

**Minutes of 1358<sup>th</sup> Meeting of the  
Town Planning Board held on 20.3.2026**

**Present**

Permanent Secretary for Development  
(Planning and Lands)  
Ms Doris P.L. Ho

Chairperson

Mr Stephen L.H. Liu

Vice-chairperson

Ms Sandy H.Y. Wong

Mr Daniel K.S. Lau

Mr Stanley T.S. Choi

Mr K.W. Leung

Professor Jonathan W.C. Wong

Mr Ricky W.Y. Yu

Professor Roger C.K. Chan

Mr Vincent K.Y. Ho

Mr Timothy K.W. Ma

Professor Bernadette W.S. Tsui

Ms Kelly Y.S. Chan

Dr C.M. Cheng

Mr Daniel K.W. Chung

Dr Tony C.M. Ip

Mr Ryan M.K. Ip

Mr Rocky L.K. Poon

Professor B.S. Tang

Professor Simon K.L. Wong

Mr Simon Y.S. Wong

Mr Derrick S.M. Yip

Chief Engineer (Traffic Survey & Support)  
Transport Department  
Mr W.H. Poon

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

Assistant Director (Environmental Assessment)  
Environmental Protection Department  
Mr Gary C.W. Tam

Director of Lands  
Mr Maurice K.W. Loo

Director of Planning  
Mr C.K. Yip

Deputy Director of Planning/District  
Ms Donna Y.P. Tam

Secretary

**Absent with Apologies**

Dr Venus Y.H. Lun

Mr Ben S.S. Lui

**In Attendance**

Assistant Director of Planning/Board

Ms Caroline T.Y. Tang

Chief Town Planner/Town Planning Board

Ms Anny P.K. Tang

Senior Town Planner/Town Planning Board

Ms Karen F.Y. Lam

## **Agenda Item 1**

[Open Meeting]

### Confirmation of Minutes of the 1356<sup>th</sup> Meeting

[The item was conducted in Cantonese.]

1. The Chairperson said that the draft minutes of the 1356<sup>th</sup> meeting held on 6.3.2026 were sent to Members on 20.3.2026. Subject to any proposed amendments by Members on or before 23.3.2026, the minutes would be confirmed.

[Post-meeting note: The minutes were confirmed on 23.3.2026 without amendment.]

## **Agenda Item 2**

[Open Meeting]

### Matters Arising

[The item was conducted in Cantonese.]

(i) Reference Back of Approved Outline Zoning Plan

2. The Secretary reported that on 12.3.2026, the Secretary for Development referred the approved Kai Tak Outline Zoning Plan (OZP) No. S/K22/8 to the Town Planning Board for amendment under section 12(1A)(a)(ii) of the Town Planning Ordinance. The reference back of the OZP was notified in the Gazette on 20.3.2026.

(ii) Hearing Arrangement for Consideration of Representations on Draft Outline Zoning Plans

3. The Secretary reported that the item was to seek Members' agreement on the hearing arrangement for consideration of representations in respect of the draft Ma Tau Kok Outline Zoning Plan (OZP) No. S/K10/31 and the draft Sha Tin OZP No. S/ST/39.

4. The Secretary briefly introduced that the two draft OZPs were exhibited for public

inspection under section 5 of the Town Planning Ordinance on 24.12.2025 and 16.1.2026 respectively. During the 2-month exhibition period, five and two valid representations were received respectively. In view of the similar nature of the representations, the hearing of the representations for each OZP was recommended to be considered by the full Town Planning Board (the full Board) collectively in one group. To ensure efficiency of the hearing, a maximum of 10 minutes presentation time would be allotted to each representer in the respective hearing session. Consideration of the representations for the two OZPs by the full Board was tentatively scheduled for May and April 2026 respectively.

5. The Board agreed to the hearing arrangement in paragraph 4 above.

(iii) New Town Planning Appeal Received

Town Planning Appeal No. 1 of 2026

Temporary Private Garden for a Period of 3 Years in “Agriculture” Zone, Lot 429 S.B (Part) in D.D. 244 and Adjoining Government Land, Ho Chung New Village, Sai Kung

Application No. A/SK-HC/354

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6. The Secretary reported that a Notice of Appeal was received by the Appeal Board Panel (Town Planning) on 27.2.2026 against the decision of the Town Planning Board (the Board) on 12.12.2025 to reject on review an application No. A/SK-HC/354 for a temporary private garden. The application site fell within an area zoned “Agriculture” (“AGR”) on the Ho Chung Outline Zoning Plan.

7. The review application was rejected by the Board for the following reasons:

- (a) the temporary private garden was not in line with the planning intention of “AGR” zone which was primarily to retain and safeguard good quality agricultural land/farm/fish ponds for agricultural purposes. There was no strong justification given in the submission for a departure from such planning intention, even on a temporary basis; and

- (b) the applicant failed to demonstrate that the proposed use located within the water gathering ground would not cause adverse impact on the water quality of the area.

8. Members noted that the hearing date of the appeal had yet to be fixed and agreed that the Secretary would act on behalf of the Board in dealing with the appeal in the usual manner.

(iv) Appeal Statistics

9. The Secretary reported that as at 10.3.2026, one case was yet to be heard by the Appeal Board Panel (Town Planning) and two appeal decisions were outstanding. Details of the appeal statistics were as follows:

Allowed	46
Dismissed	181
Abandoned/Withdrawn/Invalid	214
Yet to be Heard	1
Decision Outstanding	2
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Total	444

**Deferral Cases**

Section 17 Applications

[Open Meeting (Presentation and Question Sessions only)]

Presentation and Question Sessions

10. The Town Planning Board (the Board) noted that there were two cases requesting the Board to defer consideration of the review applications. Details of the request for deferral were in **Annex**.

[Mr Stanley T.S. Choi joined the meeting at this point.]

### Deliberation Session

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

## **Sai Kung and Islands District**

### **Agenda Item 3**

[Open Meeting (Presentation and Question Sessions only)]

Consideration of Representations in respect of the Draft Tung Chung Valley Outline Zoning Plan No. S/I-TCV/3  
(TPB Paper No. 11052)

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[The item was conducted in Cantonese and English.]

12. The Secretary reported that Amendment Item A (Item A) incorporated in the draft Tung Chung Valley Outline Zoning Plan (OZP) was to take forward the decision of a partially agreed section 12A (s.12A) application No. Y/I-TCV/1 submitted by Coral Ching Limited, an affiliate of Sun Hung Kai Real Estate Agency Limited, which was a subsidiary of Sun Hung Kai Properties Limited (SHK), with AECOM Asia Company Limited (AECOM) and Ove Arup & Partners Hong Kong Limited (ARUP) as the consultants of the applicant. A representation was submitted by Kadoorie Farm and Botanic Garden Corporation (R5). The following Members had declared interests on the item:

Dr Tony C.M. Ip	-	having current business dealings with SHK and AECOM, and past business dealings with ARUP;
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- Mr Vincent K.Y. Ho - having current business dealings with SHK and AECOM; and
- Mr Ryan M.K. Ip - being the vice-president and executive director of Public Policy Institute of Our Hong Kong Foundation which has received donations from SHK and Kadoorie family, and owning properties in Tung Chung.

13. Members noted that Mr Vincent K.Y. Ho would join the meeting after this item. As the interests of Dr Tony C.M. Ip were considered direct, he was invited to leave the meeting temporarily for the item. As Mr Ryan M.K. Ip had no involvement in the project(s) under the sponsorship(s) of SHK and Kadoorie family, and the properties owned by him had no direct view of the amendment items, Members agreed that he could join the meeting.

[Dr Tony C.M. Ip left the meeting temporarily at this point.]

#### Presentation and Question Sessions

14. The Chairperson said that reasonable notice had been given to the representers inviting them to the hearing, but other than those who were present or had indicated that they would attend the hearing, the rest had either indicated not to attend or made no reply. As reasonable notice had been given to the representers, Members agreed to proceed with the hearing of the representations in their absence.

15. The following representatives of the Planning Department (PlanD), representer and representer's representatives were invited to the meeting at this point:

#### ***PlanD***

- Mr Ernest C.M. Fung - District Planning Officer/Sai Kung and Islands (DPO/SKIs)
- Mr Coway K.H. Chan - Senior Town Planner/Sai Kung and Islands (STP/SKIs)

Ms Vivian W. Y. Wan - Town Planner/Sai Kung and Islands

***Representer and Representer's Representatives***

R1 – Coral Ching Limited

Ms Wu Wan Yin Winnie ]  
Mr Lau Wai Neng Miguel ]  
Mr Chiu Cho Keung Franki ] Representer's Representatives  
Mr Hui Chak Hung Dickson ]  
Mr Koon Sun Fai Arnold ]

R9 – Mary Mulvihill

Ms Mary Mulvihill - Representer

16. The Chairperson extended a welcome and briefly explained the procedures of the hearing. She said that representatives of PlanD would be invited to brief Members on the representations. The representer and representer's representatives would then be invited to make oral submissions. To ensure efficient operation of the hearing, each representer would be allotted 10 minutes for making presentation. There was a timer device to alert the representer and representer's representatives two minutes before the allotted time was to expire, and when the allotted time limit was up. A question and answer (Q&A) session would be held after the representer and representer's representatives had completed their oral submissions. Members could direct their questions to PlanD's representatives, the representer and representer's representatives. After the Q&A session, PlanD's representatives, the representer and representer's representatives would be invited to leave the meeting. The Town Planning Board (the Board/TPB) would then deliberate on the representations in closed meeting and would inform the representers of the Board's decision in due course.

17. The Chairperson invited PlanD's representatives to brief Members on the representations. With the aid of a PowerPoint presentation, Mr Coway K.H. Chan, STP/SKIs, PlanD briefed Members on the representations, including the background of the amendment items on the draft Tung Chung Valley OZP No. S/I-TCV/3 (the draft OZP), the grounds/views

of the representers, government responses and PlanD's views on the representations as detailed in TPB Paper No. 11052 (the Paper). The amendment items on the OZP included:

- (a) Item A – rezoning of a site at the junction of Yu Tung Road and Chung Mun Road from “Residential (Group C) 2” (“R(C)2”) to “Residential (Group B)” (“R(B)”) subject to a maximum domestic plot ratio (PR) of 2.1, a maximum non-domestic PR of 0.22, maximum building heights (BHs) of 50 metres above Principal Datum (mPD), 80mPD and 100mPD from north to south, as well as the provision of a transport interchange with a gross floor area (GFA) of not less than 3,150m<sup>2</sup>;
- (b) Item B1 – rezoning of six strips of land near Hau Wong Temple, Ngau Au and Shek Mun Kap from area shown as ‘Road’ to “Commercial (2)”, “Open Space” (“O”), “Government, Institution or Community” (“G/IC”), “Village Type Development” (“V”), “Green Belt” (“GB”), “Other Specified Uses” annotated “Polder” and “Conservation Area” (“CA”);
- (c) Item B2 – rezoning of a small piece of land near Hau Wong Temple from “G/IC” to “O”; and
- (d) Item B3 – revision of the BH restriction (BHR) of a small piece of land zoned “G/IC” to the south of Hau Wong Temple from 4 storeys to 1 storey.

18. There were also amendments to the Notes of the OZP to reflect the above rezonings and to align with the latest Master Schedule of Notes to Statutory Plans.

[Ms Sandy H.Y. Wong joined the meeting during PlanD's presentation.]

19. The Chairperson then invited the representer and representer's representatives to elaborate on their representations.

R1 – Coral Ching Limited

20. With the aid of a PowerPoint presentation, Ms Wu Wan Yin Winne made the following main points:

- (a) the amendments, particularly Item A, were supported;
- (b) Item A was mainly to take forward a s.12A application (No. Y/I-TCV/1) which was partially agreed by the Rural and New Town Planning Committee (RNTPC) in May 2025. The maximum development parameters under the s.12A application, together with RNTPC Members' concerns raised at the meeting, were duly taken into account. Accordingly, development restrictions were incorporated into the Notes of the OZP, including restrictions on the maximum domestic and non-domestic PRs and a stepped BH profile with maximum BHs of 50mPD, 80mPD and 100mPD. In addition, specific requirements were stipulated under Item A, including the provision of a 20m-wide non-building area (NBA) running east to west across the site, a 10m-wide building setback along the western site boundary adjoining the "Coastal Protection Area" ("CPA") zone, and the provision of a transport interchange and a kindergarten to be implemented by the applicant;
- (c) the technical assessments in support of the s.12A application were submitted, and relevant government bureaux and departments (B/Ds) had no objection or adverse comment raised. The mitigation measures recommended in the respective technical assessments would be implemented by the applicant during the development stage; and
- (d) it was hoped that the Board would agree to the OZP amendments so that the applicant could proceed with the development as soon as practicable.

R9 – Ms Mary Mulvihill

21. With the aid of a visualiser, Ms Mary Mulvihill, made the following main points:

*Views of R6*

- (a) she expressed agreement with the objection raised by R6 (i.e. Green Power), as detailed in its written submission which outlined the potential adverse impacts arising from the proposed development under Item A;

*Item A*

- (b) Item A would allow a much higher and denser development compared with the original planning intention for the area, which was to conserve ecologically sensitive areas, protect the rural and natural character, and preserve the unique landscape character and cultural heritage of the locality. While the applicant considered it opportune to rezone the site with a view to optimising its development potential, the planning intention of the area was for conservation and recreation rather than for development;
- (c) high-density developments were primarily concentrated on the eastern side of Chung Mun Road including Area 42, whereas the western side was predominantly characterised by rural and low-rise developments. Moreover, the MTR station at Yat Tung Estate was not within walking distance of Item A site;
- (d) Item A was not justifiable as it was located in close proximity to both the “CPA” and “CA” zones, and part of the site fell within the Sha Tsui Tau Site of Archaeological Interest (Sha Tsui Tau SAI);
- (e) the proposed development would cause irreversible impact on the natural ecosystem. While some measures, such as capture and translocation of amphibian species of conservation importance, preservation and/or transplantation of plant species of conservation importance, and rescue excavation or archaeological surveys within the Sha Tsui Tau SAI prior to commencement of works, had been proposed, they would not fully mitigate the permanent loss of ecological and archaeological resources;

- (f) the increase in population within this environmentally sensitive area would inevitably result in adverse environmental impacts, including disruption to the natural drainage system, as well as increased noise and light pollution. Moreover, a greater volume of pollutants and deleterious substances would likely be washed into nearby waterways and natural streams, further degrading the surrounding ecosystem;
- (g) under the s.12A application, 670 trees were proposed to be felled, while only 338 trees were proposed for compensatory planting, representing compensation for merely about 50% of the trees lost;
- (h) there were deficits in the provision of government, institution and community (GIC) facilities in the district, including community care services facilities, residential care homes for the elderly, day rehabilitation services, etc. Nevertheless, the provision of GIC facilities at the site was subject to detailed planning and might not materialise. The proposed kindergarten was regarded as a form of commercial service, for which supply already exceeded demand. Moreover, about 20% of the Item A site comprised government land and GIC facilities were exempted from PR calculation, therefore, there was no justification for not providing such facilities;
- (i) the applicant currently held only about 40% ownership of the site. Approximately 20% comprised government land, while the remaining 40% was still subject to ongoing acquisition negotiations. If land consolidation could not be completed in a timely manner, the prolonged delay in implementation would result in a waste of scarce public resources. The applicant should provide a clear, detailed and concrete ownership consolidation plan, including a specific timetable and phased targets, to demonstrate the feasibility and implementability of the proposed development;

*Items B1 to B3*

- (j) Items B1 to B3 were supported;

*Amendments to the Notes of the OZP*

- (k) ‘Government Refuse Collection Point’ and ‘Public Convenience’ should remain in Column 2 of the Notes for the “V” zone to ensure public scrutiny of the location and design of such facilities; and
- (l) the planning intention of the “V” zone was to provide housing for indigenous villagers. The incorporation of ‘Field Study/Education/Visitor Centre’ under Column 2 of the Notes for the “V” zone would give rise to abuse of the Small House policy, resulting in the sale of Small Houses to non-indigenous villagers.

[Mr Ryan M.K. Ip joined the meeting during R9’s presentation.]

22. As the presentations of PlanD’s representative, the representer and representer’s representative had been completed, the meeting proceeded to the Q&A session. The Chairperson explained that Members would raise questions to the representer, representer’s representatives and/or PlanD’s representatives to answer. The Q&A session should not be taken as an occasion for the attendees to direct questions to the Board nor for cross-examination between parties. The Chairperson then invited questions from Members.

Item A

*Tung Chung Stream (TC Stream)*

23. Some Members raised the following views/questions:

- (a) noting that the Tung Chung Valley OZP covered a wide area comprising various developments interspersed with a number of sites zoned “CPA” and

“CA”, how the original planning concept of the planning scheme area (the Area) was reflected in the draft OZP;

- (b) TC Stream flowed from the uphill areas through Tung Chung Valley to the estuary of Tung Chung Bay and was of high ecological value. A high diversity of fish species, including shuttle hopfish (彈塗魚), as well as frogs, were found in this stream. The associated wetland habitats and the estuarine area also supported various aquatic fauna, including crabs and fish. As Item A was located in close proximity to the section of TC Stream that discharged into the estuary of Tung Chung Bay, what the ecological value of TC Stream was as identified in the Environmental Impact Assessment (EIA) conducted in support of the s.12A application and the ecological considerations for this area;
- (c) noting that TC Stream possessed high ecological value and was located adjacent to the “CPA” zone, what amendments were made to the development restrictions for Item A in response to RNTPC’s considerations, including the BH and setback requirements, and whether there was a defined buffer distance requirement between residential developments and “CPA” zones in general;
- (d) noting that the designation of buffer areas, NBAs and building setbacks primarily addressed visual impacts and provided physical separation, whether the proposed residential development would have any direct impacts on TC Stream beyond visual considerations; and
- (e) noting that a sizeable site to the west of TC Stream was zoned “R(C)2”, whether approval of Item A would set a precedent for similar rezoning applications of the western site, and whether any assessment had been undertaken on the cumulative impacts, including ecological impacts on TC Stream and infrastructure capacity, should both Item A and the said “R(C)2” site be rezoned for higher-density developments.

24. In response, Mr Ernest C.M. Fung, DPO/SKIs, PlanD, with the aid of some PowerPoint slides, made the following main points:

- (a) the general planning intention of the Area was primarily for conservation. The Area was characterised by a rural ambience and adjoined the transitional zone at the periphery of the urbanised Tung Chung town centre, with due regard given to the adjoining conservation areas. High-density developments were mainly public housing located in the eastern part of the Area. In line with the overall stepped BH profile of Tung Chung New Town, which descended from the mountainside towards the waterfront, residential developments exhibited a gradual reduction in BHs and development intensity from south to north, extending from the town centre to the estuary of Tung Chung Bay. Item A comprised a medium-density development located to the east of TC Stream, while to the west of TC Stream were predominantly areas for low-density residential developments and village type developments;
  
- (b) TC Stream was assessed as having high ecological value in the relevant technical assessments. Notwithstanding that, Item A had been assessed to have low ecological value and identified as suitable for development within Tung Chung Valley under the Planning and Engineering Study on Remaining Development in Tung Chung – Feasibility Study (the Tung Chung Study). The proposed rezoning from “R(C)2” to “R(B)” would not undermine the original planning intention, as the site had already been considered suitable for residential development. Various technical assessments were conducted to ascertain the feasibility of the proposed rezoning based on the s.12A application scheme. The findings concluded that the proposed upzoning from “R(C)2” to “R(B)” was technically feasible, subject to the incorporation of recommended mitigation and improvement measures. The trees proposed for removal within Item A site were predominantly fruit trees of relatively low ecological value. In addition, to conserve the habitat of TC Stream and Tung Chung Bay, the Government would revitalise the channelised section of TC Stream as part of the Tung Chung River Park under implementation;

- (c) to address Members' concerns, the development restrictions for the proposed "R(B)" zone under the s.12A application were reviewed. To enhance visual openness from the western side, particularly from TC Stream and its adjoining "CPA" zone, it was proposed to extend the 50mPD BH control to cover the entire western portion of the site. In addition, a 10m-wide building setback along TC Stream and a requirement for BHs stepping down from south to north within the 50mPD control zone in the northern part of the site were introduced to provide a greater buffer between the proposed residential towers and TC Stream. The Director of Agriculture, Fisheries and Conservation had no adverse comment on the proposal from ecological perspective. A sufficient extent of "CPA" zone had also been reserved on the OZP to serve as a buffer;
- (d) mitigation measures were incorporated into the proposed development to address potential drainage impact, including integration with the comprehensive drainage system planned for the area by the Civil Engineering and Development Department (CEDD). Besides, stormwater attenuation and treatment ponds under construction by CEDD in Tung Chung Valley would help collect surface runoff from Item A site and treat and attenuate the runoff prior to its discharge into TC Stream; and
- (e) to protect the existing rural and natural character in the Area, relevant development controls and mitigation measures had been stipulated in the Notes and Explanatory Statement (ES) of the draft OZP to ensure that the development under Item A would be balanced against environmental considerations. Under the planning concept of stepped BH, a stepped height profile to achieve integration with the natural topography and existing built form had been adopted, descending from the mountainside towards the waterfront and to the estuary of Tung Chung Bay. Notwithstanding that, any development proposal for higher development density and BH should be considered on its individual merits, having regard to the specific development details and relevant technical assessments submitted in support of the proposal. Any intensification of the "R(C)"

site to the west of TC Stream, which was subject to a PR of 1 and located between TC Stream and the country park, would deviate from the planning concept and intention of the Tung Chung Valley area. In that regard, approval of the draft OZP incorporating Item A would not constitute a precedent for other sites in the Tung Chung Valley area.

25. Mr C.K. Yip, Director of Planning, supplemented that the Tung Chung Valley OZP covered an area comprising natural streamcourses, commonly known as TC Stream, and its surrounding natural habitats, which were of high ecological value and worthy of preservation. The “CPA” and “CA” zones were intended to protect the two main tributaries of TC Stream. In the surrounding areas, there were low-rise developments, including sites zoned “R(C)” and “V”, such as the recognised village cluster at Shek Mun Kap, where most of the land was privately owned. It was not uncommon in the New Territories for low-rise residential developments to be located adjacent to “CPA” and “CA” zones, serving as buffers to protect the ecologically important areas like the “CPA” zone adjacent to the site along TC Stream. Regarding Item A, mitigation measures recommended in the approved EIA Report of the Tung Chung Study were stipulated in the ES of the draft OZP for implementation through administrative means, including incorporation into lease conditions at a later stage. For the proposed rezoning of the site from “R(C)2” with a maximum PR of 1 to “R(B)” with a maximum PR of 2.1, the applicant had demonstrated through various technical assessments that the proposed development would not result in insurmountable technical problems or significant adverse impacts on TC Stream and the adjoining “CPA” zone.

26. Mr Gary C.W. Tam, Assistant Director (Environmental Assessment), Environmental Protection Department, said that the additional sewerage demand arising from the increased population at Item A would be accommodated by the planned sewerage system in the area and would not impact TC Stream. Surface runoff generated from construction sites would be collected and treated by the relevant treatment facilities and handled in accordance with the prevailing mechanisms and statutory requirements. In addition to the range of mitigation measures recommended in the approved EIA Report of the Tung Chung Study, the Sewerage Impact Assessment submitted in support of the s.12A application had demonstrated that no adverse impact on TC Stream would arise from the proposed development. In response to a Member’s enquiry, Mr Tam confirmed that both sides of TC Stream could be connected to the existing and/or planned public sewerage systems.

### *Planning Gains*

27. A Member enquired about the planning gains arising from the proposed rezoning of Item A from “R(C)2” to “R(B)”, particularly in terms of benefits to the local community. In response, Mr Ernest C.M. Fung, DPO/SKIs, PlanD said that the proposed development would incorporate a transport interchange, commercial facilities with retail frontage along Chung Mun Road and an 8-classroom kindergarten. To supplement, Ms Wu Wan Yin Winnie, R1’s representative, said that the transport interchange and retail facilities were intended to meet the daily needs of the increased population, serving future residents and visitors, while enhancing connectivity, the pedestrian environment and overall street vibrancy with roadside greenery along Chung Mun Road.

28. Some Members raised the following views/questions:

- (a) the planning gains arising from the proposed rezoning of Item A, in terms of contributions to ecological conservation;
- (b) noting that a transport interchange was proposed together with lay-bys, and that there was an existing public transport interchange at Mun Tung Estate, whether the proposed transport interchange was intended solely to serve residents of Item A site; and
- (c) the floor area proposed for the commercial facilities within the development of Item A site.

29. In response, Ms Wu Wan Yin Winnie, R1’s representative, made the following main points:

- (a) in light of various government infrastructure and road works already undertaken in the area, translocation exercises for Romer’s Tree Frogs had been carried out in consultation with the relevant B/Ds prior to the commencement of the proposed development. In addition, receptor areas within Item A site had been reserved for any flora species of conservation interest that might be identified, including *Aquilaria sinensis* (土沉香).

The applicant had actively responded to the need to preserve and enhance the ecological value of Item A site;

- (b) the proposed transport interchange would be open for use by the general public and would be managed and maintained by the applicant; and
- (c) the proposed commercial facilities were intended to serve the wider community, with a floor area of about 4,145m<sup>2</sup>, which was comparable to the typical scale of commercial provision within “R(B)” zones in the New Territories.

### *Tree Compensation*

30. A Member enquired about the basis for adopting a tree replanting ratio of 1:0.5, as raised by a representer, and asked whether there were any measures to increase the compensatory tree planting ratio. In response, Ms Wu Wan Yin Winnie, R1’s representative, said that based on the tree survey conducted under the s.12A application, 615 of the 670 existing trees found on the site were fruit trees mainly for commercial purpose. The spacing between existing trees was approximately 2m, whereas a spacing of at least 4m was considered desirable for healthy tree growth. Despite the large number of trees at the site, the greenery coverage was only about 20% of the total site area. Taking into account the site conditions, spacing requirements and the use of native species, a total of 338 new trees would be planted within the site, and the greenery coverage would increase to about 30% of the total site area. In addition to tree planting within the private gardens of the residential development, additional planting was proposed along the western building setback area to serve as buffer planting adjoining the “CPA” zone, and along Chung Mun Road, where retail frontage was planned, as roadside greenery to enhance the pedestrian environment. These proposals aimed to strengthen the landscape quality at the site periphery. The compensatory planting ratio could be further reviewed and potentially increased at the detailed design stage.

### *Implementation Programme*

31. Noting that R8 raised concerns about the project’s feasibility, a Member enquired about the basis for and certainty of achieving the target completion of the proposed development

by 2030, given that land acquisition was still in progress. In response, Ms Wu Wan Yin Winnie, R1's representative, explained that at the s.12A application stage, the target completion year had been formulated with reference to the infrastructure capacity of the area and the progress of transport infrastructure projects. In particular, the planned MTR Tung Chung West Station, which was scheduled for completion in 2029, would be located in close proximity to the site, at an approximate 4-minute walking distance. The implementation programme was therefore premised on a transit-oriented development approach, to align with the anticipated increase in transport capacity. Moreover, land acquisition had been progressing with positive prospect. At the time of the s.12A application, about 60% of the site area of approximately 3.38 hectares comprised private land held by the applicant and government land. With continued acquisition of the remaining private land, this figure had since increased to over 65%. The applicant would continue efforts to acquire the remaining private land and would take into account the progress of various infrastructure projects in formulating the detailed implementation programme at the design stage, with relevant information to be submitted to the concerned B/Ds.

32. As Members had no further questions to raise, the Chairperson said that the hearing procedures for the presentation and Q&A sessions had been completed. The Board would deliberate on the representations in closed meeting and would inform the representers of the Board's decision in due course. The Chairperson thanked the representer, representer's representatives and PlanD's representatives for attending the meeting. They left the meeting at this point.

#### Deliberation Session

33. The Chairperson invited views from Members.

34. Members generally considered that the amendment items could be supported and expressed the following views/suggestions on Item A:

- (a) the discussion at the subject meeting served to remind the project proponent (i.e. R1) to protect the environment and TC Stream, and the project proponent appeared to have adopted a positive and proactive approach towards environmental protection in formulating the development proposal.

The primary consideration of Item A should focus on whether the proposed development would have any adverse impact on the ecologically important environment. It was considered that the proposed development would meet the environmental protection requirements stipulated in the Tung Chung Valley OZP;

- (b) since the publication of the first Tung Chung Valley OZP in 2016, green groups had raised concerns about the possible impact on Tung Chung Valley, and extensive discussions had been held regarding the preservation of TC Stream. The OZP was formulated with a conservation-oriented planning intention, though this did not preclude development. Item A site has all along been zoned for residential development. The proposed rezoning of the site from “R(C)2” with a maximum PR of 1 to “R(B)” with a maximum PR of 2.1 would result in an increase in development bulk and intensity. While the applicant had made efforts such as incorporating building setbacks, the planning gains that would benefit the wider district appeared limited, with most benefits serving the development itself. The project proponent should further explore ways to enhance the interface with the “CPA” zone and TC Stream, such as enhancing the ecological environment of the adjacent area through additional tree planting along areas adjoining the “CPA” zone, and providing opportunities such as organising ecological forum for the local community to foster better appreciation and understanding of conservation; and
  
- (c) drawing on overseas experience, conservation areas were often accompanied by low-density developments that blended into the natural surroundings. The project proponent could further explore ways to enhance the interface with the “CPA” zone, such as engaging experts to design the development in a manner that achieved seamless integration with the adjoining “CPA” zone. The project proponent could consider the site’s potential as an entrance to the nearby hiking trail and improve the surrounding pedestrian network accordingly. With appropriate architectural design, the proposed development could serve as a pioneering

example of balancing development with ecological conservation, and would constitute a meaningful planning gain.

### *Conclusion*

35. The Chairperson concluded that Members generally supported or had no objection to the OZP amendments, and agreed that the draft OZP should not be amended to meet the adverse representations. All grounds of the representations had been addressed through the departmental responses as detailed in the Paper as well as the presentations and responses made by PlanD's representatives at the meeting. The Chairperson remarked that Members' views and suggestions regarding the sensitive integration of the proposed development with the adjoining "CPA" zone, the enhancement of tree planting, and the strengthening of pedestrian connectivity to the entrance of the nearby hiking trail should be recorded in the meeting minutes for the project proponent (i.e. R1)'s due consideration in refining the proposal at Item A site.

36. After deliberation, the Town Planning Board (the Board) noted the supportive views and other views of **R1 to R5, R6 (part) and R9 (part)**, and decided not to uphold R6 (part), R7, R8 and R9 (part) and considered that the draft Tung Chung Valley Outline Zoning Plan (OZP) should not be amended to meet the representations for the following reasons:

#### "Item A

- (a) Item A is to take forward the decision of the Rural and New Town Planning Committee of the Board on a partially agreed section 12A (s.12A) application for proposed residential development at the site which has been planned for residential use since the gazettal of the first Tung Chung Valley Outline Zoning Plan (OZP) in 2016;
- (b) Item A site is located at the urban fringe between Tung Chung Town Centre and Tung Chung Valley and in close proximity to the MTR Tung Chung West Station under construction. The proposed medium-density residential development is considered not incompatible with the surrounding environment, which will form an extension of the urban

development in Tung Chung Town Centre. The zoning and relevant development restrictions for the site are considered appropriate;

- (c) the technical assessments conducted by the applicant at the s.12A application stage demonstrate that the development proposal is technically feasible. With implementation of appropriate mitigation measures, the proposed development will not cause significant adverse impacts on traffic, environmental, ecological, infrastructure, drainage, heritage conservation, landscape and visual aspects. All concerned government bureaux/departments (B/Ds) have no objection to or no adverse comment on the proposed development. The requirements for implementation of mitigation measures have been incorporated in the Explanatory Statement of the OZP;
- (d) the existing and planned provision of government, institution and community (GIC) facilities in Islands District is generally sufficient to meet the demand of the planned population of the Islands District. The provisions of GIC facilities will be closely monitored by the relevant B/Ds; and

Amendments to the Notes (d) and (e)

- (e) the incorporation of ‘Government Refuse Collection Point’ and ‘Public Convenience’ under Column 1 and ‘Field Study/Education/Visitor Centre’ under Column 2 of the Notes for the “Village Type Development” zone is in line with the latest Master Schedule of Notes to Statutory Plans promulgated by the Board. The provision of these facilities will follow the relevant government procedures and/or require planning permission from the Board.”

37. The Board also agreed that the draft OZP, together with its Notes and updated Explanatory Statement, was suitable for submission under section 8(1)(a) of the Town Planning Ordinance to the Chief Executive in Council for approval.

[The meeting was adjourned for a 20-minute break.]

[Mr Vincent K.Y. Ho joined and Dr Tony C.M. Ip rejoined the meeting at this point.]

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

#### **Agenda Items 4 and 5**

[Open Meeting (Presentation and Question Sessions only)]

Review of Application No. A/NE-LYT/862

Proposed House (New Territories Exempted House - Small House) in “Agriculture” and “Village Type Development” Zones, Lot 691 S.D in D.D. 83, Kwan Tei Village, Fanling

Review of Application No. A/NE-LYT/863

Proposed House (New Territories Exempted House - Small House) in “Agriculture” Zone, Lot 691 S.E in D.D. 83, Kwan Tei Village, Fanling

(TPB Paper No. 11053)

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[The items were conducted in Cantonese.]

38. Members agreed that as the two review applications each for a proposed house (New Territories Exempted House (NTEH) – Small House) were similar in nature and the application sites (the Sites) were located adjacent to each other within or largely within the same “Agriculture” (“AGR”) zone, they could be considered together.

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

39. The following representatives of the Planning Department (PlanD) were invited to the meeting at this point:

##### **PlanD**

Mr Rico W.K. Tsang	- District Planning Officer/Shan Tin, Tai Po and North (DPO/STN)
Mr Ryan C.K. Ho	Senior Town Planner/Shan Tin, Tai Po and North (STP/STN)

40. The Chairperson extended a welcome and informed Members that the applicants and their representative had indicated that they would not attend the meeting. She then invited PlanD's representatives to brief Members on the review applications.

41. With the aid of a PowerPoint presentation, Mr Ryan C.K. Ho, STP/STN, briefed Members on the background of the review applications including the application sites (the Sites) and the surrounding areas, the applicants' proposals and justifications, the consideration of the applications by the Rural and New Town Planning Committee (RNTPC) of the Town Planning Board (the Board/TPB), departmental and public comments, and the planning considerations and assessments as detailed in TPB Paper No. 11053 (the Paper). To support the review applications, the applicants have submitted written representations. Taking into account the written representations and the latest planning circumstances, PlanD had no objection to the review applications.

42. As the presentation of PlanD's representative had been completed, the Chairperson invited questions from Members.

43. A Member remarked that the Paper provided comprehensive background information on the two review applications, particularly in respect of the views of the Appeal Board Panel (Town Planning) (TPAB) in Town Planning Appeal No. 3 of 2024 as set out in footnote 3 of the Paper. The Member considered that the planning assessment was clear and well presented, and PlanD's recommendation was reasonable. The Member also observed that the Sites had previously been the subject of application No. A/NE-LYT/517 for the development of two Small Houses, which was approved by RNTPC in 2013 and the planning permission remained valid until 12.10.2020, and that the applicants were only informed in August 2025 that the relevant Small House grant applications, submitted to LandsD in 2018, had been rejected on the grounds that they could no longer be processed due to the Sites not being covered by valid planning permission. The Member enquired why it had taken such a long period, i.e. from 2018 to 2025, for the reply to be issued, and opined that LandsD and relevant government departments might have responsibility to remind applicants when a planning permission had lapsed, so that a fresh application could be submitted in a timely manner to avoid the present situation.

44. In response, with the aid of a PowerPoint slide, Mr Rico W.K. Tsang, DPO/STN, PlanD explained that the Sites were the subject of application No. A/NE-LYT/517 submitted by two different applicants for the development of two Small Houses, which was approved by RNTPC on 11.10.2013. The validity of the planning permission was extended twice, on 11.10.2017 and 11.10.2018, but subsequently lapsed on 12.10.2020. The current applicants acquired the Sites in September 2016 and May 2018 respectively, and submitted Small House grant applications to LandsD in June 2018. The current applicants were informed on 25.8.2025 that their Small House grant applications had been rejected by LandsD on the grounds that they could no longer be processed, as the Sites were not covered by valid planning permission. As such, there was an interval of approximately 5 years between the lapse of the planning permission and the notification of the rejection of the Small House grant applications. Upon consultation, it was understood that a substantial number of Small House grant applications were being processed by LandsD and priorities had to be set in handling various land matters in general.

45. Mr Maurice K.W. Loo, Director of Lands (D of Lands), supplemented that in general, the processing of Small House grant applications involved a number of procedures, including verification of the applicant's indigenous villager status, interdepartmental consultations and local consultation. In certain cases, such as those involving local objections or land title issues, a longer processing time might be required. Therefore, the exact time required to process individual applications would depend on different factors and circumstances. Mr Loo further said that the responsibility for ensuring that a Small House grant application was underpinned by a valid planning permission should rest with the applicant.

46. The Chairperson remarked that while the processing time in certain cases might be attributable to factors beyond the control of LandsD, such as objections raised by villagers and other related issues, it was understandable that the processing time could be lengthy. That said, D of Lands should review the factors contributing to the time taken in the subject case and continue to remind colleagues to process Small House grant applications in a timely manner.

*Interim Criteria for Consideration of Application for NTEH/Small House in New Territories (the Interim Criteria)*

47. A Member expressed no objection to the applications, and enquired about the infill site concept, as to whether the two review applications should be assessed on a combined basis or individually and whether they could be considered as infill sites when assessed separately. In particular, the infill site concept might not be applicable for application No. A/NE-LYT/863 if the Site of application No. A/NE-LYT/862 to its north was to shift northward onto the “Village Type Development” (“V”) zone, leaving some vacant land between the two Sites. In response, Mr Rico W.K. Tsang, DPO/STN, PlanD made the following main points:

- (a) the two review applications were considered together as they sought the same use, involved adjacent sites and were submitted by the same agent. Nevertheless, each application was assessed on its own individual merits;
- (b) the Site of application No. A/NE-LYT/862 was sandwiched between two Small Houses to its immediate east and west, and adjoined the “V” zone of Kwan Tei to the immediate north, where NTEH/Small House development was always permitted. As for the Site of application No. A/NE-LYT/863, the vacant areas immediately to the south and west of the Site were covered by valid planning permissions (applications No. A/NE-LYT/832 and 858 respectively). As advised by LandsD, the relevant Small House grant applications at the concerned vacant areas were being actively processed, and had been advanced to the next stage compared with the time when the section 16 applications were considered;
- (c) to the south of the site of application No. A/NE-LYT/832 were vacant areas falling outside the village ‘environs’ (‘VE’) of Kwan Tei, where further proliferation of Small House development would normally not be approved in accordance with the Interim Criteria;
- (d) following the views of TPAB in Town Planning Appeal No. 3 of 2024, a flexible and common-sense interpretation of “infill site” under the Interim Criteria was adopted in the current review applications. Having regard to all relevant circumstances, in particular the location of the Sites, the development status of the adjoining land and the general character of the surrounding areas, the Sites were considered to be generally regarded as

infill sites among existing NTEH/Small Houses in accordance with criterion (d) of the Interim Criteria; and

- (e) even if the Site of application No. A/NE-LYT/862 was to shift northwards, thereby leaving some vacant land to its south, the planning consideration for application No. A/NE-LYT/863 would remain unchanged, particularly as the resultant vacant land might still be considered insignificant in the context of nearby houses. Each Small House application would, in any event, be considered on its own individual merits, taking into account the prevailing planning circumstances at the time of consideration, including the most recent developments in the surrounding area.

48. The Secretary supplemented that in considering the two review applications, the major views of TPAB in Town Planning Appeal No. 3 of 2024, which had previously been reported to Members at the 1355th Town Planning Board Meeting held on 13.2.2026, had been taken into account. She briefly recapitulated that in the said appeal case, TPAB considered, among others, that the proposed Small House development would not frustrate the planning intention of the relevant “Green Belt” (“GB”) zone as the site was situated within a cluster of existing SHs and was buffered from the woodlands by other SHs and the construction of a Small House at the fringe of the “GB” site would not pose any threat to the conservation of the natural environment within the “GB” zone. If permitting development of the site would not carry any real risk of urban sprawl, and the development approved under the planning application was in line with the existing or permitted developments of the neighbourhood, a case of “sympathetic consideration” within the scope of criterion (d) of the Interim Criteria would likely have been made out. An infill site might not be completely surrounded by fully completed Small Houses on all sides. A common-sense and flexible approach should be adopted in interpreting an infill site. In other words, even if a site was not physically surrounded by completed Small Houses on all sides, as long as the surrounding land was subject to valid planning permissions or was within a “V” zone where NTEH/Small House development could be expected, the infill site concept could still apply. The key consideration was whether approving the application would jeopardise the planning intention or lead to urban sprawl. Regarding the possible northward shift of the Site of application No. A/NE-LYT/862 into the “V” zone, such change would not constitute a material consideration. There would be no real risk of urban sprawl, as the area to the north of the Sites fell within the “V” zone of Kwan Tei, where NTEH/Small House

development would be expected, the areas to the west and south were covered by valid planning permissions (applications No. A/NE-LYT/832 and 858), and further to the south were vacant areas outside the 'VE' of Kwan Tei where further proliferation of Small House development would normally not be approved in accordance with the Interim Criteria.

49. As there were no further questions from Members, the Chairperson said that the presentation and question sessions for the review applications had been completed. The Board would further deliberate on the review applications and would inform the applicant of the Board's decision in due course. The Chairperson thanked PlanD's representatives for attending the meeting. They left the meeting at this point.

#### Deliberation Session

50. Members generally agreed with PlanD's recommendation to approve the two applications on review and some Members had the following observations/views:

- (a) the Board had previously adopted a more stringent approach, generally interpreting an "infill site among existing Small Houses" to mean a site completely surrounded on all sides by fully completed NTEHs/Small Houses. This approach reflected the Board's consideration that approvals for Small House developments under planning and/or land administration regimes might not necessarily lead to implementation, and approved sites might remain vacant for years. The current approach taken in the two review applications, which followed TPAB's more flexible interpretation of "infill site", to a certain extent represented an adjustment from past practice;
- (b) the planning considerations and assessments of the two review applications, as detailed in the Paper prepared by PlanD, had reasonably and appropriately taken into account the views of TPAB in Town Planning Appeal No. 3 of 2024. In particular, TPAB had adopted a flexible and common-sense interpretation of "infill site" under criterion (d) of the Interim Criteria. Where the proposed development would not give rise to any real risk of urban sprawl, and was in keeping with the existing or permitted developments in the surrounding neighbourhood, a case for

“sympathetic consideration” under criterion (d) of the Interim Criteria would likely be established;

- (c) the consideration of whether a site could be regarded as an infill site should be undertaken in tandem with an assessment of whether the proposed Small House development would pose any threat to, or result in any actual loss of, the conservation value or planning function of the “GB” zone and/or the “AGR” zone. Where no real or substantive loss of “GB” or “AGR” land would arise, and provided that there was no risk of unauthorised structures, it was pertinent to note TPAB’s view that such development would not infringe upon the limits of urban or sub-urban development, nor would it give rise to urban sprawl;
- (d) the two review applications were the first cases in which TPAB’s views had been expressly referenced in the consideration of Small House developments, careful attention should be given to how this more flexible interpretation of “infill site” would be applied in future cases, particularly given the risk that permitted developments might not be implemented, or that approvals might be obtained as a strategic step without a genuine intention to proceed, possibly to facilitate development at another location. The extent to which a proposed Small House development might contribute to urban sprawl, and the degree of such impact, should therefore be further examined. In that connection, several factors would require further elaboration for future reference, including how to assess lapsed planning permissions and the gap in “AGR” or “GB” zones when considering infill sites, as well as how to address unauthorised structures. A consensus across the Board would be beneficial to ensure a consistent approach;
- (e) under the previous approach, sympathetic consideration would normally not be given to the application at a site with previous planning approval granted to a different applicant but lapsed, as the processing of the respective Small House grant application was unlikely to be at an advanced stage. The application of TPAB’s views would require careful consideration of

different scenarios, including whether approvals held by different applicants should be treated differently; and

- (f) the potential increase in the number of applications or review applications arising from the adoption of TPAB's views should also be taken into consideration.

51. The Secretary said that TPAB's views would not apply to new cases without previous approval; rather, the flexibility would be exercised under criterion (d) of the Interim Criteria with sympathetic consideration extended only to cases with previous approval(s). In view of relevant appeal cases, the Board had accumulated valuable experience and insights from the TPAB's decisions. The application of criterion (d) of the Interim Criteria had given rise to various issues in the consideration of Small House applications over the years. In that regard, PlanD was reviewing the Interim Criteria to assist the Board in future considerations of such applications.

52. Mr C.K. Yip, Director of Planning, supplemented that PlanD had been following up on the matter with a view to refining the Interim Criteria to enhance clarity and facilitate their application by the Board and applicants. The previous practice of requiring an infill site to be completely surrounded on all sides by existing NTEHs/Small Houses had been adopted having regard to the Interim Criteria and the fact that some sites with planning approval(s) might remain undeveloped for years. In light of TPAB's views as discussed above, it was considered appropriate to adopt a more flexible and common-sense approach, striking a reasonable balance among the relevant factors.

### *Conclusion*

53. The Chairperson concluded that Members generally considered that the two review applications could be approved, having taken into account the justifications provided by the applicants, all relevant considerations and PlanD's assessments. Upon completion of a review, the revised Interim Criteria would be submitted to the full Board for consideration at an appropriate juncture.

[Professor Bernadette W.S. Tsui left the meeting during deliberation.]

54. After deliberation, the Town Planning Board (the Board) decided to approve the applications on review, on the terms of the applications as submitted to the Town Planning Board. The permission for each application should be valid until 20.3.2030, 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 Board also agreed to advise the applicants to note the advisory clauses as set out in the appendix of the Paper.

### **Agenda Item 8**

[Closed Meeting]

[Confidential Item]

55. There item was recorded under confidential cover.

[Messrs Derrick S.M. Yip and Daniel K.S. Lau left the meeting during the discussion of Agenda Item 8.]

### **Agenda Item 9**

[Open Meeting]

Any Other Business

[The item was conducted in Cantonese.]

56. Since this was the last meeting of the Town Planning Board for the term 2024-26, the Chairperson extended a vote of thanks to Members for their contribution over the past 2 years.

57. There being no other business, the meeting was closed at 12:55 p.m.

**Minutes of 1358<sup>th</sup> Meeting of the Town Planning Board  
(held on 20.3.2026)**

**Deferral Cases**

Requests for Deferment of Review Application by Applicant for 2 Months

Item No.	Application No.*	Times of Deferment
6	A/SK-TMT/84	1 <sup>st</sup>
7	A/YL-PH/1067	2 <sup>nd</sup> <sup>^</sup>
<p><u>Note:</u>  <sup>^</sup> <i>The 2<sup>nd</sup> Deferment as requested by the applicant(s) was the last deferment and no further deferment would be granted unless under special circumstances and supported with strong justifications.</i></p>		

\* Refer to the agenda at [https://www.tpb.gov.hk/en/meetings/TPB/Agenda/1358\\_tpb\\_agenda.html](https://www.tpb.gov.hk/en/meetings/TPB/Agenda/1358_tpb_agenda.html) for details of the planning applications