounding the exterior wall of the building did not cover a portion at the junction of Kin Tai Street and Kin Wing Street (i.e. the segment between points C and D as shown on Drawing A-4 of the Paper). In response, Ms Carol K.L. Kan, STP/TMYLW, said that since the applicant had proposed a continuous vertical green wall from G/F to 1/F thereat, the proposed glass canopy could not be provided on the building façades facing the junction of Kin Tai Street and Kin Wing Street. For the remaining building façades fronting Kin Tai Street, Kin Wing Street and Pui Wing Lane, the proposed glass canopy would be provided as the planters/greening elements were

proposed on separate floors.

68. Noting that a public comment expressed views that data centres would contribute to the global greenhouse gas emissions, a Member asked whether there were legislations or other guidelines in place to control the impact of data centres in terms of electricity consumption and greenhouse gas emissions. In response, Ms Carol K.L. Kan, STP/TMYLW, said that the Green Data Centres Practice Guide being adopted by Office of the Government Chief Information Officer would provide guidelines for the industry/project proponents to improve energy efficiency and environmental performance of their data centres.

#### Deliberation Session

69. A Member supported the application and suggested that a continuous glass canopy surrounding the exterior wall of the building should be provided to achieve better weather protection and enhance pedestrian comfort. The Chairman suggested and the Committee agreed to incorporate an additional advisory clause to reflect the Member's view concerning the canopy design.

70. After deliberation, the Committee decided to approve the application, on the terms of the application as submitted to the Town Planning Board. The permission should be valid until 16.2.2028, 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 with the following additional advisory clause:

“the applicant is advised to explore the possibility of providing a continuous glass canopy around the building to achieve better weather protection and enhance pedestrian comfort.”

**Agenda Item 43**

**Section 16 Application**

[Open Meeting (Presentation and Question Sessions Only)]

A/YL-TYST/1250 Proposed Temporary Shop and Services for a Period of 3 Years in “Residential (Group B) 1” Zone, Lot 293 RP (Part) in D.D. 127, Hung Shun Road, Hung Shui Kiu, Yuen Long  
(RNTPC Paper No. A/YL-TYST/1250)

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**Presentation and Question Sessions**

71. 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.

72. A Member asked whether there was a correlation between the compliance of approval conditions and the granting of short term waiver (STW), noting that the last approved application (No. A/YL-TYST/1092) was submitted by the same applicant, and the applicant indicated that there was insufficient time to implement the accepted drainage and FSIs proposals due to prolonged processing time of the STW application. In response, Mr Alexander W.Y. Mak, STP/TMYLW, said that planning permissions for temporary use/development were typically subject to time-limited approval conditions in respect of the submission and implementation of various technical proposals. Generally, the implementation of accepted technical proposals could only be carried out upon the approval of STW application by the Lands Department. For the last approved application No. A/YL-TYST/1092, while the applicant had complied with the approval conditions on the submission of drainage and fire services installations proposals, the implementation of such proposals was yet to be complied with. According to the applicant, it took about two years to obtain the approval of the relevant STW application for carrying out the construction works to implement the accepted proposals.

73. A Member raised questions on the current condition of the application site (the Site) and the façade design of the structure for the proposed temporary use. In response, Mr

Alexander W.Y. Mak, STP/TMYLW, said that the Site was currently occupied by a one-storey vacant structure with some scaffolding and the works at the Site had been discontinued as the planning permission under application No. A/YL-TYST/1092 had been revoked. Regarding the façade treatment, while the two-storey temporary structure was not proposed with a particular façade design, some trees would be planted around the Site.

### Deliberation Session

74. After deliberation, the Committee decided to approve the application on a temporary basis for a period of 3 years until 16.2.2027, 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 49

#### Any Other Business

[Open Meeting]

75. There being no other business, the meeting was closed at 4:35 p.m..

**Minutes of 736<sup>th</sup> Rural and New Town Planning Committee  
(held on 16.2.2024)**

**Deferral Cases**

Requests for Deferment by Applicant for Two Months

<b>Item No.</b>	<b>Application No.</b>	<b>Times of Deferment</b>
3	Y/NE-LYT/15	2 <sup>nd</sup> <sup>^</sup>
4	Y/NE-TKL/5	1 <sup>st</sup>
10	A/NE-FTA/234	2 <sup>nd</sup> <sup>^</sup>
11	A/NE-FTA/237	1 <sup>st</sup>
12	A/NE-FTA/238	1 <sup>st</sup>
13	A/NE-FTA/239	1 <sup>st</sup>
14	A/NE-FTA/240	1 <sup>st</sup>
15	A/NE-HLH/70	1 <sup>st</sup>
16	A/NE-HLH/71	1 <sup>st</sup>
18	A/NE-LYT/807	2 <sup>nd</sup> <sup>^</sup>
23	A/NE-KLH/636	2 <sup>nd</sup> <sup>^</sup>
28	A/YL-KTS/985	1 <sup>st</sup>
29	A/YL-PH/974	2 <sup>nd</sup> <sup>^</sup>
31	A/YL-MP/359	2 <sup>nd</sup> <sup>^</sup>
32	A/YL-MP/361	1 <sup>st</sup>
33	A/YL-MP/362	1 <sup>st</sup>
34	A/YL-SK/355	2 <sup>nd</sup> <sup>^</sup>
35	A/YL/311	2 <sup>nd</sup> <sup>^</sup>
37	A/TM/589	1 <sup>st</sup>
39	A/YL-TT/613	2 <sup>nd</sup> <sup>^</sup>
40	A/YL-TT/631	1 <sup>st</sup>
41	A/YL-PS/702	1 <sup>st</sup>
46	A/YL-LFS/503	1 <sup>st</sup>

Note:

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

**Declaration of Interests**

The Secretary reported the following declaration of Interests:

<b>Item No.</b>	<b>Members' Declared Interests</b>	
4	The application site was located in Ta Kwu Ling.	- Dr Conrad T.C. Wong for his firms owning some land in Ta Kwu Ling
31, 32 and 33	The application site was located in Mai Po.	- Mr K.W. Leung for owning a property in Mai Po
46	The application was submitted by CLP Power Hong Kong Limited.	- Dr Conrad T.C. Wong for having current business dealings with CLP



For Items 4 and 46, the Committee noted that Dr Conrad T.C. Wong had tendered an apology for being unable to attend the meeting.

For Items 31, 32 and 33, as the property owned by Mr K.W. Leung had no direct view of the application sites, the Committee agreed that he could stay in the meeting.

*\*Refer to the agenda at [https://www.tpb.gov.hk/en/meetings/RNTPC/Agenda/736\\_rnt\\_agenda.html](https://www.tpb.gov.hk/en/meetings/RNTPC/Agenda/736_rnt_agenda.html) for details of the planning applications.*

**Minutes of 736<sup>th</sup> Rural and New Town Planning Committee  
(held on 16.2.2024)**

**Renewal Cases**

Applications for renewal of temporary approval for 3 years

<b>Item No.</b>	<b>Application No.</b>	<b>Renewal Application</b>	<b>Renewal Period</b>
17	A/NE-LK/155	Temporary Private Car Park (Private Car and Light Goods Vehicle) in “Village Type Development” Zone, Lot 1548 (Part) in D.D. 39, Ma Tseuk Leng, Sha Tau Kok	27.2.2024 - 26.2.2027
27	A/YL-KTS/984	Temporary Site Office and Service Depot for Drainage and Sewerage Works in “Other Specified Uses” annotated “Rural Use” Zone, Lot 455 RP (Part) in D.D.106, Kam Sheung Road, Kam Tin, Yuen Long	27.2.2024 - 26.2.2027
42	A/YL-TYST/1246	Temporary Concrete Batching Plant in “Industrial” Zone, Lots 1290 S.C RP, 1293 S.C and 2019 in D.D. 121 and Adjoining Government Land, San Fui Street, Tong Yan San Tsuen, Yuen Long	18.2.2024 - 17.2.2027

**Minutes of 736<sup>th</sup> Rural and New Town Planning Committee  
(held on 16.2.2024)**

**Cases for Streamlining Arrangement**

(a) Applications approved on a temporary basis for a period of 3 years until 16.2.2027

<b>Item No.</b>	<b>Application No.</b>	<b>Planning Application</b>
19	A/NE-MUP/194	Proposed Temporary Warehouse (Excluding Dangerous Goods Godown) with Ancillary Facilities and Associated Filling of Land in “Agriculture” Zone, Lots 231 RP (Part), 232, 278 S.A and 278 S.B in D.D. 38, Wo Hang, Sha Tau Kok
21	A/NE-TKL/741	Proposed Temporary Place of Recreation, Sports or Culture (Hobby Farm) and Associated Filling of Land in “Agriculture” Zone, Lot 1088 S.B (Part) in D.D. 82, Tong Fong, Ping Che Road
38	A/TM-LTYT/462	Proposed Temporary Public Vehicle Park (Private Cars and Light Goods Vehicle) in “Village Type Development” Zone, Lots 678 (Part), 682 (Part), 683 (Part) and 686 (Part) in D.D. 130, Tuen Mun San Tsuen, Lam Tei, Tuen Mun
44	A/YL-HTF/1158	Proposed Temporary Warehouse for Storage of Miscellaneous Goods and Associated Filling of Land in “Agriculture” Zone, Lots 505 RP (Part), 506 (Part), 507 (Part), 508, 509 (Part) and 510 (Part) in D.D. 128, Ha Tsuen, Yuen Long
45	A/YL-LFS/502	Proposed Temporary Wholesale Trade and Eating Place in “Commercial/Residential” Zone, Lot 3398 (Part) in D.D. 129, Lau Fau Shan, Yuen Long
47	A/YL-LFS/504	Proposed Temporary Open Storage of Construction Materials in “Recreation” Zone, Lots 2090 (Part), 2091 (Part) and 2092 (Part) in D.D. 129, Lau Fau Shan, Yuen Long
48	A/HSK/486	Temporary Vehicle Service Centre in “Commercial (4)”, “Open Space” Zones and area shown as ‘Road’, Various Lots in D.D. 129 and Adjoining Government Land, Ha Tsuen, Yuen Long

(b) Application approved on a temporary basis for a period of 5 years until 16.2.2029

<b>Item No.</b>	<b>Application No.</b>	<b>Planning Application</b>
26	A/YL-KTN/977	Proposed Temporary Place of Recreation, Sports or Culture (Hobby Farm) and Associated Filling of Land in “Agriculture” Zone, Lots 1228 RP, 1233 and 1234 in D.D. 109, Tai Kong Po, Yuen Long

**Declaration of Interest**

The Secretary reported the following declaration of Interest:

<b>Item No.</b>	<b>Members' Declared Interest</b>	
21	The application site was located in Ta Kwu Ling.	- Dr Conrad T.C. Wong for his firms owning some land in Ta Kwu Ling

The Committee noted that Dr Conrad T.C. Wong had tendered an apology for being unable to attend the meeting.