

## **TOWN PLANNING BOARD**

### **Minutes of 743<sup>rd</sup> Meeting of the Rural and New Town Planning Committee held at 2:30 p.m. on 7.6.2024**

#### **Present**

Mr Daniel K.S. Lau

Vice-chairman

Mr K.W. Leung

Mrs Vivian K.F. Cheung

Mr Vincent K.Y. Ho

Dr C.M. Cheng

Mr Daniel K.W. Chung

Mr Rocky L.K. Poon

Professor B.S. Tang

Chief Traffic Engineer/New Territories East,  
Transport Department

Mr K.L. Wong

Chief Engineer (Works),  
Home Affairs Department

Mr Paul Y.K. Au

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

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

Deputy Director of Planning/District  
Ms Winnie B.Y. Lau

Secretary

**Absent with Apologies**

Director of Planning  
Mr Ivan M.K. Chung

Chairman

Dr Venus Y.H. Lun

Mr Timothy K.W. Ma

Mr Ryan M.K. Ip

Mr Simon Y.S. Wong

**In Attendance**

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

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

Town Planner/Town Planning Board  
Ms Karen K.Y. Tsui

## **Opening Remarks**

1. The Vice-chairman said that as the Chairman was engaged in another official duty, he would take up the chairmanship of the meeting.

## **Agenda Item 1**

Confirmation of the Draft Minutes of the 742<sup>nd</sup> RNTPC Meeting held on 24.5.2024

[Open Meeting]

2. The draft minutes of the 742<sup>nd</sup> RNTPC meeting held on 24.5.2024 were confirmed without amendment.

## **Agenda Item 2**

Matter Arising

[Open Meeting]

3. The Secretary reported that there were no matters arising.

## **Deferral Cases**

### Sections 12A and 16 Applications

[Open Meeting (Presentation and Question Sessions only)]

#### Presentation and Question Sessions

4. The Committee noted that there were 26 cases requesting the Town Planning Board to defer consideration of the applications. Details of those requests for deferral, Members' declaration of interests for individual cases and the Committee's views on the declared interests were in **Annex 1**.

#### Deliberation Session

5. After deliberation, the Committee decided to defer decisions on the applications as requested by the applicants pending submission of further information or as requested by the Planning Department pending the Chief Executive in Council's decision on the relevant draft Outline Zoning Plan and the relevant adverse representations relating to the application site, as recommended in the Papers.

## **Renewal Cases**

### Section 16 Applications

[Open Meeting (Presentation and Question Sessions only)]

#### Presentation and Question Sessions

6. The Committee noted that there were eight cases for renewal of temporary planning approval and the Planning Department had no objection to the applications or considered that the temporary uses could be tolerated for the further periods as applied for. Details of those planning applications were in **Annex 2**.

[Ms Clara K.W. U joined the meeting at this point.]

### Deliberation Session

7. A Member enquired the reason of using different terms in the applied use for similar applications for temporary public vehicle park. The meeting noted that it was the choice of the applicant. The applicant could use the standard term of 'Public Vehicle Park (excluding container vehicle)' if it was a Column 2 use of the relevant land use zone in the Outline Zoning Plan that the application site was located or a specific term to reflect the proposed temporary use. The Secretary said that an applicant might intentionally exclude heavy vehicles in order to minimise adverse environmental nuisances to address local or departmental concern.

8. Noting that the applied use in a renewal application No. A/YL-KTS/1002 under Agenda Item 31 was for temporary public car park (private car) but an approval condition prohibiting the parking of medium or heavy goods vehicles exceeding 5.5 tonnes was suggested, the Member enquired the rationale for including an approval condition regarding type of vehicles and whether such a condition would be more lenient than the applicant's proposal. The meeting noted that the approval condition to prohibit the parking of medium or heavy goods vehicles, which was the same as the last approved previous application, was suggested with reference to the revised "Code of Practice on Handling the Environmental Aspects of Temporary Uses and Open Storage Sites" issued by the Environmental Protection Department to minimise any potential environmental nuisance generated by the applied use. To better align with the applied use, the Committee agreed that the concerned approval condition should be revised to allow the parking of private cars only, and suggested reviewing the practice of imposing approval conditions on applications for public vehicle park. The meeting also noted that some of the approval conditions in the previously approved applications had not been included in the current renewal applications according to the streamlined practice. The meeting further noted that as planning permission was scheme-based, planning enforcement could be taken for non-compliance with the approved scheme, as appropriate.

9. After deliberation, the Committee decided to approve the applications on a

temporary basis for the applied renewal periods on the terms of the applications as submitted to the Town Planning Board subject to the approval conditions stated in the Papers. For Item 31 (application No. A/YL-KTS/1002), the Committee agreed to revise approval condition (b) as follows:

“only private cars as defined in the Road Traffic Ordinance are allowed to be parked/stored on or enter/exit the site at any time during the planning approval period”

10. The Committee also agreed to advise the applicants to note the advisory clauses as set out in the appendix of the Papers.

### **Cases for Streamlining Arrangement**

#### **Section 16 Applications**

[Open Meeting (Presentation and Question Sessions only)]

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

11. The Committee noted that there were 14 cases selected for streamlining arrangement and the Planning Department had no objection to the applications for temporary uses or considered that the temporary uses could be tolerated on a temporary basis for the applied periods. Details of those planning applications, Members' declaration of interests for individual cases and the Committee' views on the declared interests were in **Annex 3**.

#### **Deliberation Session**

12. After deliberation, the Committee decided to approve the applications on a temporary basis for the applied periods on the terms of the applications as submitted to the Town Planning Board subject to the approval conditions stated in the Papers. The Committee also agreed to advise the applicants to note the advisory clauses as set out in the appendix of the Papers.

**Sai Kung and Islands District**

**Agenda Item 3**

**Section 12A Application**

[Open Meeting (Presentation and Question Sessions Only)]

Y/SK-HC/7                      Application for Amendment to the Approved Ho Chung Outline Zoning Plan No. S/SK-HC/11, To rezone the application site from “Green Belt” to “Residential (Group C)1”, Various Lots in D.D. 244 and Adjoining Government Land, Nam Pin Wai, Sai Kung  
(RNTPC Paper No. Y/SK-HC/7A)

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13.            The Secretary reported that AECOM Asia Company Limited (AECOM) was one of the consultants of the applicants, and Mr Vincent K.Y. Ho had declared an interest for having current business dealings with AECOM. As Mr Vincent K.Y. Ho had no involvement in the application, the Committee agreed that he could stay in the meeting.

14.            The following representatives from the Planning Department (PlanD) and the applicants’ representatives were invited to the meeting at this point:

**PlanD**

Ms Tammy S.N. Kong	-	Senior Town Planner/Sai Kung and Islands (STP/SKIs)
Mr Matthew L.H. Tai	-	Town Planner/Sai Kung and Islands (TP/SKIs)

**Applicants’ Representatives**

*Top Deluxe Limited*

Mr Thomas Lee

Mr James K.C. Lee

*Arup Hong Kong Limited*

Ms Theresa W.S. Yeung

Ms Jane C.K. Lau

Mr Johnny C.Y. So

Mr W.F. Yu

Mr H.W. Chan

*LWK & Partners (HK) Limited*

Mr C.M. Chan

Mr Gerald C.L. Yip

*AXXA Group Limited*

Mr Jason Y.S. Teo

Ms Sammy M.Y. Tang

*LLA Consultancy Limited*

Mr S.L. Ng

*JMK Consulting Engineers Limited*

Mr S.W. Liu

*AECOM*

Mr Patrick P.K. Lai

*James Ng Surveyors Limited*

Mr James Y.W. Ng

#### Presentation and Question Sessions

15. The Vice-chairman extended a welcome and explained the procedure of the meeting. He then invited PlanD's representatives to brief Members on the background of the application.

16. With the aid of a PowerPoint presentation, Mr Matthew L.H. Tai, TP/SKIs, briefed Members on the background of the application, the proposed rezoning of the application site (the Site) from "Green Belt" ("GB") to "Residential (Group C) 1" ("R(C)1") to facilitate a residential development, departmental comments, and the planning



considerations and assessments as detailed in the Paper. PlanD had no in-principle objection to the application.

17. The Vice-chairman then invited the applicants' representatives to elaborate on the application. With the aid of a PowerPoint presentation, Ms Theresa W.S. Yeung, the applicants' representative, made the following main points:

- (a) the proposed development parameters for the Site were the same as the "R(C)1" zone to its immediate west, i.e. a maximum plot ratio (PR) of 0.75, a maximum site coverage (SC) of 25% and a maximum building height (BH) of 12m with 3 storeys over one storey of carport. The proposed development was compatible with the residential development under construction at that adjacent "R(C)1" site in terms of layout and development intensity;
- (b) the access road in the middle of the Site would provide a connection for the residential development to the immediate west of the Site to/from Wo Mei Hung Min Road, and would provide access for the proposed development at the Site in the future. The access road was the subject of a section 16 application approved with conditions by the Committee in 2013;
- (c) the proposed rezoning was considered as a natural extension of the built-up residential areas. Apart from the house-type development under construction to the immediate west of the Site, there were a number of residential developments in the surrounding area. They included the rezoning of an area to the east of the Site from "Government, Institution or Community" to "R(C)4" (with a maximum PR of 1.5 and a maximum BH of 25mPD) for low-rise residential development approved in 2019, an approved house-type development in the "Comprehensive Development Area" zone (with a maximum plot ratio of 0.75 and a maximum BH of 12m) to the north, as well as the rezoning of an area to the further south in Ta Kwu Ling from "GB" to "R(C)7" (with a maximum gross floor area (GFA) of 23,466m<sup>2</sup> and a maximum BH of 7 storeys (24m) in Area (a) for low-density residential development approved in 2022; and

- (d) according to the submitted technical assessments, the proposed development was technically feasible. Relevant government bureau/departments (B/Ds) had no in-principle objection to or no adverse comment on the rezoning application.

18. As the presentations of PlanD's representative and the applicants' representative were completed, the Vice-chairman invited questions from Members.

*Indicative Development Scheme*

19. Noting that the applicants had submitted two sets of development restrictions for the proposed development, a Member asked whether the approval of the proposed rezoning application would mean the agreement of both sets of development restrictions. In response, Ms Tammy S.N. Kong, STP/SKIs, said that while two sets of development restrictions with the same PR but different SCs and BHs were proposed by the applicants, the indicative scheme for the subject section 12A application (s.12A application) was based on a maximum PR of 0.75, a maximum SC of 25% and a maximum BH of 12m with 3 storeys over one storey of carport to demonstrate the technical feasibility of the proposed development. If the application was agreed by the Committee, the Planning Department suggested adopting the development restrictions of the indicative scheme as planning control. Furthermore, having considered the streamlined measures under Joint Practice Notes No. 5 and 7 regarding development control, the statutory planning restrictions of a maximum PR of 0.75 and a maximum BH of 12m with 3 storeys over one storey of carport were considered appropriate.

20. The Vice-chairman raised the following questions to the applicants' representatives:

- (a) noting that part of the Site was not owned by the applicants, what the development programme and phasing of the proposed development were; and
- (b) the need for a sewage treatment plant in the proposed development.

21. In response, Ms Theresa W.S. Yeung, Messrs James Y.W. Ng and H.W Chan, the applicants' representatives, made the following main points with the aid of some PowerPoint slides:

- (a) the Site would be developed in two phases. All private lots within the Site owned by the applicants (i.e. sites A, B and C) would be developed as the first phase. The remaining area comprised private lots owned by the third-party and government land. Should the application be agreed, the applicants would further discuss with the respective lot owners the implementation of the remaining phase; and
- (b) in view of the lack of a public sewerage system in the surrounding area, it was necessary to provide a private sewage treatment plant at the Site as an alternative option.

*The Access Road*

22. Some Members raised the following questions to the applicants' representatives:

- (a) whether there was pedestrian and vehicle segregation for the access road in the middle of the Site. For other internal space with shared use of vehicles and pedestrians, whether there were any design measures to ensure pedestrian safety;
- (b) whether the access road formed part of the residential development to the immediate west of the Site, and the rationale of including the access road in the subject application;
- (c) the status of the access road and whether it would be excluded from the PR/Gross Floor Area (GFA) calculation of the proposed development at the Site;
- (d) the future management and maintenance responsibilities of the access road; and

- (e) given that the Site was separated by the access road into two parts with development sites A, B and C, whether those sites would be treated as a single site by relevant government departments in processing the development proposal.

23. In response, Ms Theresa W.S. Yeung, Messrs C.M. Chan and Thomas Lee, the applicants' representatives, made the following main points with the aid of some PowerPoint slides:

- (a) the residential development under construction to the immediate west of the Site gained access to Wo Mei Hung Min Road through the access road in the middle of the Site. As the access road was 6m in width with 1.5m pavement on both sides, there was segregation for vehicles and pedestrians. For other internal circulation space, design measures to enhance pedestrian safety would be considered at the detailed design stage;
- (b) as the residential development in the "R(C)1" zone to the immediate west of the Site was completely landlocked, a section 16 application (No. A/SK-HC/223) for proposed house (ancillary road) covering the access road in the middle of the Site was approved by the Committee in 2013 to facilitate access to the residential development via Wo Mei Hung Min Road. As the road was located in the middle of the Site, it was included in the subject s.12A application for rezoning from "GB" to "R(C)1" zone to rationalise the zoning boundary and reflect its intended use;
- (c) the access road, which had been included in the lease of the residential development in the "R(C)1" site to the immediate west of the Site (i.e. Lot 2189 in D.D. 244 registered as New Grant No. 22828) as a non-building area and restricted for the purpose of vehicular and pedestrian access road, was not accountable for PR and SC calculation. The access road would not be included in the future land grant of the Site. The lease modification application for permitting the Site to have vehicular and pedestrian access over the access road was approved recently. While the access road was

included in the subject s.12A application, it would be excluded from PR/GFA calculation of the proposed development at the Site;

- (d) as majority of the Site and the adjacent “R(C)1” site were under the same owners, the management and maintenance responsibilities of the access road would be borne by the two developments and the details would be sorted out at a later stage; and
- (e) should the rezoning application be agreed, the applicants would apply to the Lands Department for land exchange. While the access road would not be included in the future land grant of the Site, the development sites would be considered as one new grant lot. For building plan submission, it was advised by the Buildings Department that the development parameters and supporting facilities of the two parts of the Site separated by the access road would be considered separately under the Buildings Ordinance.

24. In response to a Member’s question regarding PR/GFA calculation, Ms Tammy S.N. Kong, STP/SKIs, confirmed that the access road under the indicative scheme would be excluded from PR/GFA calculation of the proposed development at the Site. Appropriate development restrictions would be formulated to reflect the non-development site occupied by the access road. Details of the development restrictions to be set out in the Ho Chung Outline Zoning Plan (OZP) would be submitted to the Committee for consideration prior to gazetting of the proposed amendments to the OZP under section 5 of the Town Planning Ordinance (the Ordinance).

*Function of the “GB” Zone and Greenery Provision*

25. A Member asked PlanD’s representatives if the applicants’ justification that the strip of land along the eastern boundary of the Site could continue to serve as a landscape/visual buffer between the New Hiram’s Highway and the residential area of Nam Pin Wai was reasonable. In response, with the aid of a PowerPoint slide, Ms Tammy S.N. Kong, STP/SKIs, said that a strip of land along the eastern boundary of the Site was previously reserved for the planned improvement of Hiram’s Highway. Upon the completion of the New Hiram’s Highway in 2004, the “GB” zoning was extended to cover

the unused road reserve to the east. The strip of vegetated buffer to the immediate east of the Site, which was a cut-slope ranging from 15m to 20m in width maintained by the Highways Department, could serve as a landscape/visual buffer for the surrounding area.

26. A Member asked for the figure regarding the change in greenery area within the Site upon completion of the proposed development. In response, Ms Theresa W.S. Yeung and Mr Jason Y.S. Teo, the applicants' representatives, said that among the 99 existing trees to be affected by the proposed development, 98 trees were proposed to be felled and would be compensated by the planting of 98 new trees to achieve a compensation ratio of 1:1. One rare species, *Aquilaria sinensis*, was proposed to be transplanted within the Site. While no information on the existing greenery area within the Site was available, it was noted that the existing trees were mainly located in the northern part of the Site. According to the Landscape Master Plan, the proposed landscape area would achieve a greenery coverage of not less than 20% of the Site. Upon completion of the proposed development, the landscape quality of the Site would be enhanced as compared to the existing condition.

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

#### Deliberation Session

28. The Vice-chairman remarked that this was a s.12A rezoning application and the applicants had submitted an indicative development scheme with relevant technical assessments to support the application. Relevant B/Ds had no objection to or no adverse comment on the application. Members were invited to express views on the application.

29. Members generally supported the application to rezone the Site from "GB" to "R(C)1". A Member expressed that while the area of the "GB" zone between the New Hiram's Highway and the residential area of Nam Pin Wai would be reduced after the rezoning, the strip of land along the eastern boundary of the Site could generally maintain the

buffering function of the “GB” zone. Another Member echoed and added that as the Site was zoned “GB” to form a strip of buffer along the ‘Road’ area reserved for the planned improvement of Hiram’s Highway, it was not serving the general “GB” function to define the urban and sub-urban development areas by natural features or to contain urban sprawl. Rezoning the Site to “R(C)1” for better utilisation of the land resources was acceptable given that the remaining “GB” zone to the east of the Site could continue to serve as a landscape/visual buffer for Hiram’s Highway. The Vice-chairman said that the proposed rezoning could be considered as an extension of the residential area to the east.

30. The Secretary said that should the current s.12A application be agreed, proposed amendments to the Ho Chung OZP, including the control to reflect the non-development site occupied by the access road under the indicative scheme, would be submitted to the Committee for consideration prior to gazetting of the proposed amendments to the OZP under section 5 of the Ordinance.

31. After deliberation, the Committee decided to agree to the application, and the relevant proposed amendments to the Ho Chung Outline Zoning Plan, together with the revised Notes and Explanatory Statement, would be submitted to the Committee for consideration prior to gazetting under the Town Planning Ordinance.

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

[Mr Jeffrey P.K. Wong, Senior Town Planner/Sha Tin, Tai Po and North (STP/STN), was invited to the meeting at this point.]

**Agenda Item 6**

**Section 16 Application**

[Open Meeting (Presentation and Question Sessions Only)]

A/NE-KLH/633 Proposed Temporary Public Vehicle Park (Private Car Only) and Electric Vehicle-Charging Station for a Period of 3 Years in “Agriculture” Zone, Lot 645 RP (Part) in D.D. 9, Yuen Leng, Tai Po (RNTPC Paper No. A/NE-KLH/633B)

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**Presentation and Question Sessions**

32. With the aid of some plans, Mr Jeffrey P.K. Wong, STP/STN, briefed Members on the background of the application, the proposed use, departmental and public comments, and the planning considerations and assessments as detailed in the Paper. The Planning Department considered that the proposed temporary use could be tolerated for a period of three years.

33. The Vice-chairman and some Members raised the following questions:

- (a) the reason for the change of stance/comments from the Agriculture, Fisheries and Conservation Department (AFCD) on similar applications in the area, as alleged by the applicant;
- (b) the clarification provided by the applicant in response to the objecting public comments;
- (c) whether the proposed use would obstruct the nearby emergency vehicular access (EVA) as per the public comments received;
- (d) should the application be approved, whether non-provision of electric vehicle (EV)-charging facilities and parking of non-electric private cars at the application site (the Site) would contravene the planning permission; and
- (e) whether an approval condition would need to be included for the



reinstatement of the Site to an amenity area upon expiry of the planning permission.

34. In response, Mr Jeffrey P.K. Wong, STP/STN, made the following main points with the aid of some plans:

- (a) the applicant alleged that AFCD's stance on the Site's potential for agricultural rehabilitation was different from its previous comments on similar applications in the area. While AFCD had not raised objection to those similar applications, it did not support the current application as the Site possessed potential for agricultural rehabilitation according to its recent site survey;
- (b) the applicant had provided responses to the adverse public comments on aspects including environment, water pollution, fire and pedestrian safety, and the obstruction of EVA;
- (c) as advised by the Director of Fire Services (D of FS), the proposed use would not obstruct the nearby EVA as there was another access road to the south of the Site connecting Tai Wo Service Road East and Yuen Leng Village. D of FS had no in-principle objection to the application;
- (d) as the planning permission was scheme based, the applicant was obliged to implement the proposed scheme as submitted, including the provision of EV-charging facilities. There was no restriction on the parking of non-electric private cars at the Site; and
- (e) an approval condition for the reinstatement of the Site was not included as the Site had already been hard paved before the land filling clause for the "Agriculture" zone was incorporated in the relevant Outline Zoning Plan (i.e. 1.4.2005).

35. In response to the Vice-chairman's enquiry on whether EV-charging station powered by solar energy could be installed at the Site, Ms Clara K.W. U, the Principal

Environmental Protection Officer (Territory North), Environmental Protection Department, said that solar energy generation systems were always supported by the Environment and Ecology Bureau, though such installation was not included in the applicant's proposal.

### Deliberation Session

36. A Member, whilst having no objection to the application, enquired how the approval condition allowing the parking of private cars only could be enforced at the Site, and whether erecting notice/signboard could effectively remind the future users of the restriction imposed under the approval condition. In response, the Secretary said that the application could be revoked if there was evidence to show that the approval condition restricting the parking of private cars was not complied with during the planning approval period, and appropriate enforcement action could be instigated. Mr K.L. Wong, the Chief Traffic Engineer/New Territories East, Transport Department, said that if the applicant was the lot owner and short term waiver was applied for the erection of structures at the Site, the requirement for the erection of notice/signboard could be considered for incorporation into the short term waiver.

37. After deliberation, the Committee decided to approve the application on a temporary basis for a period of 3 years until 7.6.2027, on the terms of the application as submitted to the Town Planning Board and subject to the approval conditions stated in the Paper. The Committee also agreed to advise the applicant to note the advisory clauses as set out in the appendix of the Paper.

**Agenda Item 7**

**Section 16 Application**

[Open Meeting (Presentation and Question Sessions Only)]

A/NE-KLH/640      Proposed Temporary Dangerous Goods Godown and Industrial Use for a Period of 3 Years in “Government, Institution or Community” Zone, Government Land in D.D. 16, Wai Tau Tsuen, Kau Lung Hang, Tai Po (RNTPC Paper No. A/NE-KLH/640)

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**Presentation and Question Sessions**

38.            With the aid of some plans, Mr Jeffrey P.K. Wong, STP/STN, briefed Members on the background of the application, the proposed use, departmental and public comments, and the planning considerations and assessments as detailed in the Paper. The Planning Department (PlanD) did not support the application.

39.            A Member raised the following questions:

- (a)    whether there was any intended government, institution or community (GIC) use for the Site; and
- (b)    whether there was any assessment conducted for the proposed temporary dangerous goods godown and industrial use.

40.            In response, Mr Jeffrey P.K. Wong, STP/STN, made the following main points:

- (a)    the application site (the Site) was currently a vacant school premises which was already abandoned. According to the latest Review of Vacant School Premises Sites conducted by PlanD, the Site was recommended to be retained for GIC use in the long run and the use of which had yet to be confirmed. The Site was currently open for application for short-term use pending implementation of long-term GIC use. It was advised by the Lands Department that the applicant had applied to their office for a Short Term Tenancy for the proposed use at the Site; and

- (b) the applicant had submitted an environmental assessment and a tree preservation and landscape proposal in support of the application. As the proposed use involved processing and storing of hydrofluorocarbons (HFCs) which was a Category 2 dangerous goods under the control of the Dangerous Goods Ordinance, the applicant would need to apply for a licence from the Director of Fire Services and conduct relevant assessment on gas safety to the satisfaction of the Director of Electrical and Mechanical Services.

41. In response to the Vice-chairman's enquiry on whether the proposed use could be accommodated in multi-storey industrial buildings, a Member said that while the proposed use might be accommodated in industrial buildings, there would be concern on risk of leakage.

#### Deliberation Session

42. The Vice-chairman recapitulated that the proposed use was not in line with the planning intention of the "Government, Institution or Community" ("G/IC") zone and was considered incompatible with the surrounding land uses. The Site fell within the upper indirect water gathering grounds, within which the proposed industrial use was not permitted. The applicant failed to demonstrate that the proposed use would not generate adverse environmental impacts on the surrounding area. As such, PlanD recommended that the application should be rejected. He then invited views from Members.

43. Members generally agreed with PlanD's assessment that the Site was not suitable for the proposed use as it was covered with vegetation, very close to residential dwellings in a rural village setting, and adjoining a car park which might obstruct the EVA to/from the Site. Some Members opined that refrigerant recycling and reclamation use should be supported and suitable sites should be identified for such purpose.

44. Members noted that the Environment and Ecology Bureau (EEB) had given policy support for establishing a refrigerant reclamation plant at the Site since it was EEB's policy to drive and support the trade to step up refrigerant recovery and establish refrigerant recycling and reclamation business operation in order to support HFCs phase-down.

However, relevant government departments including the Water Supplies Department, Environmental Protection Department and PlanD had raised objection to/adverse comments on the application due to unresolved technical issues, not being in line with the planning intention of the “G/IC” zone and incompatibility with the surrounding land uses. Members also noted that the applicant was informed of the departmental concerns but still wished to proceed with the application. Given that it was difficult for the private sector to identify suitable sites and the planning permission for temporary use of three years might not be financially viable for investment by the potential business operators, some Members suggested that EEB should consider taking a more proactive role, with concerted efforts from relevant government departments, to assist the trade to identifying suitable sites for the proposed use. The Secretary suggested and the Committee agreed that Members’ suggestion should be conveyed to EEB by PlanD with a view to stepping up Government’s assistance to support refrigerant recycling and reclamation business operation. Besides, departmental comments, including those from the Fire Services Department and the Electrical and Mechanical Services Department on the required licence, technical assessments and potential issues which might not be easy to overcome, should be conveyed to the applicant at an earlier stage.

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

- “(a) the proposed use is not in line with the planning intention of the “Government, Institution or Community” zone which is primarily for the provision of Government, institution or community facilities serving the needs of the local residents and/or a wider district, region or the territory. It is also intended to provide land for uses directly related to or in support of the work of the Government, organizations providing social services to meet community needs, and other institutional establishments. There is no strong planning justification in the submission for a departure from the planning intention, even on a temporary basis;
- (a) the proposed use is considered incompatible with the rural village setting of Wai Tau Tsuen;

- (b) the application site falls within the upper indirect water gathering grounds (WGGs). The proposed industrial use is not permitted within the WGGs; and
- (c) the applicant fails to demonstrate in the submission that the proposed use would not generate adverse environmental impacts on the surrounding areas.”

[The Vice-chairman thanked PlanD’s representative for attending the meeting. He left the meeting at this point.]

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

[Messrs C.K. Fung and Patrick M.Y. Fung, Senior Town Planners/Fanling, Sheung Shui and Yuen Long East (STPs/FSYLE), were invited to the meeting at this point.]

**Agenda Item 21**

**Section 16 Application**

[Open Meeting]

A/YL-MP/367            Proposed Public Utility Installation (Low Voltage Underground Cable) and Associated Excavation and Filling of Land in “Other Specified Uses” annotated “Wetland Conservation Park” Zone, Government Land in D.D. 99, Mai Po, Yuen Long

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

**Agenda Item 25**

**Section 16 Application**

[Open Meeting]

A/YL-NSW/328 Temporary Shop and Services (Sales of Hardware Accessories) for a Period of 3 Years in “Undetermined” Zone, Lots 771 (Part), 772 (Part) and 787 (Part) in D.D. 115, Castle Peak Road-Yuen Long Section, Yuen Long

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

**Agenda Item 33**

**Section 16 Application**

[Open Meeting (Presentation and Question Sessions Only)]

A/YL-PH/1006 Temporary Open Storage (Vehicles and Vehicle Parts) and Vehicle Stripping Yard with Ancillary Facilities for a Period of 3 Years and Filling of Land in “Open Storage” and “Village Type Development” Zones, Lots 1050 (Part), 1054 RP (Part), 1055 (Part), 1057 (Part), 1059 (Part), 1161 (Part) and 1169 (Part) in D.D. 111, Pat Heung, Yuen Long (RNTPC Paper No. A/YL-PH/1006)

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**Presentation and Question Sessions**

48. With the aid of some plans, Mr C.K. Fung, STP/FSYLE, briefed Members on the background of the application, the applied uses, departmental and public comments, and the planning considerations and assessments as detailed in the Paper. The Planning Department did not support the application.

49. A Member raised the following questions:

- (a) whether the whole application site (the Site) was currently used for the applied uses; and

- (b) whether the current uses at the Site constituted unauthorized development (UD) with enforcement actions taken/to be taken.

50. In response, Mr C.K. Fung, STP/FSYLE made the following points:

- (a) according to the proposal submitted by the applicant and site inspection, the whole Site was occupied by the applied uses and operated in one single unit by an operator; and
- (b) the portion of the Site within the “Village Type Development” zone was largely subject to planning enforcement action against UD involving storage use and use for place for parking of vehicles. Enforcement Notice (EN) was issued requiring discontinuation of the UD. Recent site inspection revealed that the UD still continued upon expiry of the EN. The Planning Authority would consider to instigate prosecution action. Regarding the portion of the Site within the “Open Storage” zone, planning enforcement action against vehicle stripping use might be instigated subject to collection of sufficient evidence.

#### Deliberation Session

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

- “(a) the applied uses with filling of land are not in line with the planning intention of the “Village Type Development” zone, which is primarily to reflect existing recognised and other villages, and to provide land considered suitable for village expansion and reprovisioning of village houses affected by government projects. Land within this zone is primarily intended for development of Small Houses by indigenous villagers. There is no strong planning justification given in the submission for a departure from the planning intention, even on a temporary basis; and
- (d) the applied uses are not in line with the Town Planning Board Guidelines



on ‘Application for Open Storage and Port Back-up Uses under Section 16 of the Town Planning Ordinance’ in that there is no previous approval granted at the site; there are adverse departmental comments on the application; and the applicant fails to demonstrate that the applied uses with filling of land would not have adverse environmental and drainage impacts on the surrounding areas.”

### **Agenda Item 38**

#### **Section 16 Application**

[Open Meeting (Presentation and Question Sessions Only)]

A/FSS/298                      Proposed House (New Territories Exempted House - Small House) in “Village Type Development” and “Green Belt” Zones, Lots Nos. 3984 S.D and 3985 S.O in D.D. 51, Wo Hop Shek Village, Fanling  
(RNTPC Paper No. A/FSS/298)

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

52.                      With the aid of some plans, Mr Patrick M.Y. Fung, STP/FSYLE, briefed Members on the background of the application, the proposed development, departmental and public comments, and the planning considerations and assessments as detailed in the Paper. The Planning Department did not support the application.

53.                      Members had no question on the application.

#### **Deliberation Session**

54.                      Some Members considered that the proposed Small House development at the application site (the Site) should not be approved as it was not in line with the planning intention of the “Green Belt” zone and land was still available within the “Village Type Development” zone of Wo Hop Shek Village for Small House development. While the Site had a previously approved application based on the sympathetic consideration that there were similar Small House applications approved in the vicinity and a new village cluster was expected to be formed in the locality, those approved Small House applications in the vicinity

had not been implemented to form a village cluster, and the surrounding area of the Site was still vacant. According to the Interim Criteria for Consideration of Application for New Territories Exempted House (NTEH)/Small House in New Territories (the Interim Criteria), the Site could not be regarded as an infill site among existing NTEHs/Small Houses. Besides, the subject application was submitted by a different applicant which indicated that the processing of the relevant Small House grant was not at an advance stage. Given the above, sympathetic consideration under the Interim Criteria could not be given to the current application.

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

- “(a) the proposed development is not in line with the planning intention of the “Green Belt” zone which is primarily for defining the limits of urban and sub-urban development areas by natural features and to contain urban sprawl as well as to provide passive recreational outlets. There is a general presumption against development within this zone. No strong justifications are provided in the submission for a departure from the planning intention; and
- (b) land is still available within the “Village Type Development” (“V”) zone of Wo Hop Shek Village 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 more orderly development pattern, efficient use of land and provision of infrastructures and services.”

[The Vice-chairman thanked PlanD’s representatives for attending the meeting. They left the meeting at this point.]

## **Tuen Mun and Yuen Long West District**

[Mr Eric C.Y. Chiu, Senior Town Planner/Tuen Mun and Yuen Long West (STP/TMYLW), was invited to the meeting at this point.]

### **Agenda Item 50**

#### **Section 16 Application**

[Open Meeting (Presentation and Question Sessions Only)]

A/YL-LFS/520      Temporary Public Vehicle Park (Private Cars) with Electric Vehicle Charging Facility for a Period of 3 Years and Filling of Land in “Green Belt” Zone, Lots 2841 S.A RP (Part) and 2841 S.B RP (Part) in D.D. 129, Lau Fau Shan, Yuen Long  
(RNTPC Paper No. A/YL-LFS/520)

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

56.            With the aid of some plans, Mr Eric C.Y. Chiu, STP/TMYLW, briefed Members on the background of the application, the applied use, departmental and public comments, and the planning considerations and assessments as detailed in the Paper. The Planning Department had no objection to the application.

57.            In response to a Member’s enquiry on the reason for not imposing an approval condition to restrict the types of vehicles that could be parked at the Site, Mr Eric C.Y. Chiu, STP/TMYLW, said that the application was for private cars as per the applicant’s submission. Since planning permission was scheme based, if there were other types of vehicles not covered by planning permission parked at the Site, it would constitute a suspected unauthorised development subject to enforcement action by the Planning Authority.

#### **Deliberation Session**

58.            A Member, whilst having no objection to the application, observed that there were varied approaches in imposing approval conditions for similar applications and suggested exploring the suitability of a standard clause for such cases. The Secretary

noted the observation and explained that certain approval conditions were included on a case-by-case basis to address departmental and/or public concerns. Nevertheless, the practice for imposing approval conditions on applications for public vehicle park would be reviewed and aligned as appropriate.

59. Noting the shortage of electric vehicle (EV) charging facilities despite policy support from the Environment and Ecology Bureau (EEB), a Member suggested that the Government could consider requiring all temporary public vehicle parks under planning applications to be equipped with EV charging facilities. Mr K.L. Wong, the Chief Traffic Engineer/New Territories East, Transport Department, said that the market share of electric private vehicles was on the rise but the use of electric motorcycles and light goods vehicles was limited at this juncture, hence it might not be necessary to request all temporary public vehicle parks to be equipped with EV charging facilities for all vehicle types. Ms Clara K.W. U, the Principal Environmental Protection Officer (Territory North), Environmental Protection Department, said that at present, EV charging facilities were required in all new public vehicle parks provided by the Government. For public vehicle parks provided by the private sector, EEB's policy was to encourage the installation of EV charging facilities in those vehicle parks. A Member opined that while most of the new permanent developments were EV charging-enabling, it would be challenging for the operators to provide such facilities in open and temporary public vehicle parks due to the difficulty in obtaining sufficient power supply and the temporary nature of the operation. The meeting noted that as the number of applications for EV charging-enabling temporary public vehicle parks was increasing, it somehow reflected the private initiative to respond to the market needs.

60. After deliberation, the Committee decided to approve the application on a temporary basis for a period of 3 years until 7.6.2027, on the terms of the application as submitted to the Town Planning Board and subject to the approval conditions stated in the Paper. The Committee also agreed to advise the applicant to note the advisory clauses as set out in the appendix of the Paper.

[The Vice-chairman thanked PlanD's representative for attending the meeting. He left the meeting at this point.]

**Agenda Item 59**

Any Other Business

[Open meeting]

61.           There being no other business, the meeting was closed at 4:55 p.m.

**Minutes of 743<sup>rd</sup> Rural and New Town Planning Committee  
(held on 7.6.2024)**

**Deferral Cases**

(a) Request for Deferment by Applicant for Two Months

<b>Item No.</b>	<b>Application No.*</b>	<b>Times of Deferment</b>
4	Y/NE-TKL/5	2 <sup>nd</sup> <sup>^</sup>
5	A/NE-LT/766	1 <sup>st</sup>
8	A/NE-SSH/155	1 <sup>st</sup>
9	A/NE-SSH/156	1 <sup>st</sup>
12	A/NE-TKL/754	1 <sup>st</sup>
13	A/NE-TKLN/82	2 <sup>nd</sup> <sup>^</sup>
14	A/NE-LYT/826	1 <sup>st</sup>
23	A/YL-NSW/322	2 <sup>nd</sup> <sup>^</sup>
24	A/YL-NSW/327	1 <sup>st</sup>
26	A/YL-KTN/980	2 <sup>nd</sup> <sup>^</sup>
27	A/YL-KTN/990	2 <sup>nd</sup> <sup>^</sup>
29	A/YL-KTN/1010	1 <sup>st</sup>
30	A/YL-KTN/1011	1 <sup>st</sup>
32	A/YL-PH/1005	1 <sup>st</sup>
35	A/YL-SK/368	1 <sup>st</sup>
36	A/YL-SK/369	1 <sup>st</sup>
37	A/YL-SK/370	1 <sup>st</sup>
41	A/HSK/515	1 <sup>st</sup>
43	A/HSK/517	1 <sup>st</sup>
45	A/TM/590	2 <sup>nd</sup> <sup>^</sup>
46	A/TM/592	1 <sup>st</sup>
47	A/TM-LTYYY/471	1 <sup>st</sup>
56	A/YL-TYST/1265	1 <sup>st</sup>

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

(b) Request for Deferment by the Planning Department

<b>Item No.</b>	<b>Application No.*</b>	<b>Times of Deferment</b>	<b>Duration of Deferment</b>
16	A/STT/2	1 <sup>st</sup>	after the Chief Executive in Council's decision on the relevant draft Outline Zoning Plan and the relevant adverse representations relating to the application site
19	A/YL-MP/362	2 <sup>nd</sup> <sup>#</sup>	
22	A/YL-MP/368	1 <sup>st</sup>	

Note:  
<sup>#</sup> The 1<sup>st</sup> deferment for a period of two months was requested by the applicant.

## **Declaration of Interests**

The Committee noted the following declaration of interests:

<b>Item No.</b>	<b>Members' Declared Interests</b>	
19 and 22	The application site was located in Mai Po.	- Mr K.W. Leung for owning a property in Mai Po
56	The application site was located in Hung Shui Kiu (HSK).	- Mr Timothy K.W. Ma for being a consultant of a company which was planning and building a residential care home for the elderly in HSK

The Committee noted that Mr Timothy K.W. Ma had tendered an apology for being unable to attend the meeting. As the property owned by Mr K.W. Leung had no direct view of the application sites under Items 19 and 22, the Committee agreed that he could stay in the meeting.

**Minutes of 743<sup>rd</sup> Rural and New Town Planning Committee  
(held on 7.6.2024)**

**Renewal Cases**

Applications for renewal of temporary approval for 3 years

<b>Item No.</b>	<b>Application No.</b>	<b>Renewal Application</b>	<b>Renewal Period</b>
15	A/NE-STK/25	Temporary Public Vehicle Park (Coaches and Private Cars Only) in “Agriculture” Zone, Lots 443 S.B RP (Part), 444 S.B RP (Part), 445 S.B RP (Part), 446 S.B RP (Part) and 447 S.B RP (Part) in D.D. 41 and Adjoining Government Land, Sha Tau Kok	16.6.2024 to 15.6.2027
31	A/YL-KTS/1002	Temporary Public Car Park (Private Car) in “Agriculture” Zone, Lots 111 RP, 112 (Part), 113, 115 RP, 116 (Part) and 117 RP in D.D. 113, Kam Tin South, Yuen Long	16.6.2024 to 15.6.2027
40	A/HSK/514	Temporary Shop and Services (Fresh Provision Shop) in “Open Space” Zone, Lot 1315 RP (Part) in D.D. 124 and Adjoining Government Land, San Sang San Tsuen, Yuen Long	7.7.2024 to 6.7.2027
44	A/HSK/518	Temporary Open Storage of Scrap Metal and Plastic in “Government, Institution or Community” and “Residential (Group D)” Zones and an area shown as ‘Road’, Lots 41 (Part), 46 (Part), 49 (Part), 50 (Part), 51 (Part) and 52 S.B (Part) in D.D. 128 and Adjoining Government Land, Ha Tsuen, Yuen Long	7.7.2024 to 6.7.2027
48	A/YL-HTF/1176	Temporary Open Storage of Construction Materials in “Residential (Group D)” Zone, Lots 140 (Part), 141 (Part) and 142 (Part) in D.D. 128 and Adjoining Government Land, Ha Tsuen, Yuen Long	10.7.2024 to 9.7.2027
51	A/YL-PS/712	Temporary Public Vehicle Park (Private Cars and Light Goods Vehicles) in “Village Type Development” Zone, Lots 390 (Part), 391, 392, 394 (Part), 395 (Part) and 403 RP (Part) in D.D. 122, and Adjoining Government Land, Sheung Cheung Wai, Ping Shan, Yuen Long	21.7.2024 to 20.7.2027
53	A/YL-PS/714	Temporary Shop and Services and Wholesale of Construction Material in “Government, Institution or Community” Zone, Lot 255 RP (Part) in D.D. 122, Ping Shan, Yuen Long	24.7.2024 to 23.7.2027
55	A/YL-PS/716	Temporary Public Vehicle Park (excluding container vehicle) in “Comprehensive Development Area” Zone, Lot 894 RP in D.D. 122, Ping Shan, Yuen Long	7.7.2024 to 6.7.2027



**Minutes of 743<sup>rd</sup> Rural and New Town Planning Committee  
(held on 7.6.2024)**

**Cases for Streamlining Arrangement**

(a) Applications approved on a temporary basis for a period of 3 years until 7.6.2027

<b>Item No.</b>	<b>Application No.</b>	<b>Planning Application</b>
10	A/NE-TK/797	Temporary Hobby Farm and Shop and Services (Retail Shop) in “Agriculture” Zone, Lots 674 S.A, 674 S.B, 674 S.C and 674 RP in D.D. 17, Tai Po
17	A/STT/3	Temporary Shop and Services in an area shown as ‘Road’, Lot 774 RP in D.D. 99 and Adjoining Government Land, San Tin, Yuen Long
18	A/STT/4	Temporary Shop and Services in “Village Type Development” Zone, Lots 180 RP and 182 S.C RP in D.D. 102 and Adjoining Government Land, San Tin, Yuen Long
20	A/YL-MP/364	Proposed Temporary Shop and Services (Foot Massage Parlour), Public Vehicle Park (excluding container vehicle) with Ancillary Electric Vehicle Charging Facilities and Office in “Open Space” Zone, Lot 2933 in D.D. 104, Mai Po, Yuen Long
28	A/YL-KTN/994	Proposed Temporary Open Storage of Construction Materials and Associated Filling of Land in “Agriculture” Zone, Lots 1290 RP (Part) and 1291 (Part) in D.D. 107, Fung Kat Heung, Kam Tin, Yuen Long
34	A/YL-SK/367	Proposed Temporary Public Vehicle Park (Excluding Container Vehicle) and Filling of Land in “Village Type Development” Zone, Lots 211 S.A, 211 S.B, 211 S.C, 211S.D, 211 S.E, 211 S.F, 211 S.G, 211 S.H, 211 S.I, 211 S.J, 211 S.K, 211 S.L, 211 S.M, 211 S.N and 211 RP in D.D. 112, Shek Kong, Yuen Long
39	A/HSK/493	Temporary Warehouse in “Residential (Group B)3” Zone, Lot 2238 S.A RP (Part) in D.D. 124 and Adjoining Government Land, Hung Shui Kiu, Yuen Long
42	A/HSK/516	Temporary Open Storage of Recyclable Materials (including Metal and Plastic) & Construction Materials and Warehouse for Storage of Construction Materials in “Open Space” and “Government, Institution or Community” Zones and an area shown as ‘Road’, Lots 280 (Part), 281 (Part) and 681 (Part) in D.D. 125, San Wai, Ha Tsuen, Yuen Long
49	A/YL-LFS/519	Proposed Temporary Logistics Centre in “Residential (Group E)” Zone, Lots 2179, 2180, 2181 RP, 2191 and 2192 in D.D. 129, Lau Fau Shan, Yuen Long
52	A/YL-PS/713	Temporary Shop and Services and Wholesale of Construction Materials in “Government, Institution or Community” and “Village Type Development” Zones, Lots 256 (Part), 258 RP (Part) and 259 in D.D.122, Ping Shan, Yuen Long

54	A/YL-PS/715	Temporary Public Vehicle Park (Private Car and Light Goods Vehicle) in “Village Type Development” and “Other Specified Uses” annotated “Heritage and Cultural Tourism Related Uses” Zones, Lots 384 (Part), 387 S.C ss.1 RP (Part), 387 S.C ss.2 RP (Part), 387 S.C ss.3 RP (Part), 388 (Part) and 390 (Part) in D.D. 122 and Adjoining Government Land, Ping Shan, Yuen Long
57	A/YL-TYST/1266	Temporary Warehouse for Storage of Food and Electronic Goods in “Undetermined” Zone, Various Lots in D.D. 119, Pak Sha Tsuen, Yuen Long
58	A/YL-TT/648	Proposed Temporary Warehouse (Excluding Dangerous Goods Godown) with Ancillary Facilities and Associated Filling of Land in “Agriculture” Zone, Lots 1438, 1441 (Part), 1442, 1443 S.A, 1443 S.B and 1450 S.B in D.D. 118 and Adjoining Government Land, Tai Tong, Yuen Long

(b) Application approved on a temporary basis for a period of 5 years until 7.6.2029

Item No.	Application No.	Planning Application
11	A/NE-TK/798	Temporary Shop and Services (Real Estate Agency) in “Village Type Development” Zone, Lot 1092 S.B RP (Part) in D.D. 23, San Tau Kok, Ting Kok, Tai Po

### **Declaration of Interests**

The Committee noted the following declaration of interests:

Item No.	Members’ Declared Interests	
20	The application site was located in Mai Po.	- Mr K.W. Leung for owning a property in Mai Po
39	The application site was located in Hung Shui Kiu (HSK).	- Mr Timothy K.W. Ma for being a consultant of a company which was planning and building a residential care home for the elderly in HSK

The Committee noted that Mr Timothy K.W. Ma had tendered an apology for being unable to attend the meeting. As the property owned by Mr K.W. Leung had no direct view of the application site under Item 20, the Committee agreed that he could stay in the meeting.