

## **TOWN PLANNING BOARD**

### **Minutes of 744<sup>th</sup> Meeting of the Rural and New Town Planning Committee held at 2:30 p.m. on 21.6.2024**

#### **Present**

Director of Planning  
Mr Ivan M.K. Chung

Chairman

Mr K.W. Leung

Mrs Vivian K.F. Cheung

Mr Vincent K.Y. Ho

Mr Timothy K.W. Ma

Dr C.M. Cheng

Mr Daniel K.W. Chung

Mr Ryan M.K. Ip

Professor B.S. Tang

Mr Simon Y.S. Wong

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

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 Donna Y.P. Tam

Secretary

**Absent with Apologies**

Mr Daniel K.S. Lau

Vice-chairman

Dr Venus Y.H. Lun

Mr Rocky L.K. Poon

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

**In Attendance**

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

Chief Town Planner/Town Planning Board  
Miss Josephine Y.M. Lo

Town Planner/Town Planning Board  
Ms Y.Z. Jia

**Agenda Item 1**

Confirmation of the Draft Minutes of the 743<sup>rd</sup> RNTPC Meeting held on 7.6.2024

[Open Meeting]

1. The draft minutes of the 743<sup>rd</sup> RNTPC meeting held on 7.6.2024 were confirmed without amendment.

**Agenda Item 2**

Matter Arising

[Open Meeting]

2. The Secretary reported that subsequent to the Committee's discussion on applications for temporary public vehicle park on 7.6.2024, the Planning Department had reviewed the practice of adopting the terms in the applied use for public vehicle park and the imposition of approval conditions for temporary car park uses. The findings and recommendations were as follows:

*Terms in the Applied Use for Public Vehicle Park*

- (a) the terms used in the applied use were 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 under the relevant zone of the Outline Zoning Plan where the application site was located, or a specific term to reflect the proposed temporary use. For instance, an applicant might intentionally exclude heavy vehicles in order to minimise adverse environmental nuisances to address local or departmental concerns. In any case, the applications would be assessed based on the terms as submitted to the Town Planning Board (the Board);

*Imposition of Approval Conditions for Temporary Car Park Uses*

- (b) according to the Government's initiative in streamlining development control, approval conditions should not be imposed if the relevant concerns could be

addressed under other more appropriate regime(s). While imposition of approval conditions on types of vehicles, operation hours and/or provision of electric vehicle charging facilities would facilitate enforcement in case the conditions were not complied with, resulting in revocation of the planning permission, in view of the nature of car parking use which was relatively non-controversial, it might be proper to follow the streamlined approach and not to impose such conditions. As the applications were approved based on the terms submitted to the Board, if the eventual uses found at the application sites deviated from the approved schemes, such uses were not permitted and would be subject to enforcement action, as appropriate;

- (c) for cases subject to substantive public concerns and/or technical concerns, such as those of environmental and traffic aspects, consideration should be given to imposing approval conditions related to vehicle types, operation hours and provision of charging facilities, as appropriate, to facilitate more efficient enforcement action should non-compliance with approval conditions be observed during the planning approval period; and
- (d) notwithstanding the above, to address technical concerns of relevant government departments, advisory clause(s) to request the applicant to take note and follow the established code of practice on different technical aspects would be added. For instance, the applicant would be advised to follow the mitigation measures and requirements in the revised “Code of Practice on Handling the Environmental Aspects of Temporary Uses and Open Storage Sites” subject to the comments from the Environmental Protection Department.

3. Members noted the findings and agreed to adopt the practice as recommended above.

## **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 29 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, 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 four 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, Member's declaration of interest for a case and the Committee's views on the declared interest were in **Annex 2**.

## Deliberation Session

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

## **Cases for Streamlining Arrangement**

### Section 16 Applications

[Open Meeting (Presentation and Question Sessions only)]

### Presentation and Question Sessions

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

9. For application No. A/YL-PH/1008 for temporary public vehicle park (PVP) use under Agenda Item 41, a Member noted the clearance of vegetation at the application site when comparing the aerial photo taken in 2023 and the site photos taken in 2024, and enquired whether more recent aerial photos were available to facilitate better understanding of such changes. In that regard, the Committee noted that the latest available aerial photo was already shown in the Paper. The Chairman supplemented that as set out in the Paper, the application site was currently vacant and not subject to any active planning enforcement action.

10. For applications No. A/YL-PH/1004, A/HSK/519 and A/TM-SKW/125 for temporary PVP uses under Agenda Items 40, 49 and 51 respectively, noting that the standard term 'Public Vehicle Park (excluding container vehicle)' was adopted for Agenda Item 40

while specific terms (i.e. ‘Public Vehicle Park (private cars)’ ) were adopted for Agenda Items 49 and 51, a Member enquired whether it was the choice of the applicants to determine the use terms for those applications, and whether such proposed/applied uses were considered Column 2 uses under the respective zones that required planning permission from the Town Planning Board. In that regard, the Committee noted that as the Secretary explained at the beginning of the meeting, the use terms adopted for the applications were the choices of the applicants based on consideration of individual cases, and the proposed/applied PVP uses under the said applications were considered Column 2 uses under the respective “Village Type Development” zone which required planning permissions.

### Deliberation Session

#### *Application No. A/NE-TKL/757*

11. A Member considered that application No. A/NE-TKL/757 for proposed temporary warehouse and associated land filling at the application site under Agenda Item 23A should not be selected for streamlined arrangement and further information might be required to support the application as some technical issues/concerns raised by relevant government departments on traffic arrangement, drainage, landscape and environmental aspects had not been suitably addressed. Besides, it was considered that the proposed warehouse use should be confined within the area zoned “Industrial (Group D)” in the vicinity of the application site, instead of sprawling to nearby areas, especially to the areas close to Ping Yuen River, and approval of the application might set an undesirable precedent for similar applications.

12. In relation to the above, the Committee was briefed again on the key selection criteria for streamlined consideration of section 16 applications previously agreed by the Committee in 2022 and 2023, including (i) no objection from the Planning Department; (ii) the application site did not fall within conservation-related zones; (iii) the proposed/applied uses fell within certain categories of use such as temporary shop and services, hobby farm, storage use, warehouse, etc.; (iv) no adverse departmental comments or the concerns of bureaux/departments could be suitably addressed; (v) no previous rejected application for same/similar use; and (vi) no substantial adverse public comments. As application No. A/NE-TKL/757 complied with the said selection criteria, streamlined arrangement was recommended.

13. The Chairman supplemented that regarding the concerns on drainage aspect, the Drainage Services Department (DSD) had no in-principle objection to the application provided that approval conditions on submission of a drainage impact assessment (DIA) before the commencement of any construction works or operation including site formation works, provision of drainage facilities before the commencement of any operation, and maintaining the implemented drainage facilities at all times during the planning approval period would be imposed. On traffic concerns, the Commissioner for Transport had no adverse comment on the application from traffic engineering perspective and advised that approval conditions in relation to the implementation and maintenance of traffic management measures as proposed by the applicant should be imposed. Mr K.L. Wong, the Chief Traffic Engineer/New Territories East, Transport Department, supplemented that the information submitted by the applicant was sufficient to support the application, including the ingress/egress arrangement, and it was also noted that relevant approval conditions regarding the implementation and maintenance of traffic management measures would be imposed if the application was approved.

14. A Member expressed concern on whether the construction works for and/or operation of the proposed use could be commenced once the DIA had been submitted, even without the approval by DSD. In response, the Chairman explained that the proposed use should fulfil all the approval conditions in relation to submission of a DIA and implementation of drainage facilities to the satisfaction of DSD before commencement of construction works and operation of the proposed use. A Member also shared that DIA submission had to be approved by DSD before commencement of any construction works if such approval condition was imposed.

15. Two Members agreed that the subject application could be considered under streamlined arrangement as it complied with the selection criteria previously agreed by the Committee, and the technical issues including those on drainage and traffic aspects, could be addressed under relevant approval conditions. Notwithstanding that, the Committee noted that while the relevant cases were grouped for presentation under the streamlined approach, Members could still raise questions, comment and consider the individual cases if required. After some discussion, whilst one Member expressed reservation on supporting the application, other Members generally had no objection to the application.



*Application No. A/NE-SSH/157*

16. For application No. A/NE-SSH/157 for temporary private car park under Agenda Item 13, a Member queried whether planning permission was required for the proposed use noting that ‘Public Vehicle Park (excluding container vehicle)’ was a Column 1 use for the concerned “Government, Institute or Community” (“G/IC”) zone and whether the proposed use would be regarded as an unauthorized development if such use continued to operate after the temporary planning permission, if granted, had lapsed. In that regard, the Committee noted that while ‘Public Vehicle Park’ use was always permitted within the concerned “G/IC” zone, the subject application was for temporary private car park that would not be opened for public use and planning permission was thus required. In general, continuation of the proposed private car park use at the application site upon lapsing of the temporary planning permission would constitute an unauthorized development and would be subject to planning enforcement action, as appropriate.

17. 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.

[Mr Simon Y.S. Wong joined the meeting during deliberation of the streamlined cases.]

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

**Agenda Item 3**

**Section 12A Application**

[Open Meeting]

Y/NE-MKT/1            Application for Amendment to the Approved Man Kam To Outline Zoning Plan No. S/NE-MKT/4, To rezone the application site from “Agriculture”, “Green Belt” and “Government, Institution or Community” zones to “Other Specified Uses” annotated “Innovation and Technology Hub” zone and amend the Notes of the zone applicable to the site, Various Lots in D.D. 82 and 86 and Adjoining Government Land, Man Kam To

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

**Sai Kung and Islands District**

[Mr Brian C.L. Chau and Ms Tammy S.N. Kong, Senior Town Planners/Sai Kung and Islands (STPs/SKIs), Ms Kirstie Y.L. Law and Mr Sheldon M.S. Ng, Town Planners/Sai Kung and Islands (TPs/SKIs), and Ms Sylvia L.Y. Lam, Assistant Town Planner/Sai Kung and Islands (ATP/SKIs), were invited to the meeting at this point.]

**Agenda Item 6**

**Section 16 Application**

[Open Meeting (Presentation and Question Sessions only)]

A/I-TCE/4                      Proposed Minor Relaxation of Plot Ratio and Building Height Restrictions for Permitted Public Housing Development in “Residential (Group A) 2”, “Residential (Group A) 3” and “Open Space” Zones, Government Land at Tung Chung Areas 133A, 133B and 133C, Tung Chung, Lantau Island  
(RNTPC Paper No. A/I-TCE/4)

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19.            The Secretary reported that the application was submitted by the Hong Kong Housing Authority (HKHA) and the application site (the Site) was located in Tung Chung. The following Members had declared interests on the item:

Mr Paul Y.K. Au                      -            being a representative of the Director of Home Affairs who was a member of the Strategic Planning Committee and the Subsidised Housing Committee of HKHA; and

Mr Ryan M.K. Ip                      -            owning a property and his spouse owning another property in Tung Chung.

20.            The Committee noted that Mr Paul Y.K. Au had tendered an apology for being unable to attend the meeting. As the properties owned by Mr Ryan M.K. Ip and his spouse had no direct view of the Site, the Committee agreed that he could stay in the meeting.

**Presentation and Question Sessions**

21.            With the aid of a PowerPoint presentation, Mr Brian C.L. Chau, STP/SKIs, briefed Members on the background of the application, the proposed development, departmental and public comments, and the planning considerations and assessments as detailed in the Paper. The Planning Department had no objection to the application.

22. The Chairman and some Members raised the following questions:

- (a) whether the application involved relaxation of site coverage (SC);
- (b) details of the public comment from MTR Corporation Limited (MTRCL) on the potential railway noise impact on the proposed development, particularly on whether the planned developments in proximity to the Site, including the commercial and government, institution and community developments, could serve as a buffer for railway noise if there would be a programme mismatch, and whether the Environmental Assessment Study (EAS) submitted by the applicant only evaluated the predicted noise levels qualitatively without conducting a noise impact assessment;
- (c) whether the development programme of the proposed development could match with that of the major road projects in the vicinity, i.e. Road P1 and the additional junction connecting the North Lantau Highway, considering that the increase in population due to the proposed development might burden the local traffic capacity and worsen the traffic condition; and
- (d) noting from the Paper that the Site was located outside the Noise Exposure Forecast (NEF) 25 contours, whether the Site would be subject to potential aircraft noise.

23. In response, with the aid of some PowerPoint slides, Mr Brian C.L. Chau, STP/SKIs, made the following main points:

- (a) there was no restriction on SC for the concerned zones on the relevant Outline Zoning Plan. According to the indicative scheme of the proposed development submitted by the applicant, the SC for the portion below 15m would be not more than 100%, while the SCs for the portion above 15m would be not more than 40% and 65% for domestic and non-domestic uses respectively;
- (b) the comment submitted by MTRCL was mainly related to concerns on the

potential noise impact from train operations to future residents at the Sites. According to the rail noise impact assessment (RNIA) submitted by the applicant, no adverse railway noise impact on the proposed development was anticipated. For the case of a programme mismatch between the nearby developments with noise screening functions and the proposed development, an interim noise testing had been undertaken, confirming no adverse railway noise impact on the proposed development. The Director of Environmental Protection had no comment on both the RNIA and the interim noise testing. Besides, according to the applicant's submission, there would be a buffer of approximately 160m between the Site and the diverted Tung Chung Line for the planned Tung Chung Extension with the provision of the new Tung Chung East Station;

- (c) the proposed development was planned for completion in 2029/30 tentatively. According to the traffic impact assessment conducted by the applicant, with the planned local roads and transportation network to cater for the increase in design population, no adverse traffic impact was expected; and
- (d) the Site was located outside the predicted NEF25 contour of the Hong Kong International Airport. According to the EAS submitted by the applicant, no adverse aircraft noise impact on the proposed development was anticipated. There were also other prevailing measures such as aircraft noise monitoring terminals by the Civil Aviation Department to monitor the potential aircraft noise impact.

#### Deliberation Session

24. After deliberation, the Committee decided to approve the application, on the terms of the application as submitted to the Town Planning Board. The permission should be valid until 21.6.2028, and after the said date, the permission should cease to have effect unless before the said date, the development permitted was commenced or the permission was renewed. The Committee also agreed to advise the applicant to note the advisory clauses as set out in the appendix of the Paper.

## **Agenda Item 7**

### **Section 16 Application**

[Open Meeting (Presentation and Question Sessions only)]

A/SK-CWBS/48      Proposed Public Utility Installation (High Voltage Pillar) and Associated Excavation of Land in “Green Belt” Zone, Government Land in D.D. 233 near Ha Yeung San Tsuen, Sai Kung  
(RNTPC Paper No. A/SK-CWBS/48)

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25.            The Secretary reported that the application was submitted by CLP Power Hong Kong Limited (CLP), and Mr Ryan M.K. Ip had declared an interest on the item for being the Vice-president cum Co-head of Public Policy Institute of Our Hong Kong Foundation which had received donations from CLP. As Mr Ryan M.K. Ip had no involvement in the project(s) under the sponsorship of CLP in relation to the item, the Committee agreed that he could stay in the meeting.

### **Presentation and Question Sessions**

26.            With the aid of some plans, Ms Sylvia L.Y. Lam, ATP/SKIs, briefed Members on the background of the application, the proposed installation, departmental and public comments, and the planning considerations and assessments as detailed in the Paper. The Planning Department had no objection to the application.

27.            Members had no question on the application.

### **Deliberation Session**

28.            After deliberation, the Committee decided to approve the application, on the terms of the application as submitted to the Town Planning Board. The permission should be valid until 21.6.2028, and after the said date, the permission should cease to have effect unless before the said date, the development permitted was commenced or the permission was renewed. The Committee also agreed to advise the applicant to note the advisory clauses as set out in the appendix of the Paper.

**Agenda Item 10**

**Section 16 Application**

[Open Meeting (Presentation and Question Sessions only)]

A/SK-PK/292            Proposed Public Utility Installation (Poles and Underground Cables) and Associated Excavation of Land in “Conservation Area” Zone, Government Land in D.D. 222, Pak Kong Road, Sai Kung  
(RNTPC Paper No. A/SK-PK/292B)

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29.            The Secretary reported that the application was submitted by CLP Power Hong Kong Limited (CLP), and Mr Ryan M.K. Ip had declared an interest on the item for being the Vice-president cum Co-head of Public Policy Institute of Our Hong Kong Foundation which had received donations from CLP. As Mr Ryan M.K. Ip had no involvement in the project(s) under the sponsorship of CLP in relation to the item, the Committee agreed that he could stay in the meeting.

**Presentation and Question Sessions**

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

31.            Members had no question on the application.

**Deliberation Session**

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

- “(a) the proposed installation and associated excavation of land is not in line with the planning intention of the “Conservation Area” (“CA”) zone which is primarily to protect and retain the existing natural landscape, ecological or topographical features of the area for conservation, educational and research

purposes. There is a general presumption against development within the “CA” zone. The applicant fails to demonstrate that the proposed installation is an essential infrastructure project with overriding public interest that warrants a departure from the planning intention of the “CA” zone; and

- (b) the applicant fails to demonstrate that the proposed installation and associated excavation of land would not generate adverse landscape impact on the application sites and the surrounding natural environment.”

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

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

[Mr Kevin K.W. Lau and Ms Ivy C.W. Wong, Senior Town Planners/Shan Tin, Tai Po and North (STPs/STN), and Ms Sandy K.S. Wu, Town Planner/Shan Tin, Tai Po and North (TP/STN), were invited to the meeting at this point.]

### **Agenda Item 12**

#### **Section 16 Application**

[Open Meeting (Presentation and Question Sessions Only)]

A/TP/692	Proposed House (New Territories Exempted House) in “Green Belt” Zone, Lots 353 RP (Part) and 361 in D.D. 32, Ha Wong Yi Au, Tai Po (RNTPC Paper No. A/TP/692A)
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33. The Secretary reported that the application site (the Site) was located in Tai Po. The following Members had declared interests on the item:

Mr Daniel K.S. Lau - co-owning with spouse a property in Tai Po; and



Dr Venus Y.H. Lun - co-owning with spouse a property in Tai Po.

34. The Committee noted that Mr Daniel K.S. Lau and Dr Venus Y.H. Lun had tendered apologies for being unable to attend the meeting.

#### Presentation and Question Sessions

35. With the aid of some plans, Ms Sandy K.S. Wu, TP/STN, briefed Members on the background of the application, the proposed development, departmental and public comments, and the planning considerations and assessments as detailed in the Paper. The Planning Department (PlanD) had no objection to the application.

#### *Building Status*

36. Some Members raised the following questions:

- (a) noting the comments of the Lands Department (LandsD) as stated in paragraph 10.1.1(c) of the Paper, the meaning of the descriptions of ‘Shed’ use and ‘Dry Cultivation’ use under lease for the Site, and whether the Site carried ‘building status’ which warranted favourable consideration of the application;
- (b) the definition of ‘building status’ under the Interim Criteria for Consideration of Application for New Territories Exempted House (NTEH)/Small House in New Territories (the Interim Criteria), and whether there was any previously approved application on the consideration of having ‘building status’ and the application site was also subject to Block Government Lease with a description of ‘Shed’; and
- (c) the types of descriptions under Block Government Lease that carried building status.

37. In response, Mr Kevin K.W. Lau, STP/STN, with the aid of some plans, made the following main points:

- (a) PlanD had no objection to the application having taken into account that the Site, as advised by LandsD, carried building status which was an exceptional circumstance warranting sympathetic consideration under assessment criterion (c) of the Interim Criteria. As advised by LandsD, the Site was held under Block Government Lease and for the part described as 'Shed', there was no conflicting information available to suggest that it did not carry a building status; and
  
- (b) to the northwest of the Site, there were two applications for NTEH which were approved by the Committee mainly on the consideration that both application sites were held under Block Government Lease with descriptions of 'House' which carried building status warranting sympathetic consideration. According to the office record, there was no application for NTEH that involved application site with description of 'Shed' use under Block Government Lease in recent years. Notwithstanding that, there were previous applications for NTEH that involved sites with description of 'Latrine' use in Tai Po and those applications were also approved on the consideration of having 'building status'. While the definition of 'building status' was not specified in the Interim Criteria, it could be interpreted broadly subject to the lease provision.

38. At the invitation of the Chairman, Mr Lawrance S.C. Chan, Assistant Director/Regional 3, LandsD supplemented that from the inputs provided by the District Lands Officer/Tai Po in the Paper, the Site comprised two lots held under Block Government Lease of different statuses. For Lot No. 353 RP described as 'Dry Cultivation' in the Schedule to Block Government Lease, it was not for building purpose. Whereas, for Lot No. 361 described as 'Shed' in the Schedule to Block Government Lease, it could be used for building purpose. Some other descriptions in the Schedule to Block Government Lease for lots in 'building status' included 'House', 'Latrine', 'Temple', etc. In processing various types of land applications, LandsD would evaluate each case individually from the information available. Even if a lot was in 'building status' under the Block Government Lease, approval under lease would still be required for erection of structures on site.

### *NTEH*

39. Noting that the applicant claimed himself an indigenous villager of Ha Wong Yi Au, two Members asked about the nature of the proposed NTEH (not Small House) under the application. In response, Mr Kevin K.W. Lau, STP/STN, said that NTEH generally referred to village houses in the New Territories that were designed and built in compliance with the criteria mainly in respect of height (i.e. three storeys) and roofed-over area (i.e. not exceeding 700 ft<sup>2</sup>) which thus qualified them for exemption from certain provisions of the Buildings Ordinance. A Small House for an indigenous villager was also a kind of NTEH. For the application, the applicant, though being an indigenous villager, applied for a NTEH but not a Small House at the Site which carried building status.

### *Slope Safety*

40. Noting in the Geotechnical Planning Review Report submitted by the applicant that the Site was described as having high level of geotechnical limitations and low suitability for development and there was landslide incident record located at about 20m from the Site, a Member enquired whether the applicant had to submit a natural terrain hazard study (NTHS), with reference to Figure 5 of Appendix Ia of the Paper, before commencement of works, and whether the proposed NTEH could be taken forward if the NTHS suggested that the Site was not suitable for development.

41. In response, Mr Kevin K.W. Lau, STP/STN, with the aid of some plans, said that two approval conditions were recommended, one for submission of a NTHS before commencement of works and the other for implementation of the mitigation measures recommended therein, both to the satisfaction of the Head of Geotechnical Engineering Office (H(GEO)), Civil Engineering and Development Department. Should the application be approved, the applicant had to comply with both conditions to address the slope safety concerns to the satisfaction of H(GEO) before commencement of the construction works.

### Deliberation Session

42. After deliberation, the Committee decided to approve the application, on the terms of the application as submitted to the Town Planning Board. The permission should be valid

until 21.6.2028, and after the said date, the permission should cease to have effect unless before the said date, the development permitted was commenced or the permission was renewed. The permission was subject to the approval conditions stated in the Paper. The Committee also agreed to advise the applicant to note the advisory clauses as set out in the appendix of the Paper.

### **Agenda Item 22A**

#### **Section 16 Application**

[Open Meeting (Presentation and Question Sessions Only)]

A/NE-TKL/755

Section 16 Application No. A/NE-TKL/755

Proposed Temporary Medium Goods Vehicle and Container Tractor/Trailer Park with Ancillary Facilities for a Period of 3 Years and Associated Filling of Land in “Agriculture” Zone, Lots 9 S.A (Part), 9 S.B (Part), 10 S.A, 10 S.B (Part) and 11 (Part) in D.D. 84, Ta Kwu Ling (RNTPC Paper No. A/NE-TKL/755)

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

43. With the aid of some plans, Ms Ivy C.W. Wong, STP/STN, briefed Members on the background of the application, the proposed use, departmental and public comments, and the planning considerations and assessments as detailed in the Paper. The Planning Department (PlanD) considered that the proposed temporary use could be tolerated for a period of three years.

44. A Member asked whether the Town Planning Board Guidelines No. 13G for Application for Open Storage and Port back-up Uses under Section 16 of the Town Planning Ordinance (TPB PG-No. 13G) was applicable to the application, and the reason for recommending approval of the application noting that the application site (the Site) fell within Category 3 areas and there was no previous planning approval for similar uses on the Site.

45. In response, Ms Ivy C.W. Wong, STP/STN, said that TPB PG-No. 13G was relevant to applications involving open storage and port back-up uses. As the application

involved container tractors/trailer park, TPB PG-No. 13G was applicable. In general, applications falling within Category 3 areas would normally not be favourably considered unless the applications were on sites with previous planning approvals. Notwithstanding that, TPB PG-No. 13G also stated that sympathetic consideration might be given to applications for relocation of uses/operations affected by resumption and clearance operations of the Government to make way for developments, subject to policy support given by the relevant policy bureau(x) to the application and no adverse departmental comments and local objections, or the concerns could be addressed by approval conditions. According to the applicant, the planning application was to facilitate the relocation of his business operation in Kwu Tung affected by the development of the Kwu Tung North New Development Area (KTN NDA) and the Secretary for Development (SDEV) had rendered policy support to the application. Hence, it was considered that the application generally complied with the criteria for sympathetic consideration under TPB PG-No. 13G.

46. In response to the Member's question on the rationale of the abovementioned sympathetic consideration under TPB PG-No. 13G, the Secretary supplemented that while it was the Government's intention not to encourage open storage and port back-up uses spilling over to Category 3 and 4 areas, such sympathetic consideration was incorporated during the previous two rounds of review of the subject TPB Guidelines in view that in recent years, there were some brownfield sites being resumed to make way for the implementation of the New Development Areas and it was the Government's initiative to provide appropriate assistance to the brownfield operators, including relocation of affected operations to suitable locations. In addition to Category 1 and 2 areas, Category 3 areas might also be considered for such relocation purpose. SDEV would carefully scrutinise each application before giving policy support. Besides, the technical aspects of those applications should also be properly addressed and there should be no adverse comments from relevant government departments, or the concerns could be addressed by approval conditions. Taking into account the above, PlanD considered that a temporary planning approval for a period of three years could be recommended for the application.

#### Deliberation Session

47. Members generally agreed that sympathetic consideration for applications falling within Category 3 areas under TPB PG-No. 13G could be given to the application as it was

affected by the development of KTN NDA. Two Members also expressed support to the provision of sympathetic consideration in TPB PG-No. 13G as this could facilitate the proper relocation of affected brownfield operations via the planning application mechanism.

48. After deliberation, the Committee decided to approve the application on a temporary basis for a period of 3 years until 21.6.2027, 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 Chairman thanked PlanD's representatives for attending the meeting. They left the meeting at this point.]

[The meeting was adjourned for a 5-minute break.]

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

[Mr K.W. Ng, District Planning Officer/Fanling, Sheung Shui and Yuen Long East (DPO/FSYLE), Messrs Alexander W.Y. Mak and Patrick M.Y. Fung and Ms Lucille L.S. Leung, Senior Town Planners/Fanling, Sheung Shui and Yuen Long East (STPs/FSYLE), and Mr Gary T.L. Lam, Ms Hilary H.L. Wong and Ms Winsome W.S. Lee, Town Planners/Fanling, Sheung Shui and Yuen Long East (TPs/FSYLE), were invited to the meeting at this point.]

### **Agenda Item 25**

#### **Section 16 Application**

[Open Meeting]

Proposed Amendments to the Approved Nam Sang Wai Outline Zoning Plan No. S/YL-NSW/8

(RNTPC Paper No. 4/24)

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49. The Secretary reported that the proposed amendments to the Nam Sang Wai Outline Zoning Plan (OZP) involved rezoning of a site at Ho Chau Road, Yuen Long to

facilitate a proposed development for public and private housing under the Land Sharing Pilot Scheme (LSPS) (Amendment Items A to D). Richduty Development Limited, Success King Limited and Topwood Limited, which were all subsidiaries of Sun Hung Kai Properties Limited (SHK), were the applicants of the LSPS development (the LSPS Applicant) and AECOM Asia Company Limited (AECOM) was one of the consultants of the LSPS Applicant. The following Members had declared interests on the item:

Mr Vincent K.Y. Ho - having current business dealings with SHK and AECOM; and

Mr Timothy K.W. Ma - being a member of the LSPS Panel of Advisors.

50. As the interest of Mr Vincent K.Y. Ho was direct, he should be invited to leave the meeting temporarily for the item. While the LSPS Panel of Advisors was advisory in nature providing advice to the Government on applications received under the LSPS, Mr Timothy K.W. Ma also left the meeting temporarily for the item.

[Messrs Vincent K.Y. Ho and Timothy K.W. Ma left the meeting temporarily at this point.]

#### Presentation and Question Sessions

51. Other than the Planning Department (PlanD)'s representatives as listed out before paragraph 49 above, the following government representatives and consultants were also invited to the meeting at this point:

#### **Development Bureau (DEVB)**

Mr Mann M.H. Chow - Head of Land Sharing Office

Mr Lawrence C.M. Hui - Assistant Secretary (Planning & Lands)

Mr Raymond Y.B. Leong - Senior Engineer (Planning & Lands)

Mr Kanic C.K. Kwok - Town Planner (Planning & Lands)

**Agriculture, Fisheries and Conservation Department (AFCD)**

Dr Azaria K.Y. Wong - Senior Nature Conservation Officer (North) (Atg)  
(SNCO(N) (Atg))

**Consultants**

*AECOM Asia Company Limited*

Mr David Yeung

Mr Timothy Choy

Mr Francis Leung

*Ove Arup & Partners Hong Kong Limited*

Mr Franki Chiu

*Ecosystems Limited*

Mr Vincent Lai

*Llewelyn-Davies Hong Kong Limited*

Ms Winnie Wu

Mr Arnold Koon

52. With the aid of a PowerPoint presentation, Mr Alexander W.Y. Mak, STP/FSYLE, briefed Members on the background of the proposed amendments to the OZP, technical considerations, consultation conducted and departmental comments as detailed in the Paper. Amendment Items (Items) A1 to D were related to the LSPS development while Item E was to take forward a section 12A application agreed by the Rural and New Town Planning Committee (the Committee) of the Town Planning Board (the Board). The proposed amendments included:

- (a) Item A1 – rezoning a site to the north of Ho Chau Road from “Residential (Group D)” (“R(D)”) to “Residential (Group A)1”;
- (b) Item A2 – rezoning a site to the north of Ho Chau Road from “R(D)” to “R(A)2”;
- (c) Item B – rezoning a site to the north of Ho Chau Road from “R(D)” to “Other



Specified Uses” annotated “Pumping Station”;

- (d) Item C – rezoning a strip of land to the north of Ho Chau Road from “R(D)” to “Village Type Development”;
- (e) Item D – rezoning a knoll to the north of Ho Chau Road from “R(D)” to “Green Belt”; and
- (f) Item E – rezoning a site to the west of Castle Peak Road – Tam Mi from “Other Specified Uses” annotated “Comprehensive Development to Include Wetland Restoration Area” (“OU(CDWRA)”) to “OU(CDWRA)1”.

53. As the presentation of PlanD’s representative had been completed, the Chairman invited questions from Members. Members raised the following questions mainly relating to the LSPS development under Items A1 and A2.

#### *Housing Mix*

54. Noting that the increase in domestic gross floor area (GFA) for public and private housing at a ratio of 70:30 was one of the criteria for LSPS development, a Member with reference to the table under paragraph 4.4 of the Paper asked about the calculation of the housing mix of the proposed LSPS development under Items A1 and A2. In response, Mr K.W. Ng, DPO/FSYLE, with the aid of a PowerPoint slide, said that part of the LSPS site was the subject of a previously agreed section 12A application (application No. Y/YL-NSW/4) for rezoning part of the concerned “R(D)” zone to “R(D)2” with a maximum GFA of about 10,150m<sup>2</sup>. Such approved GFA was currently included in the LSPS development scheme as reflected in the calculation of domestic GFA for the private housing portion in the proposed “R(A)2” zone under Item A2 (as shown in the table under paragraph 4.4 of the Paper). In that regard, such 10,150m<sup>2</sup> GFA should not be regarded as increased domestic GFA, and the ratio of domestic GFA for public and private housing of the LSPS development after discounting such GFA would be about 70:30.

### *Average Flat Size*

55. Noting the average flat size for private housing development (i.e. about 39.8m<sup>2</sup>) was substantially smaller than that for public housing development (i.e. about 50m<sup>2</sup>), a Member asked about the rationale behind such flat size assumptions. In response, Ms Winnie Wu, the consultant, said that the average flat size for public housing development (i.e. about 50m<sup>2</sup>) was based on the assumptions for the LSPS development as required by the Government under the LSPS's Guidance Notes on Applications. As for the private housing development, the average flat size was derived from a mix of various flat sizes under a development scheme formulated with reference to the private housing market trend. Technical assessments for the LSPS development were conducted based on the above flat size assumptions.

56. The Chairman supplemented that there would be no restriction on the average flat size under the OZP. As the consultant just explained, the average flat size assumptions were adopted for undertaking the relevant technical assessments. The details of the proposed development including flat size would be subject to further study by the LSPS Applicant at the detailed design stage.

### *Traffic Aspect and Provision for Bicycle Parking Spaces*

57. Two Members raised the following questions:

- (a) noting some public concerns on the potential traffic impacts arising from the LSPS development, details of the proposed traffic measures; and
- (b) considering that there would likely be a local demand for cycling facilities, the reasons for provision of substantially fewer bicycle parking spaces for the private housing development (i.e. 85 spaces) compared with that for the public housing development (i.e. 274 spaces).

58. In response, Messrs K.W. Ng, DPO/FSYLE, and Alexander W.Y. Mak, STP/FSYLE, with the aid of some PowerPoint slides, made the following main points:

- (a) the LSPS Applicant would undertake two road/junction improvement works

along the access from Castle Peak Road – Tam Mi to cater for the additional traffic demand, including providing a turn-around facility at Nam Sang Wai Road, and upgrading and signalling the junction of Castle Peak Road – Tam Mi/ Nam Sang Wai Road to allow right turn from Nam Sang Wai Road into Castle Peak Road – Tam Mi for southbound traffic to the Yuen Long area; and

- (b) as shown in the table under paragraph 4.4 of the Paper, the number of units for public and private housing portions were 1,868 and 1,261 respectively, and the estimated population was 5,231 and 3,153 respectively. In view of the difference in estimated population, fewer bicycle parking spaces were proposed for the private housing portion. Besides, the bicycle parking space provisions were based on the relevant requirements and assessments conducted. The Transport Department (TD) had no objection to the said provisions.

59. Ms Winnie Wu, the consultant, concurred with DPO/FSYLE's explanation that the provision of bicycle parking spaces was derived based on the proposed flat numbers and estimated population of the public and private housing portions of the LSPS development.

60. At the invitation of the Chairman, Mr K.W. Ng, DPO/FSYLE, explained that the proposed amendments to the OZP were mainly to rezone the sites to facilitate the LSPS development, and restrictions on major development parameters including the maximum GFA and maximum building height were incorporated. Other development parameters, including provision of bicycle parking spaces, would be subject to further consideration and discussion between the LSPS Applicant and relevant government departments, including the Lands Department and TD, at the detailed design and implementation stages.

61. The Chairman suggested that the LSPS Applicant should note the Member's concern in relation to bicycle parking provision and further liaise with relevant government departments at a later stage. In that regard, Ms Winnie Wu, the consultant, agreed to continue to liaise with relevant government departments, including PlanD and TD, at the detailed design stage.

*Ecological Aspect*

62. In response to a Member's question about the abandonment of the Tung Shing Lane Egretry as mentioned in paragraph 4.14 of the Paper, Mr K.W. Ng, DPO/FSYLE, said that according to the ecological impact assessment submitted by the LSPS Applicant, the egretry was abandoned naturally. Dr Azaria K.Y. Wong, SNCO(N) (Atg), AFCD supplemented that the egretry had been abandoned naturally without any nesting and breeding activities since 2021 as observed by both AFCD and the LSPS Applicant.

63. A Member noted that the LSPS development fell within the Wetland Buffer Area of the Deep Bay area and compensation wetlands would be provided within the private housing portion by the LSPS Applicant and asked about details on the future management and maintenance of the compensation wetlands. In response, Ms Winnie WU, the consultant, said that according to the survey conducted, ponds with a total area of about 6,900m<sup>2</sup> were found within the LSPS site which would be affected by the LSPS development. The LSPS Applicant would provide compensation ponds of about 6,900m<sup>2</sup> within the private housing portion to allow 'no-net-loss' of wetlands. The compensation wetlands would be managed and maintained under the future private housing development.

*Conclusion*

64. Members had no question on other amendment items and generally considered that all the proposed amendments to the OZP were acceptable.

65. The Chairman remarked that the proposed amendments to the OZP were mainly to facilitate the LSPS development and to reflect a section 12A application previously agreed by the Committee. Should the Committee agree with the proposed amendments, the OZP would be gazetted for public inspection for two months and the representations received, if any, would be submitted to the Board for consideration.

66. After deliberation, the Committee decided to:

- (a) agree to the proposed amendments to the approved Nam Sang Wai OZP and that the draft Nam Sang Wai OZP No. S/YL-NSW/8A at Attachment II of

the Paper (to be renumbered as S/YL-NSW/9 upon exhibition) and its Notes at Attachment III were suitable for exhibition under section 5 of the Town Planning Ordinance (the Ordinance); and

- (b) adopt the revised Explanatory Statement (ES) for the draft Nam Sang Wai OZP No. S/YL-NSW/8A at Attachment IV of the Paper (to be renumbered as S/YL-NSW/9 upon exhibition) as an expression of the planning intentions and objectives of the Board for the various land use zonings on the OZP and the revised ES would be published together with the OZP.

67. Members noted that, as a general practice, the Secretariat of the Board would undertake detailed checking and refinement of the draft OZP including the Notes and ES, if appropriate, before their publication under the Ordinance. Any major revisions would be submitted for the Board's consideration.

[The Chairman thanked the representatives from DEVB and AFCD and the consultants for attending the meeting. They left the meeting at this point.]

[Messrs Vincent K.Y. Ho and Timothy K.W. Ma rejoined the meeting at this point.]

## **Agenda Item 27**

### **Section 16 Application**

[Open Meeting (Presentation and Question Sessions Only)]

A/YL-MP/359      Proposed Temporary School (Kindergarten cum Child Care Centre) for a Period of 3 Years in "Village Type Development" Zone, Lots 2261 S.S ss.8 (Part), 2261 S.S RP (Part), 2262 RP (Part), 2265 S.A, 2265 S.B, 2265 S.C, 2265 S.D and 2265 S.E RP (Part) in D.D. 104, Ha San Wai, Yuen Long  
(RNTPC Paper No. A/YL-MP/359B)

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68. The Secretary reported that the application site was located in Mai Po and Mr K.W. Leung had declared an interest on the item for owning a property in Mai Po. As the property

owned by Mr K.W. Leung had no direct view of the Site, the Committee agreed that he could stay in the meeting.

#### Presentation and Question Sessions

69. With the aid of some plans, Mr Gary T.L. Lam, TP/FSYLE, briefed Members on the background of the application, the proposed use, departmental and public comments, and the planning considerations and assessments as detailed in the Paper. The Planning Department (PlanD) had no objection to the application.

70. In response to a Member's enquiry, Mr Alexander W.Y. Mak, STP/FSYLE, confirmed that the non-compliance with approval conditions of the last planning approval was related to fire safety and drainage aspects.

#### Deliberation Session

71. A Member expressed concern that the same applicant failed to comply with the approval condition related to fire safety for the last planning approval for the same kindergarten and child care centre uses, and considered whether the compliance period of nine months for the approval condition on implementation of fire service installations proposal under the current application should be shortened. Another Member echoed that the applicant, as an educational institution, should take up the responsibility to properly implement the approved scheme and approval conditions. In that regard, the Committee noted that the recommended compliance period of nine months had taken into account the practical needs for implementation of the fire services installations.

72. A Member observed that the existing kindergarten had been registered as a school under the Education Ordinance (Cap. 279) and there would be certain requirements, including those related to safety and hygiene, under the school registration that needed to be complied with. The Member also shared that implementation of fire service installations might sometimes require a rather long period of time. Hence, as long as genuine efforts had been demonstrated by the applicant in complying with the approval conditions, he would render support to the application.

73. The Chairman suggested and the Committee agreed that PlanD should convey Members' views to the applicant for follow-up.

74. After deliberation, the Committee decided to approve the application on a temporary basis for a period of 3 years until 21.6.2027, 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 28**

#### **Section 16 Application**

[Open Meeting (Presentation and Question Sessions Only)]

A/KTN/104                      Proposed Filling of Land/Pond for Site Formation Works for Permitted Agricultural Use in "Agriculture(1)" and "Open Space" Zones and area shown as 'Road', Government Land in D.D. 89 and D.D. 95, Kwu Tung (RNTPC Paper No. A/KTN/104)

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

76. Other than those Planning Department (PlanD)'s representatives as listed out before paragraph 49 above already at the meeting, the following government representatives were invited to the meeting at this point:

#### **Agriculture, Fisheries and Conservation Department (AFCD)**

Mr Raymond W.K. Cheung - Senior Agricultural Officer (Farm Development)  
(SAO(FD))

Ms Chloe C.U. Ng - Nature Conservation Officer (North)

## Presentation and Question Sessions

77. With the aid of a PowerPoint presentation, Ms Lucille L.S. Leung, STP/FSYLE, briefed Members on the background of the application, the proposed works, departmental and public comments, and the planning considerations and assessments as detailed in the Paper. PlanD had no objection to the application.

78. A Member noted that the application was for filling of land/pond for site formation works at the application site (the Site) to facilitate the development of a multi-storey building (MSB) for livestock farming, and asked whether the proposed MSB was the first of its kind in Hong Kong and whether the ecological impact assessment (EcoIA) submitted by the applicant covered only the proposed site formation works but not the MSB.

79. In response, Mr K.W. Ng, DPO/FSYLE, confirmed that the MSB livestock farm would be the first one in Hong Kong. The EcoIA undertaken for the application covered only the proposed site formation works. Nevertheless, as set out in paragraph 1.6 of the Paper, AFCD, as the co-ordinator of the future MSB livestock farm, would follow up with the livestock industry on the development of the MSB livestock farm, where a supplementary EcoIA for the MSB would be required to ascertain that no insurmountable ecological impacts would be resulted from the future livestock farm.

80. A Member referred to paragraph 9.1.3(d) of the Paper and asked for details on the modern technologies and automation equipment to be used in the future MSB livestock farm to resolve the potential odour nuisance which was expected to be substantive, in particular for the Lo Wu Correctional Institution (LWCI) located in close vicinity.

81. In response, Mr Raymond W.K. Cheung, SAO(FD), AFCD said that unlike conventional open-air or semi open-air livestock farms, the future MSB livestock farm would be fully enclosed and operated in an environmentally-friendly and modernised manner with technologies and automation equipment such as air purification system and centralised sewage and waste treatment system in place for addressing the potential environmental nuisances, including the odour impacts, and enhancing biosecurity levels of livestock farm to avoid outbreak of diseases. There was no information on hand regarding the exact amount of odour that could be filtered with the equipment in place. Understanding that odour could hardly be



fully filtered, the design of the MSB as in the indicative scheme had already taken this into account that the exhaust air outlets would be installed facing away from the LWCI.

### Deliberation Session

82. A Member enquired whether land premium would be required for MSB livestock farm on agriculture land initiated by the private sector and how such use would be defined in the relevant land lease. In response, Mr Lawrance S.C. Chan, Assistant Director/Regional 3, Lands Department (LandsD) said that lease modifications generally required payment of premium, unless there was specific policy exempting the same in the presence of relevant policy support. In general, application to LandsD was required for erection of structures on land demised for agricultural use under the Block Government Lease. Regarding the purposes specified in the land lease for MSB livestock farm use, he did not recall any precedent case and LandsD would consult relevant government bureaux/departments as appropriate in preparing the land document.

83. A Member asked if there would be a set of design guidelines for MSB for livestock farm setting out the building design requirements, such as building height (BH) and floor-to-floor height, and technologies and equipment required for addressing the potential environmental nuisances, such as odour and noise impacts, to assist the livestock industry in understanding the requirements and the relevant government departments in considering MSB proposals. In that regard, the Committee noted that an agricultural organisation supported by the Sustainable Agricultural Development Fund administered by AFCD had developed a set of architectural design guidelines for MSB livestock farms, which had recently been promulgated. The guidelines specified the design requirements, such as location consideration of MSB, minimum floor-to-floor height, technologies and equipment required for treating odour, etc.

84. A few Members observed that MSB livestock farm was a new land use concept and there was potential increase in such demand, whereas the existing land use terms might not be intended to cater for such use. As such, consideration might be given to whether a new land use term or revision to the current land use term for MSB livestock farm was required in the long run, just like the case of advanced manufacturing or hydroponics, with a view to ensuring proper control from land use and land administration perspectives and allowing flexibility for ancillary uses. Noting that MSB livestock farms would involve multi-storey

development, a Member, while supporting the concept of multi-storey farming, considered that instead of treating it as an “always permitted” use on “Agriculture” zone, planning permission supported by technical assessments including EcoIA should be considered as multi-storey development might bring about potential impacts on the environment as mentioned in some of the public comments from green groups.

85. The Chairman remarked that Members generally supported the proposed filling of land/pond for site formation works to facilitate the proposed MSB livestock farms, and the project implementation would be co-ordinated by the Government. Further discussions among relevant government departments, including AFCD, LandsD and PlanD, on the mode of operation, detailed design and technical assessments for such MSB use would be required.

86. After deliberation, the Committee decided to approve the application, on the terms of the application as submitted to the Town Planning Board. The permission should be valid until 21.6.2028, and after the said date, the permission should cease to have effect unless before the said date, the development permitted was commenced or the permission was renewed. The permission was subject to the approval conditions stated in the Paper. The Committee also agreed to advise the applicant to note the advisory clauses as set out in the appendix of the Paper.

[The Chairman thanked AFCD’s representatives for attending the meeting. They left the meeting at this point.]

### **Agenda Item 31**

#### **Section 16 Application**

[Open Meeting (Presentation and Question Sessions Only)]

A/FSS/294 Proposed Minor Relaxation of Plot Ratio and Building Height Restrictions for Permitted Flat Development with Social Welfare Facility and Public Vehicle Park in “Residential (Group A) 12” Zone, Various Lots in D.D. 51 and Adjoining Government Land, Ma Sik Road, Fanling  
(RNTPC Paper No. A/FSS/294A)

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Presentation and Question Sessions

87. With the aid of a PowerPoint presentation, Ms Winsome W.S. Lee, TP/FSYLE, briefed Members on the background of the application, the proposed development, departmental and public comments, and the planning considerations and assessments as detailed in the Paper. The Planning Department (PlanD) had no objection to the application.

88. Mr Timothy K.W. Ma declared an interest for living in Fanling. As his residence had no direct view of the application site (the Site), the Committee agreed that he could stay in the meeting.

89. The Chairman and some Members raised the following questions:

- (a) whether the 10% of Modular Integrated Construction (MiC) floor area exemption would be automatically granted to all buildings adopting MiC for construction;
- (b) noting that there were other ongoing or new housing developments in the locality, information on the traffic conditions and potential traffic impacts of the proposed development; and
- (c) the current status of the two dissenting lots encircled by the Site, and whether the proposed minor relaxation of the development restrictions for the “Residential (Group A)12” (“R(A)12”) zone were applicable to the two dissenting lots and whether vehicular access/right-of-way had been reserved for development thereat.

90. In response, with the aid of some PowerPoint slides, Mr K.W. Ng, DPO/FSYLE, and Mr Patrick M.Y. Fung, STP/FSYLE, made the following main points:

- (a) the 10% of MiC floor area exemption would be specified in the lease. If the exempted floor area would lead to exceedance of development restrictions on the Outline Zoning Plan (OZP), planning permission would be required.

For the application, the 10% exempted floor area was not counted towards the total gross floor area, but was taken into account in the building bulk and height under the proposed development;

- (b) according to the application, the proposed minor relaxation of the domestic plot ratio (PR) restriction from 5.0 to 6.0 would result in an increase of about 316 flats for the proposed development. According to the traffic impact assessment submitted by the applicants, insurmountable traffic impact was not anticipated. The Transport Department had no objection to the application from traffic engineering point of view; and
- (c) the two dissenting lots were excluded from the Site and did not form part of the proposed development under the application. The current development restrictions of the “R(A)12” zone under the OZP were applicable to the two lots. Vehicular accesses to the two lots had been reserved in the proposed development scheme under application. The relevant right-of-way requirement could be incorporated into the lease of the Site as appropriate.

91. The Chairman asked if a new planning application would be required if the two dissenting lots were incorporated in the proposed development in the future. In response, Mr K.W. Ng, DPO/FSYLE, and Mr Patrick M.Y. Fung, STP/FSYLE, said that the applicants had not indicated an intention to acquire the two lots for inclusion into the proposed development. As the two lots did not form part of the proposed development under application, they would not be covered by any planning approval for minor relaxation of the PR and building height (BH) restrictions should the current application was approved. Should the two lots be included for the proposed development in the future and intended to have the same minor relaxation of PR and BH restrictions, a fresh planning application would be required.

92. At the invitation of the Chairman, the Secretary supplemented that according to the Joint Practice Note No. 8, 10% of the MiC floor area of a new building might be disregarded from the calculation of the total GFA of the development under the building regime and PlanD would follow the same exemption from GFA calculation. That said, if such GFA exemption constituted an increase in BH that exceeded the BH restriction permitted under the relevant statutory plan, a planning application for minor relaxation of the BH restriction would be

required.

### Deliberation Session

93. After deliberation, the Committee decided to approve the application, on the terms of the application as submitted to the Town Planning Board. The permission should be valid until 21.6.2028, and after the said date, the permission should cease to have effect unless before the said date, the development permitted was commenced or the permission was renewed. The permission was subject to the approval condition stated in the Paper. The Committee also agreed to advise the applicants to note the advisory clauses as set out in the appendix of the Paper.

### **Agenda Item 35**

#### Section 16 Application

[Open Meeting]

A/YL-KTN/1012 Proposed Temporary Warehouse (excluding Dangerous Goods Godown) with Ancillary Office for a Period of 3 Years and Associated Filling of Land in “Agriculture” Zone, Lots 1046, 1047 S.A, 1047 RP, 1049 S.A, 1049 S.B RP (Part), 1049 RP (Part) and 1054 in D.D. 109, Kam Tin, Yuen Long

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

### **Agenda Item 36**

#### Section 16 Application

[Open Meeting]

A/YL-KTS/993 Proposed Temporary Logistics Centre for a Period of 3 Years and Filling of Land in “Agriculture” Zone, Lot 403 RP (Part) in D.D. 103 and Adjoining Government Land, Kam Tin, Yuen Long

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

[The Chairman thanked PlanD's representatives for attending the meeting. They left the meeting at this point.]

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

[Mr C.T. Lau, Planning Coordinator/Tuen Mun and Yuen Long West (PC/TMYLW), was invited to the meeting at this point.]

#### **Agenda Item 54**

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

[Open Meeting (Presentation and Question Sessions Only)]

A/YL-TT/649 Proposed Temporary Warehouse for a Period of 3 Years in "Village Type Development" Zone, Lots 1775 S.O (Part), 1775 S.Q, 1775 S.R and 1775 S.S (Part) in D.D. 119, Tai Tong, Yuen Long  
(RNTPC Paper No. A/YL-TT/649)

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

96. With the aid of some plans, Mr C.T. Lau, PC/TMYLW, briefed Members on the background of the application, the proposed use, departmental and public comments, and the planning considerations and assessments as detailed in the Paper. The Planning Department did not support the application.

97. Members had no question on the application.

##### **Deliberation Session**

98. 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 “Village Type Development” zone which is primarily for development of Small Houses by indigenous villagers. No strong planning justifications have been given in the submission for a departure from the planning intention, even on a temporary basis; and
  
- (b) the proposed use is not compatible with the surrounding residential character.”

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

**Agenda Item 56**

Any Other Business

[Open Meeting]

99. There being no other business, the meeting was closed at 5:25 p.m.

**Minutes of 744<sup>th</sup> Rural and New Town Planning Committee  
(held on 21.6.2024)**

**Deferral Cases**

**Request for Deferment by Applicant for Two Months**

<b>Item No.</b>	<b>Application No.*</b>	<b>Times of Deferment</b>
4	Y/NE-STK/5	2 <sup>nd</sup> <sup>^</sup>
5	Y/YL-PN/11	1 <sup>st</sup>
8	A/SK-HC/353	1 <sup>st</sup>
9	A/SK-HC/354	1 <sup>st</sup>
11	A/ST/1028	1 <sup>st</sup>
14	A/NE-LYT/824	2 <sup>nd</sup> <sup>^</sup>
15	A/NE-LYT/825	2 <sup>nd</sup> <sup>^</sup>
16	A/NE-LYT/827	1 <sup>st</sup>
18	A/NE-MKT/33	2 <sup>nd</sup> <sup>^</sup>
19	A/NE-MKT/34	2 <sup>nd</sup> <sup>^</sup>
20	A/NE-MKT/36	1 <sup>st</sup>
21	A/NE-MKT/37	1 <sup>st</sup>
22	A/NE-MUP/202	1 <sup>st</sup>
23	A/NE-TKL/756	1 <sup>st</sup>
24	A/NE-TKLN/85	1 <sup>st</sup>
26	A/YL-NSW/329	1 <sup>st</sup>
30	A/NE-KTS/538	1 <sup>st</sup>
32	A/YL-KTN/987	2 <sup>nd</sup> <sup>^</sup>
33	A/YL-KTN/989	2 <sup>nd</sup> <sup>^</sup>
34	A/YL-KTN/991	2 <sup>nd</sup> <sup>^</sup>
37	A/YL-KTS/1003	1 <sup>st</sup>
38	A/YL-PH/986	2 <sup>nd</sup> <sup>^</sup>
42	A/YL-PH/1009	1 <sup>st</sup>
44	A/YL-PH/1012	1 <sup>st</sup>
45	A/YL-SK/360	2 <sup>nd</sup> <sup>^</sup>
46	A/YL-SK/365	2 <sup>nd</sup> <sup>^</sup>
47	A/YL-SK/371	1 <sup>st</sup>
52	A/TM-LTTY/472	1 <sup>st</sup>
55	A/YL-TT/650	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.



### **Declaration of Interests**

The Committee noted the following declaration of interests:

<b>Item No.</b>	<b>Members' Declared Interests</b>	
11	The application site was located in Fo Tan, Sha Tin.	<ul style="list-style-type: none"> <li>- Mr Vincent K.Y. Ho for co-owning with spouse a property in Fo Tan, Sha Tin</li> <li>- Mr Daniel K.W. Chung for owning a property and a parking space in Fo Tan, Sha Tin</li> <li>- Mr Lawrance S.C. Chan for owning a joint property in Fo Tan, Sha Tin</li> </ul>
26	CLP Power Hong Kong Limited (CLP) was the applicant of the application.	<ul style="list-style-type: none"> <li>- Mr Ryan M.K. Ip for being the vice-president cum co-head of Public Policy Institute of Our Hong Kong Foundation which had received donations from CLP</li> </ul>

As the properties owned/co-owned by Messers Vincent K.Y. Ho, Daniel K.W. Chung and Lawrance S.C. Chan had no direct view of the application site under Item 11, and as Mr Ryan M.K. Ip had no involvement in the project(s) under the sponsorship of CLP in relation to Item 26, the Committee agreed that they could stay in the meeting.

\* Refer to the agenda at [https://www.tpb.gov.hk/en/meetings/RNTPC/Agenda/744\\_rnt\\_agenda.html](https://www.tpb.gov.hk/en/meetings/RNTPC/Agenda/744_rnt_agenda.html) for details of the planning applications.

**Minutes of 744<sup>th</sup> Rural and New Town Planning Committee  
(held on 21.6.2024)**

**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>
29	A/NE-KTS/537	Temporary Social Welfare Facility (Private Residential Care Home for Persons with Disabilities) in “Agriculture” and “Village Type Development” Zones, Lots 382 S.A, 382 S.B, 382 S.C, 382 S.D and 382 RP in D.D. 94, Hang Tau, Sheung Shui	21.7.2024 to 20.7.2027
43	A/YL-PH/1010	Temporary Open Storage of Goods Vehicles for Sale in “Residential (Group D)” Zone, Lots 101 S.J (Part), 179 S.A RP (Part), 179 S.E RP (Part) and 179 S.D & S.F & S.G & S.I (Part) in D.D. 111 and Adjoining Government Land, Pat Heung, Yuen Long	18.7.2024 to 17.7.2027
50	A/HSK/520	Temporary Logistics Centre and Ancillary Tyre Repair Workshop in “Government, Institution or Community” Zone and area shown as ‘Road’, Various Lots in D.D. 129, Ha Tsuen, Yuen Long	4.7.2024 to 3.7.2027
53	A/TM-LTYT/473	Temporary Shop and Services in “Village Type Development” Zone, Lot 3674 RP in D.D. 124, Sun Fung Wai, Tuen Mun	24.7.2024 to 23.7.2027

**Declaration of Interest**

The Committee noted the following declaration of interest:

<b>Item No.</b>	<b>Member’s Declared Interest</b>	
50	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

As Mr Timothy K.W. Ma had no involvement in the application under Item 50, the Committee agreed that he could stay in the meeting.

**Minutes of 744<sup>th</sup> Rural and New Town Planning Committee  
(held on 21.6.2024)**

**Cases for Streamlining Arrangement**

(a) Applications approved on a temporary basis for a period of 3 years until 21.6.2027

<b>Item No.</b>	<b>Application No.</b>	<b>Planning Application</b>
13	A/NE-SSH/157	Temporary Private Car Park (Private Cars Only) in “Government, Institution or Community” Zone, Lots 281S.E RP, 299RP and 301 RP in D.D. 209, Sai Keng, Sai Kung North
17	A/NE-FTA/238	Proposed Temporary Warehouse (Excluding Dangerous Goods Godown) with Ancillary Facilities and Associated Filling of Land in “Agriculture” and “Government, Institution or Community” Zones and area shown as ‘Road’, Lots 408 S.A RP (Part), 408 S.B RP (Part), 409, 410, 411, 412, 413, 414, 416, 417 RP, 418 S.A, 418 S.B, 423, 424, 425 RP and 436 (Part) in D.D. 89 and Adjoining Government Land, Fu Tei Au, Sheung Shui
23A	A/NE-TKL/757	Proposed Temporary Warehouse (Excluding Dangerous Goods Godown) with Ancillary Facilities and Associated Filling of Land in “Agriculture” and “Industrial (Group D)” Zones, Lots 5, 6 S.A, 6 S.A ss.1, 7, 8 S.A, 8 S.B, 9 S.A (Part), 9 S.B (Part), 10 S.B (Part) and 11 (Part) in D.D. 84, Ta Kwu Ling
39	A/YL-PH/992	Proposed Temporary Place of Recreation, Sports or Culture (HobbyFarm) with Ancillary Facilities and Filling of Land in “Agriculture” Zone, Various Lots in D.D. 111, Wang Toi Shan, Pat Heung, Yuen Long
40	A/YL-PH/1004	Proposed Temporary Public Vehicle Park (Excluding Container Vehicle) and Filling of Land in “Village Type Development” Zone, Various Lots in D.D. 111 and Adjoining Government Land, Pat Heung, Yuen Long
41	A/YL-PH/1008	Proposed Temporary Public Vehicle Park (Excluding Container Vehicle) and Filling of Land in “Agriculture” Zone, Lots 372 RP (Part) and 374 RP (Part) in D.D. 110, Tsat Sing Kong, Pat Heung, Yuen Long
48	A/HSK/510	Temporary Logistic Centre with Ancillary Office and Canteen in “Government, Institution or Community”, “Residential (Group B) 2” and “Open Space” Zones and area shown as ‘Road’, Various Lots in D.D. 129 and Adjoining Government Land, Lau Fau Shan, Yuen Long
49	A/HSK/519	Temporary Public Vehicle Park (Private Cars) and Filling of Land in “Village Type Development” Zone, Lots 1111 (Part), 1112 RP (Part), 1113 RP (Part), 1116 RP (Part) and 1117 S.A in D.D. 125, Ha Tsuen, Yuen Long

(b) Application approved on a temporary basis for a period of 5 years until 21.6.2029

<b>Item No.</b>	<b>Application No.</b>	<b>Planning Application</b>
51	A/TM-SKW/125	Temporary Public Vehicle Park (Private Cars) in “Village Type Development” Zone, Lot 270 (Part) in D.D. 385, Tai Lam Chung, Tuen Mun

**Declaration of Interests**

The Committee noted the following declaration of interests:

<b>Item No.</b>	<b>Member's Declared Interests</b>	
48, 49	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

As Mr Timothy K.W. Ma had no involvement in the applications under Items 48 and 49, the Committee agreed that he could stay in the meeting.