Minutes of 1368th Meeting of the
Town Planning Board held on 30.10.2026

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 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	
Mr Eric C.B. Chan	

Professor Janet K.Y. Chan

Mr Vincent K.C. Cheung

Professor Herbert P.K. Chia

Dr Chris K.T. Lam

Dr Kelvin K.Y. Leung

Mr Wilson H.K. Shum

Chief Traffic Engineer/Kowloon
Transport Department
Mr K.M. Wong

Chief Engineer (Works)
Home Affairs Department
Mr Bond C.P. Chow

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 Secretary
Ms Donna Y.P. Tam

Absent with Apologies

Mr Ben S.S. Lui

Mr Gary X.Y. Zhang

In Attendance

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

Chief Town Planner/Town Planning Board
Mr K.K. Lee

Senior Town Planner/Town Planning Board
Mr Jeff K.C. Ho

Agenda Item 1

[Open Meeting]

Confirmation of Minutes of the 1367th Meeting

[The item was conducted in Cantonese.]

1. The draft minutes of the 1367th meeting held on 2.10.2026 were confirmed on 16.10.2026 by circulation without amendment.

Agenda Item 2

[Open Meeting]

Matters Arising

[The item was conducted in Cantonese.]

(i) Approval of Draft Outline Zoning Plans

2. The Secretary reported that on 29.9.2026, the Chief Executive in Council approved the draft Mai Po and Fairview Park Outline Zoning Plan (OZP) (renumbered as No. S/YL-MP/10), the draft Hung Shui Kiu and Ha Tsuen OZP (renumbered as S/HSK/4) and the draft Tsuen Wan OZP (renumbered as S/TW/41) under section 9(1)(a) of the Town Planning Ordinance. The approval of the OZPs was notified in the Gazette on 9.10.2026.

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

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 Kwai Chung Outline Zoning Plan (OZP) No. S/KC/33. She briefly introduced that on 31.7.2026, the draft OZP was exhibited for public inspection under section 5 of the Town Planning Ordinance. During the 2-month exhibition period, 78 valid representations were received. In view of the similar nature of the representations, the hearing of the representations 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 hearing session. Consideration of the representations by the full Board was tentatively scheduled for December 2026.

4. The Board agreed to the hearing arrangement in paragraph 3 above.

[Mr Eric C.B. Chan and Professor Janet K.Y. Chan joined the meeting at this point.]

Kowloon District

Agenda Item 3

[Open Meeting (Presentation and Question Sessions only)]

Consideration of Representation in respect of the Draft Kai Tak Outline Zoning Plan No. S/K22/9
(TPB Paper No. 11077)

[The item was conducted in Cantonese and English.]

5. The Secretary reported that the amendments involved rezoning of a site at Concorde Road (Item A) to reflect a completed commercial development, named AIRSIDE, which was owned by Nan Fung Group. Mr Ryan M.K. Ip had declared an interest on the item for being the vice president and executive director of Public Policy Institute of Our Hong Kong Foundation which had received donations from Nan Fung Group.

6. As Mr Ryan M.K. Ip had no involvement in the project(s) under the sponsorship of Nan Fung Group in relation to Item A Site, Members agreed that he could stay in the meeting.

Presentation and Question Sessions

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

PlanD

Ms Vivian M.F. Lai	-	District Planning Officer/Kowloon (DPO/K)
Ms Paulina L.S. Pun	-	Senior Town Planner/Kowloon (STP/K)
Ms Helen K.W. Ip	-	Town Planner/Kowloon

Representer

R1 – Mary Mulvihill

Ms Mary Mulvihill	-	Representer

8. The Chairperson extended a welcome and briefly explained the procedures of the hearing. She said that PlanD's representatives would be invited to brief Members on the representation. The representer would then be invited to make an oral submission. To ensure efficient operation of the hearing, the representer would be allotted 10 minutes for making presentation. There was a timer device to alert the representer 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 had completed her oral submission. Members could direct their questions to PlanD's representatives and/or the representer. After the Q&A session, PlanD's representatives and the representer would be invited to leave the meeting. The Town Planning Board (the Board/TPB) would then deliberate on the representation in closed meeting and would inform the representer of the Board's decision in due course.

9. The Chairperson then invited PlanD's representatives to brief Members on the representation. With the aid of a PowerPoint presentation, Ms Paulina L.S. Pun, STP/K, PlanD briefed Members on the representations, including the background of the amendment items on the draft Outline Zoning Plan (OZP), the grounds/views of the representer, government responses, planning assessments and PlanD's views on the representation as detailed in TPB Paper No. 11077 (the Paper). The amendment items included:

(a) Item A – rezoning of a site at Concorde Road from "Comprehensive Development Area (1)" ("CDA(1)") to "Commercial (10)" ("C(10)"), subject to a maximum plot ratio (PR) of 10, a maximum building height (BH) of 200

metres above Principal Datum (mPD) in the east and 40mPD in the west, a maximum site coverage of 65%, a 5m-wide non-building area along Kai Tak River, BH restrictions on land designated for 'Shop and Services' and 'Eating Place' uses, and provision of 'Underground Shopping Street' and public transport facilities, to reflect a completed commercial development;

(b) Items B1 and B2 – rezoning of several land parcels across Shing Cheong Road and at Shing Yan Lane from areas shown as 'Road' to "Other Specified Uses" annotated "Landscaped Elevated Walkway" ("OU(Landscaped Elevated Walkway)"), and from "OU(Landscaped Elevated Walkway)" to areas shown as 'Road', to reflect the footbridge and road alignments; and

(c) Items C1 and C2 – rezoning of a land parcel near Kwun Tong Bypass from an area shown as 'Road' to "OU(Landscaped Elevated Walkway)", and a land parcel showing outdated alignment of the walkway across Kwun Tong Bypass from "OU(Landscaped Elevated Walkway)" to an area shown as 'Road', to reflect the footbridge and road alignments.

10. There were also amendments to the Notes of the OZP in relation to Item A. Other amendments included revisions to the Notes for the "Other Specified Uses" annotated "Pier" zone to provide flexibility for provision of ancillary uses within piers, amendments to the covering Notes, as well as other amendments to the Notes including those to align with the latest Master Schedule of Notes to Statutory Plans.

[Ms Sandy H.Y. Wong, Professor Simon K.L. Wong, Professor Herbert P.K. Chia and Professor Bernadette W.S. Tsui joined the meeting during PlanD's presentation.]

11. The Chairperson then invited the representer to elaborate on her representation.

R1 – Mary Mulvihill

12. Ms Mary Mulvihill made the following main points:

Item A

(a) the amendments to the OZP were largely housekeeping in nature. Nevertheless, the Metro Planning Committee Paper No. 4/26 on the proposed amendments to the OZP mentioned that the rezoning of Item A Site would facilitate modifications of uses within the site without the need to submit a revised master layout plan (MLP). While she had asked whether modification plans would be required, PlanD's response that the development of Item A Site would be subject to OZP restrictions and lease requirements did not address her concern;

Amendments to the Notes of the OZP

(b) she strongly objected to the provision for small unmanned aircraft (SUA) take-off and landing facilities under the covering Notes of the OZP. While she had no objection to the use of drones for rescue purposes and delivery of urgent medicines, their commercial use should be strictly controlled. Allowing drone deliveries for convenience in parks and other public spaces would result in commercial activities being conducted in such areas;

(c) the operation of low-flying drones freely in common areas would generate noise pollution and pose safety hazards, including potential risks to nearby schools. Drones hovering within range of homes and making home deliveries through windows would affect residents' privacy and enjoyment of their own homes;

(d) Hong Kong was completely out of line with the Chinese Mainland in this regard. Media reports indicated that very strict controls had been introduced on the use of drones in the Mainland. With business operators and legislators pushing for the development of the low-altitude economy, the Hong Kong Government was overlooking potential issues, including public security. Members had a duty to raise issues that were being overlooked by the Government;

(e) the public had been told that the amendments to all the OZPs involving piers would enhance the function of the piers and provide more services and public amenities. However, such promises had not been fulfilled. The proposed

facilities only served people with median incomes, as most proposals were upmarket establishments. Piers were public resources, and the outlets should serve the general community. Hung Hom Ferry Pier was cited as an example, where no outlets provided affordable meals for local residents and domestic helpers who frequented the area on their days off;

(f) PlanD's response that the operators might sublet pier premises for commercial and retail purposes via applications did not address the issue of why such services rarely materialised. Members should question whether it was due to revenue considerations or excessive administrative requirements. As piers were public resources which, in many cases, were not being used to serve the public, their use should be reviewed periodically. If approval had been given for proposals on a pier but nothing had happened, the case should be revisited, say, at five-year intervals; and

Revisions to the Plan but Not Regarded as Amendment Items

(g) the Plan incorporated annotations referring to the zonings of the areas covered by the approved Urban Renewal Authority (URA) Ming Lun Street/Ma Tau Kok Road Development Scheme Plan (DSP) and To Kwa Wan Road/Ma Tau Kok Road DSP, which reflected amendments to the original plan. She questioned whether such amendments had been approved by the Board. As the zoning in those areas were not indicated in the Paper, she could not compare them with the URA DSPs previously discussed by the Board.

13. Ms Mary Mulvihill also made the following main points not related to the representation and the subject OZP:

Presentation of Information

(a) the presentation of information should be simplified. Repetition, obfuscation and complicated sentence structures made it difficult to identify the core issues. The streamlining process had significantly reduced community participation in the planning process while the need to refine and clarify the presentation of

materials had not been addressed;

Minor Public Works

(b) regarding the Peak lighting show, she welcomed the Government's decision not to proceed with the proposal. However, there had been no similar reversal of the decision on the proposed building in Kowloon Park, which would take away a substantial part of the park and result in trees being felled;

(c) the Board had continued to approve exemptions for minor public works. The works associated with the Peak lighting show had not been submitted to the Board, although they were located within areas covered by conservation-related zonings and land zoned "Green Belt", "Open Space" and "Government, Institution or Community". She questioned whether the works had been treated as minor public works and had therefore not been submitted to the Board;

(d) the meaning of minor public works under the OZPs was generally unclear. Members should discuss the scope of such works and impose appropriate restrictions. Under the District Minor Works Programme of the Home Affairs Department, the works aimed at improving local facilities, the living environment and hygienic conditions across the territory. On the other hand, the Board's definition referred to 'local public works', which meant any minor engineering works co-ordinated or implemented by the Government, including the maintenance and construction of sidewalks, footpaths, handrails, signboards, planters, manholes, village lights, etc.;

(e) the scope of minor public works should be clarified in the Notes of the OZPs, and relevant guidelines and restrictions should be put in place. Such works should be undertaken for the benefit and safety of the public, rather than merely to implement an idea put forward by a particular government department; and

(f) the Board continued to approve provisions that restricted its own role, whereas it should ensure that the planning and development proposals were beneficial to the community. The concern should be followed up so that a clearer definition

of minor public works, together with restrictions on their scope, could be incorporated into the Notes of the OZPs.

14. As the presentations of PlanD's representative and the representer had been completed, the meeting proceeded to the Q&A session. The Chairperson explained that Members would raise questions to the representer 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 or for cross-examination between parties. The Chairperson then invited questions from Members.

Revisions to the Plan but Not Regarded as Amendment Items

15. Noting that R1 raised concern about why the revisions relating to the URA DSPs were not regarded as amendment items of the OZP, a Member sought clarification on the matter. In response, Ms Vivian M.F. Lai, DPO/K, PlanD, with the aid of a PowerPoint slide, explained that the URA Ming Lun Street/Ma Tau Kok Road DSP and the URA To Kwa Wan Road/Ma Tau Kok Road DSP were statutory plans in their own right. They had undergone the plan-making process under the Town Planning Ordinance (the Ordinance), including exhibition for public inspection and hearing of representations, and had been approved by the Chief Executive in Council. The incorporation of annotations on the Plan of the OZP merely indicated that the zonings of the area concerned should refer to the approved DSPs, and therefore did not constitute new amendment items. This was similar to reflecting completed works on the OZP, except that such works had been approved under other ordinances, whereas the DSPs had been considered by the Board under the Ordinance.

Item A and Pier

16. A Member raised the following questions:

(a) whether the rezoning of Item A Site from "CDA(1)" to "C(10)" was a technical amendment to reflect the as-built development only, and whether the requirement for a master layout plan (MLP) was no longer applicable; and

(b) regarding R1's concerns about piers, whether the uses provided at piers were

consistent with those envisaged at the planning stage, which might depend on whether there were operators to take them forward and would involve different government departments and institutional arrangements.

17. In response, Ms Vivian M.F. Lai, DPO/K, PlanD made the following main points:

(a) when Item A Site was zoned "CDA(1)", planning application for the proposed development, together with an MLP, had been approved by the Board, subject to approval conditions. The development, i.e. AIRSIDE, had been completed in accordance with the approved MLP, and all the requirements of approval conditions had been complied with. An occupation permit and a certificate of compliance had also been obtained. The development restrictions previously imposed under the "CDA(1)" zone had all been incorporated into the current "C(10)" zone on the OZP to provide development control for the Site; and

(b) 'Eating Place' and 'Shop and Services' uses had been incorporated as Column 1 uses for the "Other Specified Uses" annotated "Pier (1)" zone. The Remarks had also been relaxed such that, instead of kiosks not greater than 10m² each in area and not more than 10 in number, kiosks or premises not exceeding a maximum non-domestic gross floor area of 100m² in total for use as eating place and retail shop and services trade would be considered ancillary to pier use. The amendments provided a framework for the existing and future pier operators to provide such uses in response to their needs. The relevant government departments responsible for managing the piers would review with the pier operators how best to utilise the available space and the uses permitted under the OZP to maximise public benefits.

18. In response to a Member's follow-up question on whether the MLP had continued to have effect and had been tied to the lease, Ms Vivian M.F. Lai, DPO/K, PlanD said that the issue should not be viewed simply in terms of whether the MLP had ceased to have effect. Instead, the development requirements for the Site had been fully reflected on the OZP. When the Site was zoned "CDA(1)", an MLP had been required in view of the circumstances at that time. Since the design of the adjoining open space at Kai Tak River had not yet been finalised, the MLP was required not only to stipulate the development parameters but also to ensure that the design of the

development would be compatible with the adjoining open space. That was the rationale for the "CDA(1)" zoning. The commercial development, AIRSIDE, had now been completed in accordance with the approved MLP, and the adjoining open space had also been largely completed. The development restrictions incorporated into the OZP were sufficient to control any alterations or future redevelopment of the Site. Any future redevelopment would also need to be compatible with the setting of Kai Tak River. As the adjoining open space was now largely in place, there was a clear basis for assessing design compatibility, and no additional requirements were necessary.

Items B1, B2, C1 and C2

19. A Member asked whether the alignments of the footbridges under Items B1, B2, C1 and C2 had deviated from the originally planned alignments, with the footbridges built at locations that had not been approved, such that the current amendments were intended to rectify the situation retrospectively. In response, Ms Vivian M.F. Lai, DPO/K, PlanD explained that this was not the case. The footbridges were government projects funded under the Public Works Programme. They had undergone the statutory procedures under the Roads (Works, Use and Compensation) Ordinance (Cap. 370), including gazettal, consideration of public objections and the relevant approval procedures, before funding was obtained and construction commenced. Their alignments had been adjusted to address engineering considerations and public views received during the detailed design and gazettal stages. In the statutory planning regime, road works authorised under Cap. 370 were deemed to be approved under the Ordinance. The current amendments were made to reflect the as-built footbridges.

SUA Take-off and Landing Facilities

20. A Member asked whether the operation of SUA would remain subject to the approval of the Civil Aviation Department and the requirements under the Small Unmanned Aircraft Order (Cap. 448G) (the SUA Order), including whether the separation distance from persons for different categories of SUA remained unchanged, and whether the incorporation of such facilities into the OZP would not mean that SUA operations could commence immediately. In response, Ms Vivian M.F. Lai, DPO/K, PlanD said that incorporating SUA take-off and landing facilities into the covering Notes of the OZP would not imply that SUA operations could commence immediately in all circumstances. Such operations would be subject to the requirements under the SUA Order, which set out different requirements for SUA of different weights and categories

and for different types of operation. Apart from the registration of SUA, there were also requirements for remote pilots. The regulatory framework would remain fully applicable and would not be affected by the inclusion of SUA take-off and landing facilities in the covering Notes. The amendment merely provided flexibility for the provision of such facilities under the statutory planning regime. Operators would still need to obtain the necessary licences and approvals, as appropriate.

Minor Works

21. A Member asked the following questions:

(a) whether the current amendments involved minor works; and

(b) what procedures applied to such works.

22. In response, Ms Vivian M.F. Lai, DPO/K, PlanD made the following main points:

(a) the amendment items on the OZP mainly comprised Item A, which reflected the completed AIRSIDE scheme, and Items B and C, which reflected the completed road works, i.e. the landscaped elevated walkways. None of the amendment items involved minor works or minor amendments to development parameters; and

(b) there was an established mechanism under the statutory planning regime for minor relaxation of development parameters. Members should have considered many section 16 applications for minor relaxation of PR or BH restrictions stipulated on the "C" zone and other zones on OZPs. Such minor relaxations were related to the development restrictions under the OZPs and were distinct from minor works, which fell under a different purview.

23. 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 Chairperson thanked the representer and PlanD's representatives for attending the meeting. The Board would deliberate on the representation in closed meeting and would inform the representer of the

Board's decision in due course. The representer and PlanD's representatives left the meeting at this point.

Deliberation Session

24. Members generally supported the OZP amendments. Some Members expressed the following views and observations:

(a) all the amendments were considered technical in nature and intended to reflect the current situations. The issues raised by the representer at the hearing had been addressed; and

(b) the amendments were mainly administrative in nature, serving to complete the administrative process of reflecting the as-built situations on the OZP. Some of the issues raised by R1, such as those relating to the Peak, were not related to the subject amendments. The representer should be reminded to refrain from raising matters unrelated to the subject under consideration and to focus on the context of the amendment items. Members should also ask questions relevant to the representation to facilitate a more focused discussion. This would help enhance the efficiency of the meeting.

Conclusion

25. The Chairperson concluded that Members supported the OZP amendments, and agreed that the OZP should not be amended to meet the adverse representation. All grounds of the representation had been addressed by the departmental responses as detailed in the Paper, as well as the presentation and responses made by PlanD's representatives at the meeting.

26. After deliberation, the Town Planning Board (the Board) noted the view of **R1 (part)**, and decided not to uphold **the remaining part of R1** and agreed that the draft Kai Tak Outline Zoning Plan (OZP) should not be amended to meet the representation for the following reason:

"Amendments to the covering Notes regarding small unmanned aircraft (SUA) take-off and landing facilities

provision, maintenance or repair of SUA take-off and landing facilities under the covering Notes of the OZP will be governed by other legislation in Hong Kong, and follow the relevant requirements and guidelines set out by relevant government bureaux/departments and regulatory authorities."

27. 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.

Sha Tin, Tai Po and North District

Agenda Item 4

[Open Meeting (Presentation and Question Sessions only)]

Review of Application No. A/NE-FTA/278
Proposed Three Houses (New Territories Exempted Houses - Small Houses) in "Agriculture" Zone, Lots 208 S.A, 208 S.B and 208 S.C in D.D. 52, Sheung Shui Wa Shan
(TPB Paper No. 11078)

[The item was conducted in Cantonese.]

Presentation and Question Sessions

28. The following representatives of the Planning Department (PlanD) and the applicants' representative were invited to the meeting at this point:

PlanD

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

Applicants' Representative

Ms Tsim Lee Hing Sita - Applicants' Representative

29. The Chairperson extended a welcome and explain the procedures of the review hearing. To ensure smooth and efficient conduct of the meeting, a time limit of 15 minutes was set for presentation of the applicants. She then invited PlanD's representatives to brief Members on the review application.

30. With the aid of a PowerPoint presentation, Mr Ryan C.K. Ho, STP/STN, PlanD briefed Members on the background of the review application including the application site (the Site) and the surrounding area, the applicants' proposal and justifications, the consideration of the application 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. 11078 (the Paper). As there had been no major change in planning circumstances since the consideration of the section 16 application, PlanD maintained its previous view of not supporting the application.

31. The Chairperson then invited the applicants' representative to elaborate on the review application.

32. Ms Tsim Lee Hing Sita, the applicants' representative, made the following main points:

(a) the land within the "Village Type Development" ("V") zone, which was considered by PlanD as land available for Small House (SH) development, did not belong to the applicants. The land availability figures provided by PlanD did not reflect whether the applicants could actually make use of the land concerned. The land was privately owned by third parties and could not be acquired by the applicants for development. The applicants could not afford to purchase land within the "V" zone. The only land on which they could build their SHs was the Site, which they owned;

(b) one of the applicants was elderly. He was born in 1947 and still did not own a house. Having waited so long for his SH application to be processed by the Lands Department (LandsD), it was doubtful whether he could afford to wait

much longer, given his age. As an indigenous villager, he was entitled to build a SH under the Small House Policy. In considering the current application, the Board should take humanitarian grounds into account rather than relying solely on statistical figures;

(c) the applicants were applying to build their SHs within the village 'environs' of Sheung Shui Wa Shan. When the land was first acquired, there had been no restriction on building houses on the Site. Although the Site was agricultural land, much land in Hong Kong, including the land now used for public housing development, had previously been agricultural land. The applicants were seeking approval through a formal application. The Government's reasons might appear sound on paper, but the situation was unfair to the applicants, as houses could be built on neighbouring land while they were not permitted to build on the Site;

(d) it was unfair that those who had applied earlier had been permitted to build their houses, while those applying later were not permitted to do so. They were all village residents holding Hong Kong Identity Cards and were entitled to build SHs. Regardless of the relevant legal requirements, the applicants were land owners;

(e) it was uncertain how the Site, which was only several thousand square feet in area, could be rehabilitated for cultivation as suggested. Few agricultural rehabilitation cases in Hong Kong had succeeded in providing a livelihood for a family. The applicants did not even have a house to live in and were not in a position to undertake farming;

(f) there were problems with the water supply to the Site. There were existing houses in front of and behind the Site, and the Site was elevated. Vegetables would not grow even if watered several times a day, and the water level had dropped following works on the nearby river. Apart from some fruit trees planted decades ago, no vegetables were being grown in the area. The Site was not suitable for cultivation;

(g) if the area was suitable for cultivation, it was unclear why neighbouring land was used as a container storage yard. Once containers were placed on the land and its surface was paved with concrete, it could no longer be cultivated; and

(h) there was already a house on two adjoining lots opposite the footpath leading to the Site. The timing of construction depended on whether villagers could afford to build a house on their land. Applications for building SHs should not be approved solely on the basis that they were submitted earlier, while later applications were rejected simply because they were submitted at a later date.

33. As the presentations of PlanD's representative and the applicants' representative had been completed, the Chairperson invited questions from Members.

Land Ownership

34. In response to a Member's question about the ownership of the Site, Ms Tsim Lee Hing Sita, the applicants' representative, said that the Site belonged to the applicants, who were her uncle and other family members of the Liu family. She had an indirect interest in the Site, while the applicants were the direct owners. She attended the meeting on their behalf as they were living abroad and had no accommodation in Hong Kong.

More Cautious Approach and Site Condition

35. A Member asked the following questions:

(a) how land availability was assessed for application for SH development before and after the formal adoption of the more cautious approach by the Board in August 2015; and

(b) what the current condition of the Site was.

36. In response, with the aid of some PowerPoint slides, Mr Rico W.K. Tsang, DPO/STN, PlanD made the following main points:

(a) on 14.8.2015, PlanD submitted a paper to the Board about the consideration of SH applications. Before the adoption of the more cautious approach, the planning assessment of SH applications mainly considered, among other things, the compatibility of the proposed SH development with the surrounding environment and the demand for SH development. In considering whether there was a general shortage of land in meeting the demand for SH development in the "V" zone concerned, the total SH demand, comprising the 10-year SH demand forecast provided by the Indigenous Inhabitant Representative (IIR) of the village concerned and the number of outstanding SH applications being processed by the Lands Department (LandsD), was compared with the estimated amount of land available for SH development within the "V" zone. However, the 10-year SH demand forecast often did not materialise and the estimates were not supported by a sufficiently robust basis. Many SH applications had been approved, but no SHs were being built. Following deliberation on 14.8.2015, the Board agreed to adopt a more cautious approach in considering SH applications. Under this approach, greater weight was given to the number of outstanding SH applications being processed by LandsD when assessing whether there was a general shortage of land to meet SH demand. Where sufficient land was available within the "V" zone to meet the demand arising from outstanding applications, a more cautious approach would generally be taken towards applications for SH development outside the "V" zone, such as those within the "Agriculture" ("AGR") zone. In many cases, while the 10-year demand forecast might reach several hundred SHs, the actual number of outstanding SH applications being processed by LandsD would be far fewer than the demand forecast; and

(b) the Site was generally fenced off with metal sheets on all sides and covered with materials resembling artificial turf or other green materials. There were also some miscellaneous items placed on the Site. A strip of land within the Site showed some signs of previous cultivation.

37. As there were no further questions from Members, the Chairperson said that the presentation and question sessions for the review application had been completed. The Board would deliberate on the review application and would inform the applicants of the Board's decision

in due course. The Chairperson thanked PlanD's representatives and the applicants' representative for attending the meeting. They left the meeting at this point.

Deliberation Session

38. Given that there had been no major change in planning circumstances since the consideration of the section 16 application by RNTPC, Members agreed to maintain RNTPC's decision to reject the application.

39. After deliberation, the Town Planning Board decided to reject the application for the following reasons:

"(a) the proposed development is not in line with the planning intention of the "Agriculture" zone which is primarily to retain and safeguard good quality agricultural land/farm/fish ponds for agricultural purposes, and to retain fallow arable land with good potential for rehabilitation for cultivation and other agricultural purposes. There is no strong planning justification in the submission for a departure from the planning intention; and

(b) land is still available within the "Village Type Development" ("V") zone of Sheung Shui Wa Shan which is primarily intended for Small House development. It is considered more appropriate to concentrate the proposed Small House development within the "V" zone for a more orderly development pattern, efficient use of land and provision of infrastructures and services."

Agenda Item 5

[Open Meeting]

Any Other Business

[The item was conducted in Cantonese.]

40. There being no other business, the meeting was closed at 10:05 a.m.