

TOWN PLANNING BOARD

Minutes of 737th Meeting of the Rural and New Town Planning Committee held at 2:30 p.m. on 1.3.2024

Present

Director of Planning
Mr Ivan M.K. Chung

Chairman

Mr Stephen L.H. Liu

Vice-chairman

Dr C.H. Hau

Miss Winnie W.M. Ng

Mr K.W. Leung

Dr Conrad T.C. Wong

Mrs Vivian K.F. Cheung

Mr Vincent K.Y. Ho

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

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

Principal Environmental Protection Officer (Territory North),
Environmental Protection Department
Mr William H.K. Lung

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

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

Secretary

Absent with Apologies

Professor John C.Y. Ng

Dr Venus Y.H. Lun

Mr K.L. Wong

In Attendance

Chief Town Planner/Town Planning Board
Ms W.H. Ho

Town Planner/Town Planning Board
Mr Alex M.K. Choi

Agenda Item 1

Confirmation of the Draft Minutes of the 736th RNTPC Meeting held on 16.2.2024

[Open Meeting]

1. The draft minutes of the 736th RNTPC meeting held on 16.2.2024 were confirmed without 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 13 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 five 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 nine 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

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.

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

Sha Tin, Tai Po and North District

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

Agenda Item 8

Section 16 Application

[Open Meeting (Presentation and Question Sessions Only)]

A/NE-PK/195 Proposed House (New Territories Exempted House - Small House) in
 “Agriculture” Zone, Lots 1545 S.C and 1546 S.C in D.D. 91, Kai Leng,
 Sheung Shui
 (RNTPC Paper No. A/NE-PK/195)

Presentation and Question Sessions

9. 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.

10. Noting that another planning application (No. A/NE-PK/194) considered by the Committee at the previous meeting, which was located in close proximity to the current application within the same “Agriculture” zone, was also submitted due to the lapse of previous permission, a Member asked the reasons for the lapse of the previous permission under application No. A/NE-PK/76 for the subject case. In response, Mr Jeffrey P.K. Wong, STP/STN, said that since the approval of the previous application (No. A/NE-PK/76), the applicant had been granted an extension of time for commencement of the approved development (i.e. a total of eight years for commencement of development up to 22.1.2024). However, as the Small House grant application was still pending approval from the Lands Department (LandsD), the approved development had not commenced within the extension period and the previous planning permission lapsed on 23.1.2024.

11. Another Member enquired about the normal processing time of LandsD for Small

House grant applications in this area. In response, Mr Jeffrey P.K. Wong, STP/STN, said that whilst no information regarding the processing time for Small House grant applications was available at hand, it was noted that some cases would need more than eight years to obtain a Small House grant. As the approved development could not commence within the validity period of the planning permission (including the extended period for commencement of development), a fresh application for the proposed development was required. To follow up, the same Member asked if other approved Small House applications in the area had been implemented. In response, Mr Jeffrey P.K. Wong, STP/STN, said that some of the applications were approved recently and the proposed Small Houses had not been implemented.

[Mr K.W. Leung joined the meeting at this point.]

Deliberation Session

12. The Committee noted that due to a large number of Small House grant applications being handled by LandsD, the processing time would vary depending on the priority and complexity of each case. The Chairman remarked that if the Small House grant could not be obtained within eight years after the extension of time for commencement of development, the applicant would need to submit a fresh planning application. Furthermore, the Committee noted that there had been a large number of Small House applications in Kai Leng and some of which had been developed into large-scale villa-type housing estate, e.g. Belair Villa. Relevant government departments were advised to take note of that situation.

13. 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 1.3.2028, 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 9

Section 16 Application

[Open Meeting (Presentation and Question Sessions Only)]

A/NE-TKLN/63 Proposed Temporary Private Club for a Period of 5 Years in
“Recreation” Zone, Lots 1309 S.B ss.3 and 1313 RP in D.D. 78 and
Adjoining Government Land, Ta Kwu Ling North
(RNTPC Paper No. A/NE-TKLN/63B)

Presentation and Question Sessions

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

15. Members had no question on the application.

Deliberation Session

16. After deliberation, the Committee decided to approve the application on a temporary basis for a period of 5 years until 1.3.2029, 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), was invited to the meeting at this point.]

Agenda Item 19

Section 16 Application

[Open Meeting (Presentation and Question Sessions Only)]

A/YL-NTM/468 Proposed Temporary Animal Boarding Establishment with Ancillary Facilities for a Period of 3 Years and Associated Filling of Land in “Green Belt” Zone, Lots 2161 and 2163 (Part) in D.D. 102, Ngau Tam Mei, Yuen Long
(RNTPC Paper No. A/YL-NTM/468A)

Presentation and Question Sessions

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

18. Two Members raised the following questions:

- (a) noting that the application site (the Site) fell within the boundary of the San Tin Technopole (the Technopole), when the Site would be resumed for development and how much time would be allowed to use the Site for the proposed animal boarding establishment; and
- (b) details of the planning enforcement action at the Site.

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

- (a) the Site fell within the area for the Phase 2 Development of the Technopole and the land resumption would tentatively commence in 2026. Depending on the actual date of land resumption, the applicant would have at least 21 months, starting from the approval of planning application by the Committee, to use the Site for the proposed animal boarding establishment; and

- (b) the Site was subject to active planning enforcement action against unauthorized filling of land. A Reinstatement Notice (RN) was issued to relevant parties requiring reinstatement of the concerned land. As the Site had not been reinstated upon the expiry of RN, prosecution action might be undertaken by the Planning Authority.

Deliberation Session

20. Regarding the land resumption matter, the Chairman remarked that a relevant advisory clause would be incorporated to remind the applicant of the possibility of land resumption and thereby the termination of the proposed animal boarding establishment at any time during the planning approval period for implementation of government projects.

21. A Member had reservation on the application as animal boarding establishments would normally not be approved in the “Green Belt” (“GB”) zone according to the established practice. While the Site would be resumed for the Technopole development, the fact that there was unauthorized filling of land at the Site should not be overlooked. The Chairman remarked that the subject application could be distinguished from the others due to changing planning circumstances. The Site, which fell within the boundary of the Technopole, would mainly fall within an area shown as ‘Road’ on the draft San Tin Technopole Outline Zoning Plan (OZP) considered and agreed by the Town Planning Board on 23.2.2024, and to be gazetted shortly. As the land resumption and construction works at the Site had yet to be commenced, there was still room for temporary uses at the Site in the interim to make better use of land resources. The Committee noted that approval of the subject application was due to its unique planning circumstances and it should by no means set a precedent for similar applications in the “GB” zone.

[Post meeting notes: the draft San Tin Technopole OZP was gazetted under section 5 of the Town Planning Ordinance on 8.3.2024.]

22. After deliberation, the Committee decided to approve the application on a temporary basis for a period of 3 years until 1.3.2027, 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 representative for attending the meeting. He left the meeting at this point.]

Tuen Mun and Yuen Long West District

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

Agenda Item 27

Section 16 Application

[Open Meeting (Presentation and Question Sessions Only)]

A/YL-HTF/1166 Renewal of Planning Approval for Temporary Open Storage of New Vehicles (Private Cars), Construction Materials, Machineries, Equipment and Storage of Tools and Parts with Ancillary Site Office for a Period of 3 Years and Filling of Land and Pond in "Agriculture" Zone, Various Lots in D.D.128 and Adjoining Government Land, Ha Tsuen, Yuen Long
(RNTPC Paper No. A/YL-HTF/1166)

Presentation and Question Sessions

23. With the aid of a PowerPoint presentation, Mr Eric C.Y. Chiu, STP/TMYLW, briefed Members on the background of the application, the applied use, departmental and public comments, and the planning considerations and assessments as detailed in the Paper. The Planning Department considered that the temporary use could be tolerated for a period of three years.

24. Members had no question on the application.

Deliberation Session

25. After deliberation, the Committee decided to approve the application on a temporary basis for a period of 3 years until 1.3.2027, 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.

Agenda Item 28

Section 16 Application

[Open Meeting (Presentation and Question Sessions Only)]

A/YL-LFS/505 Temporary Open Storage of Construction Materials and Machineries with Ancillary Workshop, and Vehicle/Cargo Compartments Assembly and Repair Workshop for a Period of 3 years in “Recreation” Zone, Lots 2093 (Part), 2094 (Part), 2095 (Part), 2096 RP (Part), 2097, 2102 S.A (Part), 2215 S.A RP (Part), 2216 (Part), 2217, 2218 RP (Part), 2219 RP (Part), 2231 RP (Part), 2233 (Part), 2234, 2235, 2236 (Part), 2237 (Part) in D.D.129 and Adjoining Government Land, Lau Fau Shan, Yuen Long
(RNTPC Paper No. A/YL-LFS/505)

Presentation and Question Sessions

26. With the aid of some plans, Mr. Eric C.Y. Chiu, STP/TMYLW, briefed Members on the background of the application, the applied use, departmental and public comments, and the planning considerations and assessments as detailed in the Paper. The Planning Department considered that the temporary use could be tolerated for a period of three years.

27. Members had no question on the application.

Deliberation Session

28. After deliberation, the Committee decided to approve the application on a temporary basis for a period of 3 years until 1.3.2027, 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.

Agenda Item 29

Section 16 Application

[Open Meeting (Presentation and Question Sessions Only)]

A/YL-PS/704 Proposed Temporary Place for Recreation, Sports or Culture (Hobby Farm) for a Period of 3 Years in “Green Belt” Zone, Lots 914, 915, 916 (Part) and 917 (Part) in D.D. 122, Ping Shan, Yuen Long
(RNTPC Paper No. A/YL-PS/704)

Presentation and Question Sessions

29. With the aid of some plans, Mr Max Y.L. Wong, TP/TMYLW, briefed Members on the background of the application, the proposed use, departmental and public comments, and the planning considerations and assessments as detailed in the Paper. The Planning Department had no objection to the application.

30. In response to a Member’s question on the details of the local objection relayed by the District Officer (Yuen Long), Home Affairs Department, Mr Alexander W.Y. Mak, STP/TMYLW, said that the objection was raised by the Village Representative of Wing Ning Tsuen concerning the adverse noise and traffic impacts to be induced by the proposed hobby farm being in close proximity to residential dwellings. There were about 10 structures of residential dwellings located to the west and southwest of the application site. Since hobby farm was a passive recreation use, the environmental nuisance would be minimal. The Director of Environmental Protection had not raised any concern about the noise impact of the proposed hobby farm.

Deliberation Session

31. After deliberation, the Committee decided to approve the application on a temporary basis for a period of 3 years until 1.3.2027, 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 35

Any Other Business

Section 16A Application

[Open Meeting]

A/NE-PK/184-2 Application for Extension of Time for Compliance with Planning Conditions, Various lots in D.D. 91, Kai Leng, Sheung Shui

32. The Secretary reported that application No. A/NE-PK/184 was approved with conditions by the Committee on 19.5.2023 for a period of three years. An application for extension of time for compliance with approval conditions (d) and (g) until 19.5.2024 and (c) and (f) until 19.8.2024 was received by the Town Planning Board on 14.2.2024, which was only four working days before the expiry of the specified time limit for approval conditions (d) and (g). The time limit for compliance with conditions (d) and (g) had already expired on 19.2.2024, and the planning approval for the subject application had ceased to have effect and had on the same date been revoked.

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

34. There being no other business, the meeting was closed at 3:12 p.m..

**Minutes of 737th Rural and New Town Planning Committee
(held on 1.3.2024)**

Deferral Cases

Requests for Deferment by Applicant for Two Months

Item No.	Application No.	Times of Deferment
3	Y/NE-STK/5	1 st
6	A/TP/692	1 st
10	A/NE-TKLN/78	1 st
11	A/NE-TKLN/79	1 st
12	A/NE-KTS/532	2 nd [^]
13	A/YL-KTN/952	2 nd [^]
15	A/YL-KTN/979	1 st
18	A/YL-PH/986	1 st
22	A/YL-SK/359	1 st
23	A/YL-SK/360	1 st
24	A/HSK/497	2 nd [^]
25	A/HSK/499	1 st
34	A/YL-TT/633	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 Interest

The Secretary reported the following declaration of interest:

Item No.	Member's Declared Interest	
6	The application site was located in Tai Po.	- Dr Venus Y.H. Lun for co-owning a property with spouse in Tai Po

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

*Refer to the agenda at https://www.tpb.gov.hk/en/meetings/RNTPC/Agenda/737_rnt_agenda.html for details of the planning applications.

**Minutes of 737th Rural and New Town Planning Committee
(held on 1.3.2024)**

Renewal Cases

(a) Applications for renewal of temporary approval for 3 years

Item No.	Application No.	Renewal Application	Renewal Period
4	A/SK-CWBS/47	Temporary Private Swimming Pools in “Village Type Development” Zone, Lots 114, 115, 117, 118 and 119 in D.D.235, Sheung Sze Wan, Clear Water Bay, Sai Kung	31.3.2024 to 30.3.2027
7	A/NE-LT/764	Temporary Private Car Park (Private Cars and Light Goods Vehicles) in “Agriculture” and “Village Type Development” Zones, Lots 408 S.B ss.2, 408 S.B ss.3, 408 S.B ss.4, 408 S.B ss.5 and 408 S.B RP (Part) in D.D. 10, Chai Kek Village, Lam Tsuen, Tai Po	3.3.2024 to 2.3.2027
17A	A/YL-PH/984	Temporary Shop and Services (Sales of Vehicle Parts) in “Agriculture” Zone, Lot 303 (Part) in D.D.110, Tsat Sing Kong, Pat Heung, Yuen Long	3.3.2024 to 2.3.2027
33	A/YL-TT/632	Temporary Shop and Services in “Village Type Development” Zone, Lot 1607RP (Part) in D.D. 119, Muk Kiu Tau Tsuen, Yuen Long	27.3.2024 to 26.3.2027

(b) Application for renewal of temporary approval for 5 years

Item No.	Application No.	Renewal Application	Renewal Period
17	A/YL-KTS/989	Temporary Eating Place in “Village Type Development” Zone, Lot 351 S.A (Part) in D.D. 106, Shek Wu Tong Tsuen, Pat Heung, Yuen Long	9.3.2024 to 8.3.2029

**Minutes of 737th Rural and New Town Planning Committee
(held on 1.3.2024)**

Cases for Streamlining Arrangement

Applications approved on a temporary basis for a period of 3 years until 1.3.2027

Item No.	Application No.	Planning Application
5	A/SK-HC/347	Proposed Temporary Shop and Services in “Residential (Group E)” Zone, Lot 463 RP in D.D. 210 and Lot 1297 RP in D.D. 244, Ho Chung, Sai Kung
14	A/YL-KTN/978	Proposed Temporary Warehouse (Excluding Dangerous Goods Godown) with Ancillary Facilities and Associated Filling of Land in “Agriculture” Zone, Lots 422 S.B ss.1 (Part) and 422 S.B RP in D.D. 110, Kam Tin, Yuen Long
16	A/YL-KTS/986	Temporary Restaurant in “Agriculture” Zone, Lots 1637 RP, 1649 S.A and 1649 RP in D.D. 106, Kam Sheung Road, Yuen Long
20	A/YL-ST/666	Proposed Temporary Eating Place in “Village Type Development” Zone, Lots 153 (Part) and 154 S.A. (Part) in D.D. 102, Wing Ping Tsuen, San Tin, Yuen Long
21	A/YL-SK/358	Proposed Temporary Eating Place in “Residential (Group D)” Zone, Lots 839 (Part) and 840 in D.D. 114 and Adjoining Government Land, Pat Heung, Yuen Long
26	A/HSK/500	Temporary Open Storage of Construction Materials and Public Vehicle Park (Private Cars, Light Goods Vehicles and Medium/Heavy Goods Vehicles) in “Residential (Group A) 3” and “Open Space” Zones, Lots 1824 S.B RP (Part) and 1824 S.C (Part) in D.D. 125, Ha Tsuen, Yuen Long
30	A/YL-TYST/1251	Proposed Temporary Shop and Services and Excavation of Land in “Village Type Development” Zone, Lot 1586 in D.D. 121 and Adjoining Government Land, Shan Ha Tsuen, Yuen Long
31	A/YL-TYST/1252	Temporary Warehouse and Open Storage of Furniture, Exhibition Materials, Construction Materials/Machinery and Household Detergent in “Undetermined” Zone, Lots 1198 S.C (Part), 1198 S.D (Part), 1198 S.E (Part), 1198 S.G (Part), 1201 (Part), 1202 RP (Part), 1210 S.F RP (Part), 1225 (Part), 1226 (Part), 1238 (Part), 1239 (Part) and 1252 (Part) in D.D. 119, Tong Yan San Tsuen, Yuen Long
32	A/YL-TYST/1253	Temporary Warehouse and Open Storage of Exhibition Materials in “Undetermined” Zone, Lot 1263 (Part) in D.D. 119 and Adjoining Government Land, Pak Sha Tsuen, Yuen Long