

TOWN PLANNING BOARD

Minutes of 756th Meeting of the Rural and New Town Planning Committee held at 2:30 p.m. on 20.12.2024

Present

Director of Planning
Mr Ivan M.K. Chung

Chairperson

Mr Daniel K.S. Lau

Vice- chairperson

Mr K.W. Leung

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 West,
Transport Department
Ms Vilian W.L. Sum

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

Principal Environmental Protection Officer (Territory South),
Environmental Protection Department
Miss Queenie Y.C. Ng

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

Dr Venus Y.H. Lun

Mr Vincent K.Y. Ho

Mr Timothy K.W. Ma

Mr Rocky L.K. Poon

In Attendance

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

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

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

Agenda Item 1

Confirmation of the Draft Minutes of the 755th RNTPC Meeting held on 6.12.2024

[Open Meeting]

1. The draft minutes of the 755th RNTPC meeting held on 6.12.2024 were confirmed without amendment.

Agenda Item 2

Matters Arising

[Open Meeting]

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

Deferral Cases

Sections 12A and 16 Applications

[Open Meeting (Presentation and Question Sessions only)]

Presentation and Question Sessions

3. The Committee noted that there were 18 cases requesting the Town Planning Board to defer consideration of the applications. Details of the requests for deferral, Members' declaration of interests for individual cases and the Committee's views on the declared interests were in **Annex 1**.

Deliberation Session

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

Renewal Cases

Section 16 Applications

[Open Meeting (Presentation and Question Sessions only)]

Presentation and Question Sessions

5. The Committee noted that there were six 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 the planning applications, Member's declaration of interest for a case and the Committee's view on the declared interest were in **Annex 2**.

Deliberation Session

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

Cases for Streamlining Arrangement

Section 16 Applications

[Open Meeting (Presentation and Question Sessions only)]

Presentation and Question Sessions

7. The Committee noted that there were 19 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 the planning applications were in **Annex 3**.

Deliberation Session

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

Sha Tin, Tai Po and North District

Agenda Item 3

Section 12A Application

[Open Meeting (Presentation and Question Sessions Only)]

Y/NE-STK/4 Application for Amendment to the Approved Sha Tau Kok Outline Zoning Plan No. S/NE-STK/2, To rezone the application site from “Agriculture” and “Green Belt” to “Other Specified Uses” annotated “Columbarium”, Various Lots in D.D. 41 and Adjoining Government Land, Tong To, Sha Tau Kok
(RNTPC Paper No. Y/NE-STK/4B)

Presentation and Question Sessions

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

PlanD

Mr Rico W.K. Tsang - District Planning Officer/Shan Tin, Tai Po and North (DPO/STN)
Ms Ivy C.W. Wong - Senior Town Planner/Shan Tin, Tai Po and North (STP/STN)
Mr William S.T. Wong - Assistant Town Planner/Shan Tin, Tai Po and North

Applicant’s Representatives

Goldrich Planners & Surveyors Limited

Mr Francis Lau

Mr Alan Poon

Mr C.Y. Cheung

Ms H.L. Tang

Mr K.H. Leung

Mr K.M. Li
Mr Calvin Hue
Mr W.M. Ng
Mr C.W. Ho
Mr W.W. Cheung
Mr M.C. Yau
Mr T.S. Lee
Mr T.S. Cheung
Mr Y.K. Cheung
Mr C.W. Tuen

Ove Arup & Partners Hong Kong Limited

Ms K.K. Chan
Mr C.K. Yip

Urban Green Consultants Limited

Ms Cheryl Chan

Landes Limited

Mr K.L. Lam

10. The Chairperson extended a welcome and explained the procedures of the meeting. He then invited PlanD's representatives to brief Members on the background of the application.

11. Ms Ivy C.W. Wong, STP/STN, reported that the Town Planning Board Secretariat (the Secretariat) received a further information (FI) via email from the applicant's agent, Goldrich Planners & Surveyors Limited, on 19.12.2024 (i.e. one day before the subject meeting) attaching two letters from the Chairman of Sha Tau Kok District Rural Committee (STKDRC) and the Tong To Indigenous Inhabitant Representative respectively, indicating no objection/support to the application. The FI was tabled at the meeting for Members' reference.

12. With the aid of a PowerPoint presentation, Ms Ivy C.W. Wong, STP/STN,

briefed Members on the background of the application, the proposed rezoning of the application site (the Site) from “Agriculture” (“AGR”) and “Green Belt” (“GB”) to “Other Specified Uses” annotated “Columbarium” (“OU(Columbarium)”) for columbarium development, departmental and public comments, and the planning considerations and assessments as detailed in the Paper. PlanD did not support the application.

[Messrs Daniel K.S. Lau, Paul Y.K. Au and Ryan M.K. Ip and Miss Queenie Y.C. Ng joined the meeting during PlanD’s presentation.]

13. The Chairperson then invited the applicant’s representatives to elaborate on the application. With the aid of a PowerPoint presentation, Mr Francis Lau, the applicant’s representative, made the following main points:

- (a) the intention of submitting the subject application was to modernise a 100-year-old burial ground on private land within the application site (the Site) into a new columbarium with some 12,000 niches that complied with environmental, social and governance (ESG) standards. The proposed columbarium would be environmentally friendly and sustainable. It aimed to relocate the unauthorised urns or graves at the Site into the columbarium, control the spread of burial grounds and improve the hygienic conditions of the area. The proposal would fulfil the wish of the Tong To villagers to have a columbarium to accommodate their ancestors’ ashes in situ;
- (b) the Site was enclosed by Permitted Burial Ground No. N/K/8, which had originally served as the burial ground for the Tong To villagers for several hundred years. The burial ground was located adjacent to Tong To village separated by fung shui woods, reflecting the custom of Hakka people. In 1983, the Government designated the area as the burial ground for the fishermen in Sha Tau Kok, which meant that the Tong To villagers could no longer bury their ancestors there. Since 2010, the Tong To villagers had been requesting to build a new columbarium on the neighbouring private lots to meet their burial needs;
- (c) the proposed columbarium was not incompatible with the surrounding land

uses. The areas to the north and south of Permitted Burial Ground No. N/K/8 were clustered with graves and urns in an unordered setting. The villagers were accustomed to seeing these graves and urns near their homes. Under the current proposal, the proposed fence walls along the site boundary would screen the columbarium from the view of the villagers;

- (d) green elements were integral to the design concept, featuring a 'garden-like' setting with some at-grade niche blocks of 1.1m high, green walkways shaded by solar panel roof and green corridors with sitting areas. Mature trees would be preserved as far as practicable and new trees would be planted along the road to screen the columbarium from outside the Site. By incorporating these elements, a pleasant environment would be created;
- (e) during the statutory public inspection period of the application, STKDRC raised objection to the proposed columbarium. Their concerns included (i) the proposed columbarium might overload the transport capacity of the Sha Tau Kok area which was promoted for eco-tourism development, especially during the peak grave sweeping days; (ii) 20 unauthorised urn houses were found in San Tsuen; (iii) the proposed fence walls would obstruct the view and the religious rituals performed in the proposed columbarium would generate noise; (iv) there were sufficient niches in the North District and thus there was no genuine need for a columbarium in Tong To; and (v) unauthorised structures and environmental destruction were found;
- (f) the applicant's responses included (i) the traffic impact assessment (TIA) conducted revealed that the existing transport infrastructure could cater for the additional traffic brought about by the proposed columbarium and the Transport Department had no adverse comment on the TIA; (ii) the unauthorised urn houses in San Tsuen were not related to the applicant and there was no 'destroy first, develop later' situation; (iii) the scenery of the villages would not be adversely affected by the proposed fence walls which were intended to screen dust, noise and the unsightly graves; (iv) the Tong To villagers wished to have a new private columbarium to meet their needs; and (v) the unauthorised structures and environmental destruction were not carried out by the applicant. As their concerns had been addressed, STKDRC

subsequently expressed no comment on the application, and the letter from the Chairperson of STKDRC was submitted to the Secretariat on 19.12.2024;

- (g) the applicant had conducted local consultation with the Tong To villagers in 2020. The District Officer (North) (DO(N)), Home Affairs Department, had relayed 151 support letters submitted by the village representatives of Tong To to PlanD. The whole village of Tong To supported the application;
- (h) the Lands Department (LandsD) indicated that there were unauthorised structures and illegal occupation of government land (GL) at the Site. In essence, the unauthorised structures referred to the graves currently found at the Site. Some of these graves encroached onto GL, constituting illegal occupation of GL. To regularise the illegal graves, the applicant pledged to relocate them into the proposed columbarium, subject to approval of the current application; and
- (i) PlanD's concerns were mainly on the scale of the development, land use compatibility and close proximity to existing residential dwellings. The proposed columbarium area would only take up one-third of the Site, while the remaining areas were designated for a large open space, car parking spaces and loading/unloading areas. The size of the proposed columbarium area was only about half of the Permitted Burial Ground. The technical assessments conducted demonstrated that the proposed development would not cause adverse impacts and the concerned government departments had no objection on the application. As the Site was enclosed by the Permitted Burial Ground on the south and north and there were scattered graves in the vicinity, the proposed columbarium was considered compatible with the surrounding environment. Furthermore, the Site adjoined fung shui woods and was farther from the residential dwellings as compared to the Permitted Burial Ground, which was just at the doorstep to some of the residential structures. The Tong To villagers were accustomed to co-existing with the graves in the Permitted Burial Ground.

14. As the presentations of PlanD's representative and the applicant's representative

had been completed, the Chairperson invited questions from Members.

The Proposal

15. The Vice-chairperson and some Members raised the following questions:
- (a) the reasons for not proposing any development restrictions in the Notes of the Outline Zoning Plan (OZP) under the applicant's proposal;
 - (b) design details of the at-grade niche blocks;
 - (c) the arrangement for donating some niches to the villagers if the application was approved; and
 - (d) whether any opposing comments were received from the villagers during the local consultation conducted by the applicant in 2020, and the details of the opposition, if any.
16. In response, Mr Rico W.K. Tsang, DPO/STN, said that in general, development restrictions, e.g. maximum number of niches, maximum building height and maximum gross floor area, might be imposed for private columbarium developments in the Notes of the OZP for the relevant land use zone based on the development schemes. Such a practice was adopted in columbarium developments in Sha Tin and Ta Kwu Ling OZPs.
17. Mr Francis Lau, the applicant's representative, with the aid of some plans, made the following main points:
- (a) development restrictions could be imposed for the proposed columbarium at a later stage when the detailed development proposal was formulated. The columbarium would comply with the restrictions imposed by the licensing authority;
 - (b) the at-grade niche blocks would be spaced at intervals of 1.05m to allow barrier free access for persons with disabilities. The applicant, being generous and benevolent, had no intention of maximising profits from the

proposed columbarium. Hence, instead of building a columbarium structure that could accommodate more niches, at-grade niche blocks of about 1.1m in height were proposed to enhance the visual comfort. Furthermore, the passageways would be at least 2m wide to ensure a high level of comfort;

- (c) the applicant undertook to donate sufficient number of niches to the villagers in need. The exact number of donated niches would be subject to further negotiation with the villagers; and
- (d) according to the local views conveyed by DO(N), the Resident Representative (RR) of Tong To had received 151 support letters and one opposing letter from a villager. The RR of Tong To confirmed that the opposing letter was submitted by an unknown person.

Land Use Compatibility

18. The Vice-chairperson and some Members raised the following questions:

- (a) noting that the applicant's representative disagreed with PlanD's view on land use incompatibility, the basis of PlanD's view that the proposed columbarium was not compatible with the surrounding residential use;
- (b) PlanD's responses to the claims that the existing graves and urns were in a disordered setting and the proposed columbarium would improve the environment by regularising those graves;
- (c) details on the zoning of the Permitted Burial Ground adjacent to the Site; and
- (d) details of the Small House applications in the "Village Type Development" ("V") zones of Tong To and San Tsuen in proximity to the Site.

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

- (a) the closest distances from Tong To village and San Tsuen to the proposed columbarium were about 16m and 5m respectively. The proposed run-in/out of the Site adjoined the only vehicular access branching off from Sha Tau Kok Road – Shek Chung Au, which served the domestic dwellings to the west and the “V” zone of Tong To to the northwest of the Site. Despite the applicant’s proposed free shuttle bus arrangement, a large number of visitors to the proposed columbarium, especially during the peak grave sweeping days, would cause nuisance to the villagers. The proposed columbarium was therefore considered not compatible with the village setting of the area;
- (b) most of the existing graves in the area were located in the Permitted Burial Ground. The arrangement of graves in the Permitted Burial Ground had to go through established procedures. In general, when an indigenous villager passed away, his/her family member had to confirm the indigenous status of the deceased, and made an oath in order to apply for a Certificate for Burial within Permitted Burial Grounds. The family member would also be asked to indicate the location of the proposed grave. In reality, however, the actual burial location might differ from the indicated location, resulting in some graves being found outside the Permitted Burial Ground. Hence, whether the existing graves and urns were in an orderly setting depended on monitoring and enforcement by the concerned government departments;
- (c) the Permitted Burial Ground adjacent to the Site was zoned “GB” on the Sha Tau Kok OZP. The Explanatory Statement of the OZP stated that the “GB” zone also covered the permitted burial grounds for indigenous villagers; and
- (d) based on PlanD’s latest available information, the number of outstanding Small House applications in Tong To village was 17 and the 10-year Small House demand forecast was 190. Land available in “V” zone of Tong To could provide 68 Small House sites. The number of outstanding Small

House applications in San Tsuen was 16 and the 10-year Small House demand forecast was 135. There was no information on hand about the amount of available land in “V” zone of San Tsuen for Small House development.

20. A Member enquired about the reason for zoning the Permitted Burial Ground as “GB”, noting that it did not conform to the typical notion of a green area. In response, Mr Rico W.K. Tsang, DPO/STN, with the aid of an aerial photo, said that despite the existence of some graves in the said “GB” zone, in general, areas covering slope with vegetation in a rural setting would be zoned “GB” on OZPs where the general presumption against development applied.

Removal of Graves

21. The Vice-chairperson and some Members raised the following questions:
- (a) whether the applicant was vested with authority to relocate the illegal graves in particular for those within GL as pledged;
 - (b) the number of illegal niches within the Site that needed to be relocated;
 - (c) what actions would be taken if the owners or descendants of the illegal graves could not be ascertained; and
 - (d) what actions would be taken if the owners or descendants refused to relocate the illegal graves.
22. Mr Francis Lau, the applicant’s representative, made the following main points:
- (a) the applicant had no power to handle the matter of relocating the illegal graves on GL. What the applicant could do was to identify the owners with the assistance of village representatives and persuade them to relocate the illegal graves to the proposed columbarium. Insofar as the negotiations had been conducted, those owners were eager to accede to such an arrangement in order to regularise their ancestors’ graves. The

applicant was motivated to resolve the issue of illegal graves so that LandsD could commence processing the grant of the GL to the applicant;

- (b) based on the applicant's preliminary estimation, about 30 to 40 illegal graves required relocation. These illegal graves were located on both private lots and GL;
- (c) if further attempts failed to ascertain the ownership of the illegal graves, the applicant would exclude those graves from the development site boundary of the proposed columbarium; and
- (d) the wish of the owners and descendants of the graves would be respected. If they did not wish to relocate their ancestors' graves, the applicant would also exclude those graves from the development.

Land Administration Matters

23. Two Members raised the following questions:

- (a) details on the illegal occupation of GL; and
- (b) the reasons for LandsD's refusal to grant GL to the applicant for the proposed columbarium.

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

- (a) the Site comprised private lots and GL, and some graves and urns were found on both private lots and GL within the Site. If the application was approved, the applicant would need to sort out the land administration matters with LandsD separately according to the established procedures; and
- (b) LandsD advised that as graves and urns were found on GL, the granting of GL to the applicant would not be considered under the prevailing land

policy.

25. Mr Lawrance S.C. Chan, Assistant Director/Regional 3, LandsD, supplemented that the clearance of graves and urns on GL might not be straightforward, and usually required collaborative effort of the relevant departments, e.g. the Food and Environmental Hygiene Department (FEHD).

Operation of the Columbarium

26. The Vice-chairperson and some Members raised the following questions:

- (a) details on the operator of the proposed columbarium, noting that it was once a tax-exempted charity under Section 88 of the Inland Revenue Ordinance (IRO) but its tax exemption status was later terminated;
- (b) whether the applicant could operate the proposed columbarium on a pro bono basis;
- (c) the relationship between the applicant and the operator, and whether the land ownership would be vested in the applicant or the operator; and
- (d) the sale arrangement of the niches.

27. Mr Francis Lau, the applicant's representative, made the following main points:

- (a) the operator was originally a tax-exempted charity under Section 88 of IRO and was established to manage the environment of Sha Tau Kok and Tong To areas. It became dormant during the pandemic, leading to the termination of its tax exemption status by the Inland Revenue Department. The operator would seek to reinstate this status;
- (b) the applicant was not a charity. The proposed columbarium would be operated by a non-profit-making non-governmental organisation (NGO) named Sha Tau Kok Association Limited (STKA);

- (c) the applicant, Aloes Garden (HK) Limited, was responsible for handling land matters and engaging consultants for submitting the planning application. The applicant aspired to respect the customs of Tong To village and avoid disrupting the existing landscape. The operator, i.e. STKA, represented a group of local villagers keen on the proposed columbarium but lacking resources. The two parties then joined hand to materialise the columbarium proposal. The applicant would be the landowner of the proposed columbarium; and

- (d) there was no initial idea on the sale arrangement of the niches at the moment.

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

Deliberation Session

29. The Chairperson recapitulated that the application sought to rezone the Site from "AGR" and "GB" to "OU(Columbarium)" for a proposed columbarium development. PlanD did not support the application mainly on the ground of land use incompatibility rather than technical issues. The applicant's representative explained that the Permitted Burial Ground was in close proximity to the Site, suggesting no land use compatibility issue. Nevertheless, the Permitted Burial Ground was intended mainly for the burial of deceased local villagers. In contrast, the proposed columbarium would be open for sale to the general public, despite the applicant's pledge to donate a certain number of niches to the villagers of Tong To. This implied that the proposed columbarium would attract outside users to the area, potentially causing nuisance and disturbance to local residents. As such, approving the application would result in a close juxtaposition of columbarium use and residential use.

30. The Vice-chairperson and two Members opined that the proposed columbarium should be distinguished from the graves within the Permitted Burial Ground. The hillside burial of deceased indigenous villagers was a custom respected by the Government, and their descendants usually lived in close proximity to the Permitted Burial Ground. In contrast, the proposed columbarium, which would be open to all people in Hong Kong, would likely generate significant traffic impact and nuisances to the local villages, especially during the grave sweeping days. The scale of the proposed columbarium, with over 12,000 niches, was vastly different from the existing few hundred graves in the Permitted Burial Ground. Despite the graves in the area, the proposed columbarium on paved land did not blend in with the predominantly rural character of the surroundings. The proposed columbarium was therefore considered not compatible with the surrounding residential use.

31. Two Members expressed a dissenting view, stating that from a purely land use perspective, there would be little difference between columbarium use and the use of the Permitted Burial Ground. The proposed columbarium would provide a more orderly setting for graves in the area. Moreover, the villagers actually supported the application and had taken the initiative to ask for the columbarium which was often regarded as an unwelcome use in many places. The commercial nature of the proposed columbarium and its target market should not be a consideration. If the land use compatibility issue was not substantial, favourable consideration might be given, although it should be acknowledged that LandsD would not proceed with the grant of GL for the development.

32. A Member observed that the demand for columbarium niches in Hong Kong should have eased in recent years; otherwise, part of the Sandy Ridge Cemetery would not have been rezoned for innovation and technology development. Since the Permitted Burial Ground adjacent to the Site could meet the needs of the indigenous villagers, there was no strong justification for developing the proposed columbarium at the Site for the general public. Another Member suggested that the overall supply and demand of columbarium niches in Hong Kong should be considered when determining whether the over 12,000 niches proposed at the Site was justifiable. It was noted that the same applicant had submitted another s.12A application for a proposed columbarium with over 24,000 niches at the Site, which was subsequently withdrawn in 2020. The applicant's representative indicated that if the illegal graves at the Site could not be resolved, the boundary of the proposed columbarium would be adjusted, which could affect the number of proposed niches. If the

site boundary and number of proposed niches at the Site remained uncertain, it would be difficult for the Committee to consider the application.

33. Regarding the demand and supply of columbarium niches in Hong Kong, the Secretary supplemented that there were 12 public columbaria operated by FEHD, providing about 450,000 niches. As of March 2024, about 334,000 niches had been allocated. Since 2020, FEHD had accepted applications from the public for new niches at Tsang Tsui Columbarium and Wo Hop Shek Columbarium Phase VI. There was currently an adequate supply of public niches, and the applicants for niches generally did not have to wait. The Chairperson remarked that the aforementioned figures were for Members' reference only.

34. After deliberation, the Committee decided not to agree to the application for the following reason:

“the application site (the Site) falls within an area zoned “Agriculture” (“AGR”) and “Green Belt” (“GB”). The proposed columbarium use is considered not compatible with the village setting of the area, particularly the residential dwellings to its west and southwest as well as the “Village Type Development” zones of San Tsuen and Tong To in the vicinity. There is no strong planning justification for rezoning the Site from “AGR” and “GB” to “Other Specified Uses” annotated “Columbarium” to permit columbarium use as of right. The current “AGR” and “GB” zonings for the Site are considered appropriate and should be retained.”

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

Agenda Item 4

Section 12A Application

[Open Meeting (Presentation and Question Sessions Only)]

Y/ST/52 Application for Amendment to the Approved Sha Tin Outline Zoning Plan No. S/ST/38, To rezone the application site from “Industrial” to “Residential (Group E)”, “Government, Institution or Community”, “Open Space” and areas shown as ‘Road’, Various Sha Tin Town Lots and Lot 750 RP & Extension thereto in D.D. 176 and Adjoining Government Land and a piece of Government Land on Shan Mei Street, Fo Tan, Sha Tin
(RNTPC Paper No. Y/ST/52B)

35. The Secretary reported that the application site (the Site) was located in Fo Tan, Sha Tin. The following Members had declared interests on the item:

- Mr Vincent K.Y. Ho - co-owning with spouse a property in Fo Tan, Sha Tin;

- Mr Daniel K.W. Chung - co-owning with spouse a property and a parking space in Fo Tan, Sha Tin; and

- Ms Vilian W.L. Sum - her spouse owning a property in Fo Tan, Sha Tin.

36. The Committee noted that Mr Vincent K.Y. Ho had tendered an apology for being unable to attend the meeting. As the property co-owned by Mr Daniel K.W. Chung with spouse had direct view of the Site, the Committee agreed that he should be invited to leave the meeting temporarily for the item. As the property owned by Ms Vilian W.L. Sum’s spouse had no direct view of the Site, the Committee agreed that she could stay in the meeting.

[Mr Daniel K.W. Chung left the meeting temporarily at this point.]

Presentation and Question Sessions

37. The following representatives from the Planning Department (PlanD) and the applicant's representatives were invited to the meeting at this point:

PlanD

- Mr Rico W.K. Tsang - District Planning Officer/Shan Tin, Tai Po and North (DPO/STN)
- Ms Hannah H.N. Yick - Senior Town Planner/Shan Tin, Tai Po and North (STP/STN)
- Ms Cherry S.Y. Ho - Town Planner/Shan Tin, Tai Po and North

Applicant's Representatives

Hybonia Limited

Mr Dennis Chien

Ms Amy Chan

KTA Planning Limited

Mr David Fok

CTA Consultants Limited

Mr Kelvin Leung

Mr W.K. Kwong

38. The Chairperson extended a welcome and explained the procedures of the meeting. He then invited PlanD's representatives to brief Members on the background of the application.

39. With the aid of a PowerPoint presentation, Ms Hannah H.N. Yick, STP/STN, briefed Members on the background of the application, the proposed rezoning of the application site (the Site) from "Industrial" ("I") to "Residential (Group E)" ("R(E)"), "Government, Institution or Community" ("G/IC"), "Open Space" ("O") and areas shown as 'Road' to facilitate transformation of the industrial area into a residential area within the Site, departmental and public comments, and the planning considerations and assessments as

detailed in the Paper. PlanD did not support the application.

[Mr Simon Y.S. Wong left the meeting temporarily during the PlanD's presentation.]

40. The Chairperson then invited the applicant's representatives to elaborate on the application. With the aid of a PowerPoint presentation, Mr David Fok, the applicant's representative, made the following main points:

- (a) the Site was located in an accessible location and was currently occupied by about 20 industrial buildings. The applicant was the owner of a lot, i.e. STTL 61, within the Site and was having business thereat. The applicant acknowledged the active industrial operations at the Site, mainly consisting of warehouses and storage facilities with limited manufacturing uses. There was no evidence to suggest that those industrial operations were locational dependent. If those industrial activities were relocated, the Site could be put to better uses;
- (b) four sites surrounding the Fo Tan Industrial Area (FTIA) had been rezoned for high-density residential developments, indicating the potential for the eastern part of FTIA to transform into a residential area. The applicant highlighted the proposal which included a long-term planning intention for the market-oriented transformation of FTIA with the support of mature infrastructure. The proposal was in line with the Government's prevailing multi-pronged land supply strategy to increase housing land supply;
- (c) the indicative scheme demonstrated that the existing site configuration would be preserved as far as practicable, with each lot within the Site being capable of self-contained and independent developments. Nevertheless, with the view for a comprehensive residential development, the applicant had drawn inspirations from Sha Tin New Town and Whampoa Garden to propose a seamless elevated pedestrian footbridge system to separate vehicular and pedestrian traffic and to provide a green spine landscaped deck to create a pleasant pedestrian environment. Shopping activities and public transport interchange could be provided at-grade;

- (d) the proposed development could allow some setbacks for the future road widening and streetscape enhancement. Besides, suitable government, institution and community (GIC) facilities would be provided within the Site, subject to future agreement with the Government. The future development would not be incompatible with the surrounding environment;
- (e) the proposed development would be implemented in three phases. The applicant would carry out Phase One of the development on its own lot, i.e. STTL 61, spearheading the whole development. Sites under single ownership would form Phase Two, while the remaining sites with multiple ownership would constitute Phase Three;
- (f) to facilitate the transformation, the applicant proposed rezoning the Site to “R(E)”. As ‘Flat’ use in the proposed ‘R(E)’ zone required planning permission, technical assessments would be required in the future development of individual sites, subject to scrutiny by the Town Planning Board (the Board);
- (g) the applicant noted that various government departments had concerns over the proposed development which was a large-scale project. Thus, the applicant was willing to accept partial agreement to the rezoning proposal for Phase One, with the remaining two phases to be considered later subject to future market needs and policy initiatives; and
- (h) with regard to PlanD’s reasons for not supporting the section 12A (s.12A) application as detailed in paragraph 11 of the Paper, including, inter alia (i) significant reduction of industrial floorspace in FTIA; (ii) no concrete workable mechanism to ensure the transformation of the whole Site into the proposed residential scheme; (iii) no sufficient information in the water supply impact assessment (WSIA); and (iv) failure of the traffic impact assessment (TIA) in providing satisfactory traffic improvement measures and sufficiently reflecting the actual traffic conditions with the proposed site factor for the effect of loading/unloading activities in the Phase One

development, they could be addressed as follows:

- (i) the applicant was mindful of the shrinking of industrial floorspace brought about by the proposal. Nevertheless, the proposed development entailed a long-term vision for the transformation of FTIA. The existing industrial use would not be phased out immediately upon agreement to the rezoning. The shortage of industrial land in Hong Kong was more acute for innovation and technology (I&T) uses, which could be addressed through future land earmarked in the Northern Metropolis (NM). To keep abreast of the development pace, it would be essential to contemplate the long-term planning of the existing industrial areas now, while planning ahead of the future I&T developments in NM;
- (ii) the proposed “R(E)” zoning ensured that the future residential development would be subject to scrutiny by the Board through the established section 16 (s.16) application mechanism to control over the future developments and address any technical issues. Relevant details of the proposal could be specified in the Explanatory Statement of the Outline Zoning Plan. The Government could even prepare layout plans to guide the future developments in the area. Furthermore, the relevant conditions and requirements could be stipulated in the lease upon modification; and
- (iii) the Water Supplies Department (WSD) considered that the water demand arising from the proposed development was substantial and therefore, requiring mitigation measures/upgrading works, including but not limited to laying of an about 250m long DN600 fresh water main and an about 250m long DN 150 salt water main. Nevertheless, the WSIA conducted by the applicant revealed that when comparing with the existing industrial use, the water demand for the future residential use would not be substantially increased. Moreover, it would not be reasonable for the applicant, who only owned part of the Site, to implement and fund the entire mitigation measures/upgrading

works.

41. With the aid of a PowerPoint presentation, Mr Kelvin Leung, the applicant's representatives, made the following main points:

- (a) according to the TIA conducted, seven road junctions would be overloaded and traffic improvement works for five junctions were proposed, while the traffic improvement works for the remaining two junctions would be carried out under other developments in the area. In addition, while the TIA primarily focused on assessing the traffic during the peak hours, it was found that the loading/unloading activities usually took place during the off-peak hours in FTIA. During the peak hours, existing clearway restrictions were in force to maintain the road capacity. Hence, traffic in peak hours would not be as bad as the off-peak situation;
- (b) regarding the concerns of the Transport Department (TD) that some traffic improvement measures were outside the boundary of the Site, TD could impose relevant condition in the lease to mandate relevant parties to implement and complete the improvement works;
- (c) two out of the five road junctions with traffic improvement works proposed in the TIA, i.e. the junction at Fo Tan Road/slip road of Tai Po Road (Sha Tin Section) southbound (Junction C), and the junction at Fo Tan Road/Shan Mei Street/Min Fong Street (Junction E), faced limitations for further traffic improvements, albeit not technically infeasible. At Junction C, the implementation of the traffic improvement works required the shifting of the noise barrier, which was just completed in 2023/24. It was estimated that even without traffic improvement works, the performance of Junction C was not intolerable. For Junction E, the traffic improvement works would require modification of the existing streetscape; and
- (d) in addition to the above, TD raised concerns on (i) traffic flow in the Fo Tan area; (ii) 2-tier traffic modelling; (iii) pressure test/sensitive test on Tai Po Road; (iv) link capacity in the Fo Tan area; and (v) traffic trips of the

existing developments to be taken into consideration for assessment. TD's concerns could be addressed as follows:

- (i) the traffic consultant carried out four different surveys from 2021 to 2024, but TD queried the accuracy of the surveyed traffic data. The traffic data was adjusted with the aid of traffic conditions recorded in video, TD had no comment on the traffic data finally. In essence, all the traffic flows were consistent based on the surveyed data, despite the change in traffic situation after COVID-19;
- (ii) owing to the location and extent of the proposed development, TD required the consultant to build a 2-tier traffic model, which was a sophisticated strategic model requiring sensitive data from the Government. Attempts were made to seek the required data from the Government, but in vain. It was understood that the data could not be used for projects in private sector due to confidentiality. Without the data, the 2-tier model as required was not feasible and TD required a pressure test/sensitive test on Tai Po Road in lieu;
- (iii) by assigning the traffic to Tai Po Road for a worst-case scenario, the pressure test/sensitive test was too conservative and would reach the extremity leading to a misleading conclusion regarding the traffic impact on Tai Po Road;
- (iv) TD requested a revision of the link capacity due to the high demand for on-street loading/unloading activities in FTIA. In fact, the traffic in peak hours would not be as bad as the off-peak situation, in particular that the proposed residential development would reduce the demand for on-street loading/unloading activities; and
- (v) as the traffic pattern of the existing industrial use was different from that of the proposed residential development, it would be reasonable to deduct the traffic trips of the existing development in the assessment to avoid overestimating the expected performance at the

junctions and links.

42. Mr David Fok, the applicant's representative, supplemented that the applicant aimed to provide a long-term vision for the transformation of FTIA to increase supply of housing land. Despite some outstanding technical issues, the applicant was committed to resolving most of them in collaboration with concerned government departments. The Government and other stakeholders were urged to make a concerted effort to promote the transformation of FTIA.

[Mr Paul Y.K. Au left the meeting temporarily during the presentation of the applicant's representative.]

43. As the presentations of PlanD's representative and the applicant's representatives had been completed, the Chairperson invited questions from Members.

Supply of Industrial Floorspace

44. Some Members raised the following questions:

- (a) noting the reservation of the Director-General of Trade and Industry (DGTI) on the application and his consideration that the industrial uses in FTIA should be retained to sustain local job provision, the details on the existing industrial uses in FTIA and the extent of those industrial uses that would be affected;
- (b) rental levels of industrial premises in the existing FTIA and across Hong Kong, considering that rents might fluctuate if the current operators had to relocate their business in order to implement the development proposal; and
- (c) vacancy rates of industrial premises in FTIA and across Hong Kong.

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

- (a) according to the findings of the “Report on Area Assessments of Industrial Land in the Territory” undertaken by PlanD in 2020 (2020 AA) and the information provided by the applicant, FTIA had a site area of 30.51 hectares (ha) and a total gross floor area (GFA) of 1,482,273m². In contrast, the Site had a site area of about 9.85 ha and a total GFA of 476,394m², accounting for about 32.3% in site area and about 32.1% in GFA of FTIA;
- (b) according to the findings of 2020 AA, there were about 219.02 ha of land zoned “I” with a total GFA of about 8,810,000m² at territorial level. However, there was no information on the rental levels of industrial premises in FTIA and across Hong Kong; and
- (c) according to the findings of 2020 AA, the vacancy rates of industrial premises were about 4.1% in FTIA, 2.32% in Sha Tin district and 5.6% for the New Territories of Hong Kong.

Traffic Aspect

46. Noting that the existing industrial uses in FTIA would be phased out if the development proposal were to proceed, a Member enquired about the rationale for including the traffic trips of existing industrial use in the traffic assessment, and whether such a requirement was a standard practice by TD. In response, Ms Vilian W.L. Sum, Chief Traffic Engineer/New Territories West, TD explained that as the proposed development would be implemented in three phases, there would be scenarios in which the new residential developments would co-exist with the existing industrial buildings pending redevelopment. This justified the inclusion of the traffic trips arising from the existing industrial uses in the traffic assessment.

47. As to the traffic model mentioned by the applicant’s representative, Ms Vilian W.L. Sum, Chief Traffic Engineer/New Territories West, TD explained that the extensive area and massive population intake would necessitate a strategic traffic model, i.e. a 2-tier model, to ascertain the impacts on the strategic road links. If strategic traffic model was not feasible, TD would adopt a prudent approach and assume that all the generated traffic would

be assigned to one of the strategic roads, i.e. Tai Po Road, instead of distributing it across different roads. The result of the assessment showed that in the worst-scenario, the volume-to-capacity ratio could reach 1.28, which indicated the likelihood of congestion and was thus considered unacceptable by TD, unless mitigation measures were implemented. Although the applicant did propose various traffic mitigation measures, TD had reservation on their feasibility. For example, some measures would affect the existing structures/features, including but not limited to slopes and nullahs. More importantly, some of the improvement works were to be implemented by third parties, as suggested by the applicant, while TD was not aware if the applicant had reached agreement with these parties. As such, TD was of the view that these improvement schemes were not viable.

Implementation Mechanism

48. Noting that the applicant proposed a three-phase implementation for the proposed development with the Phase One development covering the applicant's own site and the Phase Two development covering sites under single ownership, a Member asked whether the applicant had communicated with the owners under Phase Two about the implementation, and whether the feasibility of each phase would depend on one another. In response, Mr David Fok, the applicant's representative, said that a three-phase implementation was proposed by the applicant, taking into account the land ownership pattern within the Site. The applicant was the current land owner of the site for Phase One. Each phase would be self-contained in terms of technical feasibility and could be implemented independently. Another major concern was the interface problem between each phase when the residential use might co-exist with the existing industrial use. This substantiated the justification for the "R(E)" zoning proposed by the applicant as the technical issues, including the traffic improvement measures raised by TD, could be addressed through the s.16 application mechanism. As long as the rezoning was approved, the technical issues could be resolved through the town planning regime and there should be no concerns about the feasibility of the implementation of the future developments.

Proposed "R(E)" Zone

49. The Vice-chairperson enquired about the proposed "R(E)" zoning and whether there were precedents for adopting "R(E)" zoning given the uncertain phased implementation.

In response, Mr Rico W.K. Tsang, DPO/STN, said that “R(E)” zoning usually covered areas with industrial buildings and was intended primarily for phasing out existing industrial uses through redevelopment or conversion for residential use on application to the Board with the support of various technical assessments to avoid perpetuation of industrial/residential interface problem. Having regard to the phased implementation as proposed by the applicant, it was considered that the transformation of the whole Site into the proposed residential scheme could not be accomplished without the successful implementation of all phases. For example, the proposed connected landscape deck, lot boundary setbacks and provision of social welfare and retail facilities could hardly be monitored for implementation through separate and individual site-based s.16 applications. In that regard, other more appropriate zonings such as “Comprehensive Development Area” (“CDA”) zone should be explored for comprehensive development to achieve certain planning objectives.

50. As the applicant’s representatives had no further points to raise and there were no further questions from Members, the Chairperson informed the applicant’s representatives that the hearing procedure of the application had been completed and the Committee would deliberate on the application in their absence and inform the applicant of the Committee’s decision in due course. The Chairperson thanked PlanD’s representatives and the applicant’s representatives for attending the meeting. They left the meeting at this point.

[Mr Simon Y.S. Wong rejoined the meeting at this point.]

Deliberation Session

51. The Chairperson remarked that firstly, the applicant emphasised a long-term vision to transform FTIA as justification for the application, but it was clear that the Government did not share this vision. The Government’s stance, as represented by DGTI, was to retain the industrial use in FTIA, which aligned with the recommendation of 2020 AA. Secondly, the applicant did not propose any concrete mechanisms to ensure the implementation of the whole development proposal. As owner of only one lot within the Site, the applicant failed to provide information on achieving co-ordinated development or obtaining consent from other lot owners, casting uncertainty on the implementation prospects for Phases Two and Three. The fragmentation of ownership further indicated that “CDA” zoning would not be appropriate without the consent of the concerned owners. Thirdly,

there was no justification or imminent need to rezone some existing public facilities within the Site from “I” to “G/IC” just to reflect such existing government uses as they were always permitted under the existing “I” zoning. Fourthly, technical issues, including water supply and traffic concerns, remained unresolved with the relevant government departments. Assuming that the future developers/owners in Phases Two and Three would separately address those technical issues suggested that the applicant currently had no intention to resolve the outstanding concerns. Members concurred with the points as summed up by the Chairperson and PlanD’s recommendations as set out in the Paper.

52. The Committee noted that the subject s.12A application was submitted under the pre-amended Town Planning Ordinance (the Ordinance) that was in force immediately before 1.9.2023, and thus, there was no restriction on the eligibility of the applicant. For s.12A applications made under the prevailing Ordinance, only an eligible person, e.g. the registered owner of the land within the application site, could submit the application. While there had been approved s.12A applications for rezoning sites, including some in Fo Tan, from industrial to non-industrial use due to generally low occupancy rates in industrial areas, each case should be considered on its own merits based on prevailing government policy, land use compatibility and the impact on the affected industrial use.

53. A Member opined that future I&T development, as a key policy area for the Government, would create demand for complementary downstream activities, such as manufacturing. The Member concurred with DGTI regarding the need to retain industrial use in FTIA, particularly as the development proposal would result in a loss of about 30% of the industrial floorspace in FTIA.

54. After deliberation, the Committee decided not to agree to the application for the following reasons:

- “(a) the residential development is not in line with the ‘2020 Area Assessments of Industrial Land in the Territory’ which recommends that the Fo Tan Industrial Area should be retained as “Industrial” zone for industrial uses to sustain the local job centre and a variety of choice for the existing and new population. The current “Industrial” zone within the application site (the Site) is considered appropriate to ensure an adequate supply of industrial

floor space to meet demand from production-oriented industries;

- (b) as ‘Public Utility Installation’, ‘Public Convenience’ and ‘Government Refuse Collection Point’, provision of open space and road are always permitted under the “Industrial” zone, there is no strong justification to rezone the Site from “Industrial” to “Government, Institution or Community”, “Open Space” and areas shown as ‘Road’ to reflect the as-built facilities and road network; and
- (c) the applicant fails to demonstrate that the proposed rezoning would not have adverse traffic and water supply impacts on the surrounding areas.”

[Mr Daniel K.W. Chung rejoined the meeting at this point.]

Tuen Mun and Yuen Long West District

Agenda Item 6

Section 12A Application

[Open Meeting (Presentation and Question Sessions Only)]

Y/YL/20 Application for Amendment to the Approved Yuen Long Outline Zoning Plan No. S/YL/27, To rezone the application site from “Government, Institution or Community” to “Residential (Group A) 9” and to amend the Notes of the zone applicable to the site, Various Lots in D.D. 120 and Adjoining Government Land, Shap Pat Heung Road, Yuen Long
(RNTPC Paper No. Y/YL/20)

Presentation and Question Sessions

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

PlanD

- Mr Raymond H.F. Au - District Planning Officer/Tuen Mun and Yuen Long West (DPO/TMYLW)
- Ms Carol K.L. Kan - Senior Town Planner/Tuen Mun and Yuen Long West (STP/TMYLW)
- Ms Carmen K.K. Cheung - Town Planner/Tuen Mun and Yuen Long West

Applicant's Representatives

Arup Hong Kong Limited

- Ms Theresa Yeung
- Ms Claudia Yu
- Mr H.W. Chan
- Ms Y.Y. Wong
- Mr Ryan Chan

Ajar Limited

- Mr C.H. To

MVA Hong Kong Limited

- Mr Alan Pun

Ramboll Hong Kong Limited

- Ms W.K. Yu

56. The Chairperson extended a welcome and explained the procedures of the meeting. He then invited PlanD's representatives to brief Members on the background of the application.

57. With the aid of a PowerPoint presentation, Ms Carol K.L. Kan, STP/TMYLW, briefed Members on the background of the application, the proposed rezoning of the application site (the Site) from "Government, Institution or Community" ("G/IC") to "Residential (Group A) 9" ("R(A)9") for a private residential development with 'Social Welfare Facility' (SWF) and 'Shop and Services' uses at the podium levels, departmental and

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

[Mr Paul Y.K. Au rejoined the meeting at this point.]

58. The Chairperson then invited the applicant's representatives to elaborate on the application. With the aid of a PowerPoint presentation, Ms Theresa Yeung, the applicant's representative, made the following main points:

- (a) the Site was situated in a residential neighbourhood. To its immediate south was a piece of land zoned "R(A)1", and planning permission was granted in May 2024 for a proposed public housing development with a domestic plot ratio (PR) of 6.5 and a total PR of 7.2 at a site to its east. The proposed residential development, with a domestic PR of 6.0 and a non-domestic PR of 0.5, providing about 943 flats was reasonable in scale and in line with the Government's policy on increasing housing supply. The proposed non-domestic uses included retail facilities to serve the local residents, a 150-place child care centre (CCC) and a 60-place day care centre for the elderly (DCCE). The requirement for the provision of the SWFs would be stipulated in the Notes of the Outline Zoning Plan (OZP). Various technical assessments had been conducted to demonstrate that the development proposal was technically feasible, and all concerned government departments had no adverse comment on the application as detailed in the Paper;
- (b) the Site was located in the High-end Professional Services and Logistics Hub zone of the Northern Metropolis (NM), and the proposed residential development would support the operations within this zone. Over 80 enterprises, including the applicant, had signed a Memorandum of Understanding to support and participate in the NM development in November 2024; and
- (c) the Town Planning Board was requested to agree to the rezoning application as the proposed residential development would optimise the

valuable land resource of the Site by phasing out the existing brownfield operations. The development was compatible with the surrounding land uses and could provide SWFs through private initiatives. Approving the application could take forward the development principle of “single site, multiple use” and fulfil the applicant’s commitment in supporting and participating in the NM development.

59. As the presentations of PlanD’s representative and the applicant’s representative had been completed, the Chairperson invited questions from Members.

60. Noting that the Director of Social Welfare had no in-principle objection to the application on the condition that the proposed CCC and DCCE would be operated on a privately financed basis, a Member enquired whether such a requirement would be reflected in the Notes of the OZP or in the land lease. In response, Mr Raymond H.F. Au, DPO/TMYLW, said that the requirement for the provision of the SWFs would be stipulated in the Notes for the “R(A)9” zone as proposed by the applicant. The same requirement would also be specified in the lease condition as appropriate.

61. As the applicant’s representatives had no further points to raise and there were no further questions from Members, the Chairperson informed the applicant’s representatives that the hearing procedure of the application had been completed and the Committee would deliberate on the application in their absence and inform the applicant of the Committee’s decision in due course. The Chairperson thanked PlanD’s representatives and the applicant’s representatives for attending the meeting. They left the meeting at this point.

Deliberation Session

62. The Chairperson remarked that there had been changing planning circumstances for the Site and its adjoining area in that the area was originally zoned “R(A)” for public housing development and was later rezoned to the current “G/IC” zoning intended for the provision of five schools. While three schools were completed between 2008 and 2010, the two remaining schools planned at the Site and the land on its immediate west had remained undeveloped. The two school sites were eventually de-reserved by the Education Bureau, allowing them to be considered for other suitable uses. As detailed in the Paper, the

proposed residential development with the provision of SWFs and retail use was generally compatible with the surrounding land uses.

63. The Committee noted that the requirement to reserve 5% of the domestic gross floor area (GFA) for the provision of SWFs only applied to public housing projects, whereas in this case, the SWFs proposed by the project proponent would be accountable for non-domestic GFA calculation. The Committee also noted that the requirement for SWFs would be stipulated in the Notes of the OZP while whether and to what extent such a requirement would be specified in the new lease, if any, would depend on the views of the relevant approving and monitoring authority.

64. After deliberation, the Committee decided to agree to the application. The relevant proposed amendments to the Yuen Long 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.

Sai Kung and Islands District

[Ms Tammy S.N. Kong and Mr Kenneth C.K. Yeung, Senior Town Planners/Sai Kung and Islands (STPs/SKIs), were invited to the meeting at this point.]

Agenda Item 7

Section 16 Application

[Open Meeting (Presentation and Question Sessions only)]

A/SK-CWBS/50 Temporary Private Garden for a Period of 3 Years and Associated Excavation and Filling of Land in “Conservation Area” Zone, Government Land Adjoining Lot 210 RP in D.D. 241, Tai Wong Kung, Po Toi O, Sai Kung
(RNTPC Paper No. A/SK-CWBS/50A)

Presentation and Question Sessions

65. With the aid of some plans, Ms Tammy S.N. Kong, STP/SKIs, 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 did not support the application.

66. Members had no question on the application.

Deliberation Session

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

- “(a) the applied use with associated excavation and filling of land is not in line with the planning intention of the “Conservation Area” zone which is 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 in this zone. There is no strong planning justification in the submission for a departure from the planning intention, even on a temporary basis; and
- (b) the applicant fails to demonstrate that the applied use with associated excavation and filling of land would not generate adverse landscape impact on the existing vegetation and trees at the application site and further deteriorate the overall landscape quality of the surrounding area.”

Agenda Items 8 to 10

Section 16 Applications

[Open Meeting (Presentation and Question Sessions only)]

A/SK-HC/357 Proposed House (New Territories Exempted House - Small House) in “Agriculture” Zone, Government Land in Nam Pin Wai Road, Ho Chung, Sai Kung

A/SK-HC/358 Proposed House (New Territories Exempted House - Small House) in “Agriculture” Zone, Government Land in Nam Pin Wai Road, Ho Chung, Sai Kung

A/SK-HC/359 Proposed House (New Territories Exempted House - Small House) in “Agriculture” Zone, Lot 374 RP (Part) in D.D. 244 and Adjoining Government Land in Nam Pin Wai Road, Ho Chung, Sai Kung
(RNTPC Paper No. A/SK-HC/357A to 359A)

68. The Committee agreed that as the three applications each for a proposed house (New Territories Exempted House (NTEH) – Small House (SH)) were similar in nature and the application sites (the Sites) were located in close proximity to one another within the same “Agriculture” (“AGR”) zone, they could be considered together.

Presentation and Question Sessions

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

[Mr Ryan M.K. Ip left the meeting during PlanD’s presentation.]

70. A Member raised the following questions:

- (a) noting that the Sites were the subject of three previously approved applications (No. A/SK-HC/254, 267 and 268) in 2016/17 when a more

cautious approach had been adopted, whether the availability of land for SH development in the concerned “Village Type Development” (“V”) zone and the assessment criteria for consideration of SH application were different from those in 2016/17 in order to explain PlanD’s different views on the current applications; and

- (b) whether the proposed SH being a stand-alone or semi-detached house on government land (GL) was a relevant consideration in the assessment of the SH application.

71. In response, Ms Tammy S.N. Kong, STP/SKIs, made the following main points:

- (a) land within the “V” zone in Ho Chung had been sufficient to meet the outstanding SH applications which were around 80 since 2015, although it was insufficient to meet the SH demand comprising the outstanding SH applications plus the 10-year SH demand, which was about 400 to 500, as advised by the Indigenous Inhabitant Representative (IIR). The approval of the previous applications on the Sites in 2016/17 was mainly on sympathetic consideration that the available land within the “V” zone could not fully meet the SH demand and there was a gradual formation of a village cluster in the vicinity of the Sites; and
- (b) except a small portion of the Site for application No. A/SK-HC/359, the Sites fell mostly within GL. According to the Lands Department (LandsD)’s comments, the proposed SHs not in semi-detached layout but with GL in-between the houses were not in line with the Government’s principle of maximising the use of GL for SH development.

72. In response to the same Member’s enquiry on whether all proposed SHs on GL should be in semi-detached layout, Mr Lawrance S.C. Chan, Assistant Director/Regional 3, LandsD, pointed out that one of the key considerations was to optimise the use of GL when its grant was required for the proposed SH developments. Such a consideration, however, might not be applicable to SH application on private agricultural land, where Building Licence could be granted for building an SH with roofed-over area not exceeding 65.03m²

within the lot, which could be in the form of a detached house. It should also be noted that the 10-year SH demand was based on the information provided by the concerned IIR and LandsD was not in a position to verify the same.

73. Noting that the current planning circumstances were similar to those in 2016/17, the same Member asked whether PlanD would support the applications if the proposed SHs were in semi-detached layout. In response, the Chairperson said that PlanD did not support the current applications on the consideration that the proposed developments were not in line with the planning intention of the “AGR” zone and land was still available within the “V” zone of Ho Chung for SH development. Ms Tammy S.N. Kong, STP/SKIs, supplemented that the numbers of outstanding SH applications at the times of approval of the three previous applications were 120 (for application No. A/SK-HC/254 approved in January 2016) and 91 (for applications No. A/SK-HC/267 and A/SK-HC/268 approved in May 2017) respectively, and the land available to meet the SH demand for the three previous applications was 3.18 hectares, equivalent to about 127 SH sites. Hence, the available land within the “V” zone could barely meet the outstanding SH applications in 2016/17, and was insufficient to meet the then SH demand.

Deliberation Session

74. The Chairperson remarked that in approving the three previous applications, more weighting was put on the approved SH applications in the vicinity of the Sites and a village cluster was envisaged in the area, whereas in the current applications, there was no ‘existing’ village cluster in the vicinity of the Sites as previously anticipated, as most of the approved SH developments by the Committee were not yet materialised. Moreover, as the applications for SH grants at the Sites were rejected by LandsD in June 2024, there were no longer SH grants under processing, not to mention if they were already at an advanced stage. Sympathetic consideration was therefore not given to the subject applications.

75. The Vice-chairperson opined that whether the Sites were GL or private land should not be a material consideration in the subject applications. Nonetheless, the deviation from the previous decisions of approving the SH applications at the Sites in 2016/17 should be justified, taking into consideration of the change in planning circumstances. In response to a Member’s enquiry, the Secretary advised that according to

the Interim Criteria for Consideration of Application for NTEH/SH in New Territories (the Interim Criteria), SH applications with previous planning permissions lapsed would be considered on their own merits. In general, sympathetic consideration might be given if there were specific circumstances to justify the cases, such as the site was an infill site among existing NTEHs/SHs (i.e. the application site was surrounded by existing SHs from all sides) or the processing of the SH grant by LandsD was already at an advance stage. Based on such assessment criteria, sympathetic consideration might not be given to the current applications as LandsD was not processing any SH grant for the Sites.

76. While acknowledging that no sympathetic consideration should be given to the subject applications in accordance with the Interim Criteria, the Vice-chairperson enquired whether the Committee's decisions to approve the three previous applications in 2016/17 were inconsistent with the more cautious approach. In response, the Chairperson said that the Committee's considerations for approving the three previous applications were set out in paragraph 5.1 of the Paper, which were mainly due to insufficient land with the "V" zone to fully meet the future SH demand, and that the vicinity of the Sites was approved for SH developments by the Committee and thus the formation of a village cluster was anticipated. Although the previous applications and the current applications were subject to the same Interim Criteria for assessment, the major difference was that there was a more stringent interpretation of 'infill' site. The 'approved' status of the SHs in the vicinity of the Sites would be taken into account as forming a new village cluster in considering the previous applications. Nevertheless, the village cluster had not been formed over the years. The current interpretation of 'infill' sites under the Interim Criteria generally required encirclement by physically existing SHs from all sides. The Committee noted from an aerial photo that the land to the immediate east of the Sites with previously approved SH developments by the Committee was still vacant. The Committee also noted from Plan A-2a of the Paper that the Transport Department was planning to turn the area covering the Sites and the adjoining GL into a metered car park.

77. After deliberation, the Committee decided to reject the applications. The reasons for each application were:

- “(a) the proposed development is not in line with the planning intention of the “Agriculture” zone, which is primarily to retain and safeguard good

agricultural land/farm/fish ponds for agricultural purposes. It is also intended to retain fallow arable land with good potential for rehabilitation for cultivation and other agricultural purposes. There is no strong justification 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 Ho Chung which is primarily 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.”

Agenda Item 11

Section 16 Application

[Open Meeting (Presentation and Question Sessions only)]

A/SK-HH/83 Temporary Private Swimming Pool for a Period of 3 Years in “Village Type Development” Zone, Lots 49 S.A ss.3 (Part) and 49 S.A RP (Part) in D.D. 212, Che Keng Tuk, Sai Kung
(RNTPC Paper No. A/SK-HH/83)

Presentation and Question Sessions

78. With the aid of some plans, Ms Tammy S.N. Kong, STP/SKIs, briefed Members on the background of the application, the applied use, departmental and public comments, and the planning considerations and assessments as detailed in the Paper. The Planning Department considered that the temporary use could be tolerated for a period of 3 years.

79. Members had no question on the application.

Deliberation Session

80. After deliberation, the Committee decided to approve the application on a temporary basis for a period of 3 years until 20.12.2027, on the terms of the application as

submitted to the Town Planning Board. The Committee also agreed to advise the applicant to note the advisory clauses as set out in the appendix of the Paper.

Agenda Item 13

Section 16 Application

[Open Meeting (Presentation and Question Sessions only)]

A/SLC/184 Proposed Public Utility Installation (Poles, Stays and Overhead Cables) and Associated Excavation and Filling of Land in “Coastal Protection Area” Zone, Government Land in D.D. 328L, Tong Fuk, Lantau
(RNTPC Paper No. A/SLC/184B)

81. The Secretary reported that the application was submitted by CLP Power Hong Kong Limited (CLP). 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. The Committee noted that Mr Ryan M.K. Ip had left the meeting.

Presentation and Question Sessions

82. With the aid of some plans, Mr Kenneth C.K. Yeung, 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 (PlanD) did not support the application.

83. Members had no question on the application.

Deliberation Session

84. After deliberation, the Committee decided to reject the application. The reason was:

“the proposed public utility installation with associated excavation and filling of land is not in line with the planning intention of the “Coastal Protection Area”

(“CPA”) zone which is to conserve, protect and retain the natural coastlines and the sensitive coastal natural environment, including attractive geological features, physical landform or area of high landscape, scenic or ecological value, with a minimum of built development. There is a general presumption against development within the “CPA” 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 “CPA” zone.”

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

Sha Tin, Tai Po and North District

[Messrs Jeffrey P.K. Wong and Ryan C.K. Ho and Ms Ivy C.W. Wong, Senior Town Planners/Sha Tin, Tai Po and North (STPs/STN), were invited to the meeting at this point.]

Agenda Items 16 to 18

Section 16 Applications

[Open Meeting (Presentation and Question Sessions Only)]

A/NE-PK/207 Proposed House (New Territories Exempted House - Small House) in “Agriculture” Zone, Lot 1511 S.L in D.D. 91, Kai Leng, Sheung Shui (RNTPC Paper No. A/NE-PK/207)

A/NE-PK/208 Proposed House (New Territories Exempted House - Small House) in “Agriculture” Zone, Lot 1579 S.A in D.D. 91, Kai Leng, Sheung Shui (RNTPC Paper No. A/NE-PK/208)

A/NE-PK/209 Proposed House (New Territories Exempted House - Small House) in “Agriculture” Zone, Lot 1579 S.B in D.D. 91, Kai Leng, Sheung Shui (RNTPC Paper No. A/NE-PK/209)

85. The Committee agreed that as the three applications for proposed house (New Territories Exempted House – Small House) were similar in nature and the application sites were located in close proximity to one another within the same “Agriculture” zone, they could be considered together.

Presentation and Question Sessions

86. With the aid of some plans, Mr Jeffrey P.K. Wong, STP/STN, briefed Members on the background of the application, the proposed developments, departmental and public comments, and the planning considerations and assessments as detailed in the Papers. The Planning Department had no objection to the applications.

87. Members had no question on the applications.

Deliberation Session

88. After deliberation, the Committee decided to approve the applications, on the terms of the applications as submitted to the Town Planning Board. Each of the permission should be valid until 20.12.2028, 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 applicants to note the advisory clauses as set out in the appendix of the Papers.

Agenda Item 19

Section 16 Application

[Open Meeting (Presentation and Question Sessions Only)]

A/NE-TK/827 Proposed Temporary Holiday Camp with Ancillary Facilities for a
Period of 3 years in “Agriculture” Zone, Various Lots in D.D. 17 and
D.D. 29, Ting Kok Road, Tai Po
(RNTPC Paper No. A/NE-TK/827)

Presentation and Question Sessions

89. 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 3 years.

90. Members had no question on the application.

Deliberation Session

91. After deliberation, the Committee decided to approve the application on a temporary basis for a period of 3 years until 20.12.2027, 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 21

Section 16 Application

[Open Meeting (Presentation and Question Sessions Only)]

A/NE-FTA/245 Proposed Temporary Open Storage of Containers and Vehicle Repair Workshop with Ancillary Facilities for a Period of 3 Years and Associated Filling of Land and Pond in “Agriculture” Zone, Lots 342 RP (Part) and 343 RP in D.D. 87, Kong Nga Po, Sheung Shui
(RNTPC Paper No. A/NE-FTA/245B)

Presentation and Question Sessions

92. With the aid of some plans, Mr Ryan C.K. Ho, 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 3

years.

93. Members had no question on the application.

Deliberation Session

94. After deliberation, the Committee decided to approve the application on a temporary basis for a period of 3 years until 20.12.2027, 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 Items 23, 26 and 30

Section 16 Applications

[Open Meeting (Presentation and Question Sessions Only)]

A/NE-MKT/41 Proposed Public Utility Installation (Radio Base Station) and Associated Excavation of Land in “Green Belt” Zone, Government Land in D.D. 86 and 90, Man Kam To
(RNTPC Paper No. A/NE-MKT/41)

A/NE-LMH/1 Proposed Public Utility Installation (Radio Base Station) and Associated Excavation of Land in “Green Belt” Zone, Government Land in D.D. 47, Lin Ma Hang
(RNTPC Paper No. A/NE-LMH/1)

A/NE-TKLN/92 Proposed Public Utility Installation (Radio Base Station) and Associated Excavation of Land in “Green Belt” Zone, Government Land in D.D. 80, Ta Kwu Ling North
(RNTPC Paper No. A/NE-TKLN/92)

95. The Committee agreed that as the three applications for proposed public utility installation (radio base station) and associated excavation of land were for the same use and submitted by the same applicant, they could be considered together.

Presentation and Question Sessions

96. With the aid of some plans, Ms Ivy C.W. Wong, STP/STN, briefed Members on the background of the applications, the proposed installations, departmental and public comments, and the planning considerations and assessments as detailed in the Papers. The Planning Department (PlanD) had no objection to the applications.

97. Noting that the applicant, i.e. SmarTone Mobile Communications Limited, was one of the key telecommunication service providers in Hong Kong, a Member asked whether the proposed installations could accommodate shared use with other service providers. In response, Ms Ivy C.W. Wong, STP/STN, said that the applicant did not provide such information in the applications. Nevertheless, the Hong Kong Police Force indicated support for the applications as there was an imminent need to enhance telecommunication signal in the border area for their daily operations and emergencies.

Deliberation Session

98. After deliberation, the Committee decided to approve the applications, on the terms of the applications as submitted to the Town Planning Board. Each of the permission should be valid until 20.12.2028, 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 Papers.

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

Fanling, Sheung Shui and Yuen Long East District

[Messrs Kimson P.H. Chiu, C.K. Fung, Alexander W.Y. Mak, and Adrian Y.G. To, Senior Town Planners/Fanling, Sheung Shui and Yuen Long East (STPs/FSYLE), and Ms Karen

K.Y. Chan, Town Planner/Fanling, Sheung Shui and Yuen Long East (TP/FSYLE) were invited to the meeting at this point.]

Agenda Item 32

Section 16 Application

[Open Meeting (Presentation and Question Sessions Only)]

A/STT/14 Temporary Training Facilities until 31.10.2026 in “Other Specified Uses” annotated “Mixed Use” and “Other Specified Uses” annotated “Amenity” Zones and area shown as ‘Road’, Lots 661 S.C RP (Part), 669 RP, 674 RP (Part) and 733 S.E (Part) in D.D. 99 and Adjoining Government Land, San Tin, Yuen Long
(RNTPC Paper No. A/STT/14)

99. The Secretary reported that the application was submitted by the Civil Engineering and Development Department (CEDD). Mr Daniel K.W. Chung had declared an interest on the item for being the former Director of CEDD.

100. As Mr Daniel K.W. Chung had no involvement in the application, the Committee agreed that he could stay in the meeting.

Presentation and Question Sessions

101. With the aid of some plans, Mr Kimson P.H. Chiu, STP/FSYLE, briefed Members on the background of the application, the applied use, departmental comments, and the planning considerations and assessments as detailed in the Paper. The Planning Department considered that the temporary use could be tolerated until 31.10.2026.

102. Members had no question on the application.

Deliberation Session

103. After deliberation, the Committee decided to approve the application on a temporary basis up to 31.10.2026, 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 33

Section 16 Application

[Open Meeting (Presentation and Question Sessions Only)]

A/YL-ST/661 Proposed Public Utility Installation (Pole and Pole Stay Erection) and Associated Filling and Excavation of Land in “Conservation Area” and “Green Belt” Zones, Government Land in D.D. 96, Lok Ma Chau, San Tin, Yuen Long
(RNTPC Paper No. A/YL-ST/661C)

104. The Secretary reported that the application was submitted by CLP Power Hong Kong Limited (CLP). 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. The Committee noted that Mr Ryan M.K. Ip had left the meeting.

Presentation and Question Sessions

105. With the aid of some plans, Ms Karen K.Y. Chan, TP/FSYLE, 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.

106. In response to a Member’s enquiry, Mr Kimson P.H. Chiu, STP/FSYLE, clarified that there was a typographical error in paragraph 1.3 of the Paper in that application No. A/YL-ST/653 was the last rejected application.

[Post-meeting note: The revised Paper with a replacement page rectifying the typographical error was uploaded to the Town Planning Board’s website on 24.12.2024.]

Deliberation Session

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

- “(a) the proposed public utility installation with associated excavation and filling of land was not in line with the planning intention of the “Conservation Area” (“CA”) zone which is to conserve the ecological value of wetland and fish ponds which form an integral part of the wetland ecosystem in the Deep Bay Area and that of the “Green Belt” (“GB”) zone which is to define 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. The applicant fails to demonstrate that the proposed public utility installation with associated excavation and filling of land is essential which warrants a departure from the planning intentions of the “CA” and “GB” zones; and

- (b) the proposed public utility installation and associated excavation and filling of land are not in line with the Town Planning Board Guidelines No. 12C and Town Planning Board Guidelines No. 10 in that the applicant fails to demonstrate that there are exceptional circumstances with strong planning grounds for the proposed public utility installation with associated works in the Wetland Buffer Area/the “GB” zone.”

Agenda Item 40

Section 16 Application

[Open Meeting (Presentation and Question Sessions Only)]

A/YL-KTN/1066 Temporary School (Student Outdoor Activities Area) for a Period of 5 Years in “Village Type Development” Zone, Government Land in D.D. 109, Shing Mun San Tsuen, Kam Tin, Yuen Long
(RNTPC Paper No. A/YL-KTN/1066)

Presentation and Question Sessions

108. With the aid of some plans, Mr C.K. Fung, STP/FSYLE, 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.

109. Members had no question on the application.

[Messrs Daniel K.W. Chung and Paul Y.K. Au left the meeting at this point.]

Deliberation Session

110. After deliberation, the Committee decided to approve the application on a temporary basis for a period of 5 years until 20.12.2029, on the terms of the application as submitted to the Town Planning Board and subject to the approval conditions stated in the Paper. The Committee also agreed to advise the applicant to note the advisory clauses as set out in the appendix of the Paper.

Agenda Item 48

Section 16 Application

[Open Meeting]

A/YL-NSW/327 Proposed Public Utility Installation (Low Voltage Underground Cable) and Associated Excavation and Filling of Land in “Conservation Area” Zone, Government Land in D.D. 123, Pok Wai South Road, Yuen Long

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

Agenda Item 49

Section 16 Application

[Open Meeting]

A/YL-NSW/329 Proposed Public Utility Installation (High Voltage Underground Cable, Pole and Pole Stay Erection) and Associated Excavation and Filling of Land in “Conservation Area” Zone, Government Land in D.D. 123, Luen Hing Wai, Nam Sang Wai, Yuen Long

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

Agenda Item 51

Section 16 Application

[Open Meeting (Presentation and Question Sessions Only)]

A/YL-NSW/336 Temporary Agricultural Use (Greenhouse) with Ancillary Store Rooms and Staff Rest Rooms for a Period of 3 Years in “Undetermined” Zone, Lots 614 RP, 615 RP, 616 RP, 617 RP, 618 (Part), 619 and 620 RP (Part) and Adjoining Government Land in D.D. 115, Nam Sang Wai, Yuen Long
(RNTPC Paper No. A/YL-NSW/336)

Presentation and Question Sessions

113. With the aid of some plans, Mr Alexander W.Y. Mak, STP/FSYLE, briefed Members on the background of the application, the applied use, departmental and public comments, and the planning considerations and assessments as detailed in the Paper. The Planning Department considered that the temporary use could be tolerated for a period of 3 years.

114. Members had no question on the application.

Deliberation Session

115. After deliberation, the Committee decided to approve the application on a temporary basis for a period of 3 years until 20.12.2027, 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 53

Section 16 Application

[Open Meeting (Presentation and Question Sessions Only)]

A/YL-PH/1019 Temporary Place of Recreation, Sports or Culture for a Period of 3 Years and Associated Filling of Land in “Village Type Development” Zone, Government Land in D.D. 111, Kam Tin Road, Pat Heung, Yuen Long
(RNTPC Paper No. A/YL-PH/1019A)

Presentation and Question Sessions

116. With the aid of some plans, Mr Adrian Y.G. To, STP/FSYLE, 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.

117. Members had no question on the application.

Deliberation Session

118. After deliberation, the Committee decided to approve the application on a temporary basis for a period of 3 years until 20.12.2027, 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.

[Mr Simon Y.S. Wong and Miss Queenie Y.C. Ng left the meeting at this point.]

Agenda Item 54

Section 16 Application

[Open Meeting (Presentation and Question Sessions Only)]

A/YL-PH/1035 Proposed Temporary Warehouse (excluding Dangerous Goods Godown) and Open Storage of Construction Materials, Machineries and Vehicles for Sale with Ancillary Facilities for a Period of 3 Years and Associated Filling of Land in “Agriculture” Zone, Lots 2873 S.B (Part), 2874 (Part), 2875 (Part), 2891 (Part) and 2892 (Part) in D.D.111, Pat Heung, Yuen Long
(RNTPC Paper No. A/YL-PH/1035)

Presentation and Question Sessions

119. With the aid of some plans, Mr Adrian Y.G. To, STP/FSYLE, briefed Members on the background of the application, the proposed use, departmental and public comments, and the planning considerations and assessments as detailed in the Paper. The Planning Department considered that the proposed temporary use could be tolerated for a period of 3 years.

120. Members had no question on the application.

Deliberation Session

121. After deliberation, the Committee decided to approve the application on a temporary basis for a period of 3 years until 20.12.2027, 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 55

Section 16 Application

[Open Meeting (Presentation and Question Sessions Only)]

A/YL-PH/1036 Temporary Warehouse (excluding Dangerous Goods Godown) and Open Storage of Construction Materials and Machineries with Ancillary Facilities for a Period of 3 Years and Associated Filling of Land in “Agriculture” Zone, Various Lots in D.D. 110, Tsat Sing Kong, Pat Heung, Yuen Long
(RNTPC Paper No. A/YL-PH/1036)

Presentation and Question Sessions

122. With the aid of some plans, Mr Adrian Y.G. To, STP/FSYLE, 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 (PlanD) considered that the temporary use could be tolerated for a period of 3 years.

123. Members had no question on the application.

Deliberation Session

124. After deliberation, the Committee decided to approve the application on a temporary basis for a period of 3 years until 20.12.2027, 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 Chairperson thanked PlanD’s representatives for attending the meeting. They left the meeting at this point.]

Tuen Mun and Yuen Long West District

[Ms Carol K.L. Kan and Mr Eric C.Y. Chiu, Senior Town Planners/Tuen Mun and Yuen Long West (STPs/TMYLW), and Ms Jessie M.H. Kwok and Ms Carmen K.K. Cheung, Town Planners/Tuen Mun and Yuen Long West (TPs/TMYLW), were invited to the meeting at this point.]

Agenda Item 57

Section 16 Application

[Open Meeting]

A/HSK/535 Temporary Open Parking of Coaches/Buses, Private Cars and Open Storage of Tyres, Storage of Parts with Ancillary Workshop for a Period of 3 Years in “Government, Institution or Community” Zone, Various Lots in D.D. 124 and Adjoining Government Land, Ha Tsuen, Yuen Long

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

Agenda Item 59

Section 16 Application

[Open Meeting (Presentation and Question Sessions Only)]

A/YL/303 Proposed Minor Relaxation of Plot Ratio Restriction for Permitted Flat Use and Proposed Shop and Service Use in “Residential (Group B)” Zone; and Proposed Flat and Shop and Services Uses in area shown as ‘Road’, Lots 4614 and 4615 RP in D.D. 116, Lots 1753 S.B ss.3 RP, 1753 S.B ss.4, 1753 S.B RP, 1756 S.A RP, 1756 S.B, 1756 RP, 1757, 1758 RP and 1760 RP in D.D. 120 and Adjoining Government Land, Tai Kei Leng, Yuen Long
(RNTPC Paper No. A/YL/303B)

126. The Secretary reported that the application was submitted by Onfine Development Limited and Gainbo Limited (subsidiaries of Henderson Land Development Company Limited (HLD)) and Waygent Investment Limited and Magic Sign Limited (subsidiaries of New World Development Company Limited (NWD)). The following Members had declared interests on the item:

- Mr Vincent K.Y. Ho - having current business dealing with HLD, and being an advisory committee member of New World Build for Good which was founded by NWD;
- Mr Rocky L.K. Poon - being an employee of a company which was a subsidiary of NWD; and
- Mr Ryan M.K. Ip - being the vice-president cum co-head of Public Policy Institute of Our Hong Kong Foundation which had received donations from Henderson Group and New World Group.

127. The Committee noted that Messrs Vincent K.Y. Ho and Rocky L.K. Poon had tendered apologies for being unable to attend the meeting, and Mr Ryan M.K. Ip had left the meeting.

Presentation and Question Sessions

128. With the aid of a PowerPoint presentation, Ms Carmen K.K. Cheung, TP/TMYLW, 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.

[Professor B.S. Tang and Ms Vilian W.L. Sum left the meeting at this point.]

129. Members had no question on the application.

Deliberation Session

130. The Chairperson remarked that the subject application was mainly for proposed minor relaxation of plot ratio restriction from 3.5 to 4.287 for permitted flat and shop and services uses in the “Residential (Group B)” zone. The proposed development was considered not incompatible with the surrounding environment and there were no insurmountable technical impacts pertaining to the proposal.

131. 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 20.12.2028, 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 62

Section 16 Application

[Open Meeting (Presentation and Question Sessions Only)]

A/YL-HTF/1179 Proposed Temporary Open Storage of Construction Materials and Machinery and Storage of Tools and Parts with Ancillary Facilities for a Period of 3 Years and Associated Filling of Land in “Agriculture” Zone, Lot 385 RP (Part) in D.D. 128 and Adjoining Government Land, Ha Tsuen, Yuen Long
(RNTPC Paper No. A/YL-HTF/1179)

Presentation and Question Sessions

132. With the aid of some plans, Mr Eric C.Y. Chiu, STP/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 (PlanD) considered that the proposed temporary use could be tolerated for a period of 3 years.

133. Members had no question on the application.

Deliberation Session

134. After deliberation, the Committee decided to approve the application on a temporary basis for a period of 3 years until 20.12.2027, 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 64

Section 16 Application

[Open Meeting]

A/YL-PN/77 Proposed Temporary Warehouse for Storage of Miscellaneous Goods
for a Period of 3 Years and Filling of Land in “Agriculture” Zone, Lot
8 (Part) in D.D. 135, Sheung Pak Nai, Yuen Long

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

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

Agenda Item 76

Any Other Business

[Open Meeting]

136. There being no other business, the meeting was closed at 7:10 p.m.

**Minutes of 756th Rural and New Town Planning Committee
(held on 20.12.2024)**

Deferral Cases

Requests for Deferment by Applicant for 2 Months

Item No.	Application No. *	Times of Deferment
5	Y/TP/39	1 st
14	A/NE-KLH/646	1 st
25	A/NE-LT/772	2 nd [^]
29	A/NE-TKL/782	1 st
35	A/YL-NTM/475	2 nd [^]
38	A/YL-KTN/1035	2 nd [^]
39	A/YL-KTN/1037	2 nd [^]
42	A/YL-KTS/1011	2 nd [^]
43	A/YL-KTS/1016	2 nd [^]
45	A/YL-KTS/1038	1 st
47	A/YL-NSW/314	2 nd [^]
50	A/YL-NSW/334	2 nd [^]
58	A/TM-SKW/127	2 nd [^]
60	A/YL-TT/663	2 nd [^]
61	A/YL-TT/664	2 nd [^]
65	A/YL-PS/734	1 st
69	A/YL-TYST/1279	2 nd [^]
75	A/YL-TYST/1293	1 st

Note:
[^] The 2nd 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:

Item No.	Members' Declared Interests	
5	The application site was located in Kam Shan, Tai Po.	- Mr Daniel K.S. Lau for co-owning with spouse a property in the vicinity of the application site
14	The application site was located in Tai Hang Tsuen, Tai Po.	- Dr Venus Y.H. Lun for co-owning with spouse a property in the vicinity of the application site

The Committee noted that Dr Venus Y.H. Lun had tendered an apology for being unable to attend the meeting and Mr Daniel K.S. Lau had not joined the meeting yet.

*Refer to the agenda at https://www.tpb.gov.hk/en/meetings/RNTPC/Agenda/756_rnt_agenda.html for details of the planning applications.

**Minutes of 756th Rural and New Town Planning Committee
(held on 20.12.2024)**

Renewal Cases

Applications for renewal of temporary approval for 3 years

Item No.	Application No.	Renewal Application	Renewal Period
15	A/NE-KLH/647	Temporary Public Vehicle Park (Private Cars Only) in “Village Type Development” Zone, Lot 69 RP, D.D. 7, Kau Lung Hang, Tai Po	25.12.2024 to 24.12.2027
34	A/YL-MP/380	Temporary Agricultural Use (Farming) in “Other Specified Uses” annotated “Wetland Conservation Park” Zone, Lot 47 RP (Part) in D.D. 101, Mai Po, Yuen Long	2.2.2025 to 1.2.2028
44	A/YL-KTS/1031	Temporary Warehouse for Storage of Building Material Products in “Residential (Group D)” Zone, Lot 1336 S.A (Part) in D.D. 106, Kong Ha Wai, Kam Sheung Road, Pat Heung, Yuen Long	9.1.2025 to 8.1.2028
67	A/YL-PS/738	Temporary Public Vehicle Park for Private Cars in “Village Type Development” Zone, Lots 422 (Part) and 423 (Part) in D.D. 122, Sheung Cheung Wai, Yuen Long	29.1.2025 to 28.1.2028
73	A/YL-TYST/1291	Temporary Open Storage of Construction Machinery and Construction Materials with Ancillary Workshop and Office in “Residential (Group A) 3” Zone and area shown as ‘Road’, Lots 2428 RP (Part), 2429 S.D (Part), 2704 S.A & S.B (Part), 2705 (Part), 2712 S.A (Part), 2712 S.B (Part), 2713 (Part), 2714 (Part), 2716 RP (Part), 2717 RP (Part) and 2718 RP (Part) in D.D. 120 and Adjoining Government Land, Shan Ha Tsuen, Yuen Long	19.1.2025 to 18.1.2028
74	A/YL-TYST/1292	Temporary Open Storage of Construction Material with Ancillary Office in “Undetermined” Zone, Lot 1195 in D.D. 119, Yuen Long	19.1.2025 to 18.1.2028

Declaration of Interest

The Committee noted the following declaration of interest:

Item No.	Member’s Declared Interest	
15	The application site was located in Tai Hang Tsuen, Tai Po.	- Dr Venus Y.H. Lun for co-owning with spouse a property in the vicinity of the application site

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

**Minutes of 756th Rural and New Town Planning Committee
(held on 20.12.2024)**

Cases for Streamlining Arrangement

(a) Applications approved on a temporary basis for a period of 3 years until 20.12.2027

Item No.	Application No.	Planning Application
12	A/SK-PK/302*	Proposed Temporary Eating Place in “Village Type Development” Zone, 1/F, R/F and Adjoining Land, No. 112 and 113, Pak Sha Wan, Sai Kung
22	A/NE-FTA/257	Proposed Temporary Warehouse for Storage of Construction Materials with Ancillary Facilities and Associated Filling of Land in “Agriculture” Zone, Lots 344 (Part) and 345 (Part) in D.D. 87 and Adjoining Government Land, Kong Nga Po, Sheung Shui
24	A/NE-LYT/837	Temporary Public Vehicle Park (Private Car Only) in “Agriculture” Zone, Lot 1508 S.A RP in D.D. 83, Lung Yeuk Tau, Fanling
27	A/NE-MUP/208	Proposed Temporary Warehouse for Storage of Construction Materials in “Agriculture” Zone, Lots 758 S.B RP (Part) and 767 S.B in D.D. 46 and Adjoining Government Land, Loi Tung, Sha Tau Kok
28	A/NE-MUP/209	Proposed Temporary Private Car Park (Private Cars and Light Goods Vehicles Only) and Associated Filling of Land in “Village Type Development” and “Agriculture” Zones, Lots 236 S.I, 236 S.K (Part), 236 RP (Part) and 237 in D.D. 46, Loi Tung, Sha Tau Kok
31	A/NE-KTS/545	Proposed Temporary Warehouse (Hardware Accessories) with Ancillary Office in “Recreation” Zone, Lot 2205 RP (Part) in D.D. 92, Kam Tsin, Kwu Tung, Sheung Shui
37	A/YL-SK/392	Proposed Temporary Shop and Services and Associated Filling of Land in “Agriculture” Zone, Lot 443 (Part) in D.D. 112 and Adjoining Government Land, Shek Kong, Yuen Long
56	A/HSK/532	Temporary Logistics Centre and Warehouse in “Residential (Group A) 3” and “Government, Institution or Community” Zones and area shown as ‘Road’, Various Lots in D.D. 125 and D.D. 129, and Adjoining Government Land, Ha Tsuen, Yuen Long
63	A/YL-LFS/538	Proposed Temporary Warehouse for Storage of Hardware Accessories in “Recreation” Zone, Various Lots in D.D. 129 and Adjoining Government Land, Lau Fau Shan, Yuen Long
66	A/YL-PS/737	Temporary Shop and Services and Wholesale of Construction Materials in “Government, Institution or Community” Zone, Lots 256 (Part) and 259 in D.D. 122, Ping Shan, Yuen Long
68	A/YL-TYST/1270	Temporary Warehouse for Storage of Construction Materials, Food Provisions, Vehicles, Vehicle Parts and Electronic Products in “Undetermined” and “Residential (Group C)” Zones, Various Lots in D.D. 119 and Adjoining Government Land, Pak Sha Tsuen, Yuen Long

Item No.	Application No.	Planning Application
70	A/YL-TYST/1288	Temporary Warehouse and Open Storage of Construction Materials, Vehicle Parts, Mobile Toilets and Construction Machinery in “Residential (Group A) 3” and “Open Space” Zones and area shown as ‘Road’, Lot 2712 S.B (Part) in D.D. 120 and Various Lots in D.D. 121 and Adjoining Government Land, Shan Ha Tsuen, Yuen Long
71	A/YL-TYST/1289	Temporary Public Vehicle Park (Private Cars) in “Village Type Development” Zone, Lot 1652 RP (Part) in D.D. 121, Shan Ha Tsuen, Yuen Long
72	A/YL-TYST/1290	Temporary Warehouse for Storage of Exhibition Materials, Clothes and Construction Materials in “Undetermined” Zone, Lots 751 and 752 (Part) in D.D. 119, Pak Sha Tsuen, Yuen Long

Note:

* The application was approved for a period of 3 years, instead of 5 years sought, as recommended in the Paper.

(b) Applications approved on a temporary basis for a period of 5 years until 20.12.2029

Item No.	Application No.	Planning Application
20	A/NE-TK/828	Temporary Eating Place in “Recreation” Zone, Lots 1605 RP (Part) and 1606 (Part) in D.D. 17, Lo Tsz Tin, Tai Po
36	A/YL-SK/385	Proposed Temporary Shop and Services (Motor-vehicle Showroom) and Associated Filling of Land in “Village Type Development” Zone, Lots 906 RP and 907 in D.D. 114 and Adjoining Government Land, Shek Kong, Yuen Long
41	A/YL-KTS/1009	Temporary Animal Boarding Establishment and Associated Filling of Land in “Agriculture” Zone, Lot 1185 S.E RP in D.D. 106, Kam Tin South, Yuen Long
46	A/YL-KTS/1039	Proposed Temporary Shop and Services (Retail Shop for Hardware Groceries and Construction Materials) with Ancillary Facilities and Temporary Public Vehicle Park (Excluding Container Vehicle) and Associated Filling of Pond in “Village Type Development” Zone, Lots 428 (Part) and 431 (Part) in D.D. 106, Yuen Long
52	A/YL-PH/1013	Proposed Temporary Wholesale Trade (Food) in “Open Storage” Zone, Lots 872, 873, 875, 876, 877, 878, 880, 881, 882, 883, 884, 885, 886, 887, 888, 889, 890, 891 S.A, 892 S.A, 893 S.A, 3049 and 3050 in D.D. 111 and Adjoining Government Land, Pat Heung, Yuen Long