

SECTION 16 PLANNING APPLICATION

Proposed Temporary Eating Place (Restaurant) for a Period of 3 Years in “Other Specified Uses (Comprehensive Development to include Wetland Restoration Area)” Zone

at Lots 3719 S.G ss.9 RP, 3719 S.G ss.10 (Part) in D.D. 104 and Adjoining Government Land, Nam Sang Wai, Yuen Long, New Territories

Supplementary Planning Statement

June 2026

Applicant

Gala Growth Company Limited

Planning Consultant

DeSPACE (International) Limited



Executive Summary

The Applicant as the “current land owner” of at Lots 3719 S.G ss.9 RP, 3719 S.G ss.10 (Part) in D.D.104 and Adjoining Government Land, Nam Sang Wai, Yuen Long, New Territories (the “Application Site”), now seeks town planning permission from the Town Planning Board (“TPB”) for a proposed temporary Eating Place (Restaurant) for a Period of 3 Years (the “Proposed Development”) at the Application Site. The Application Site has a total area of about 1,216m². The Planning Statement serves to provide background information and planning justifications in support of the Application.

According to the Approved Nam Sang Wai Outline Zoning Plan No. S/YL-NSW/12 (the “OZP”), the Application Site falls under the “Other Specified Uses (Comprehensive Development to include Wetland Restoration Area)” (“OU(CDWRA)”) zone. “Restaurant” is subsumed under the use of “Eating Place,” which is designated as a Column 2 use requiring prior planning permission of the TPB.

The Application Site has a valid planning permission (No. A/YL-NSW/369) approved on 5.6.2026 with condition(s) on a temporary basis for a renewal of planning approval for temporary Eating Place (Restaurant) for a Period of 3 Years. The current application is to propose for additional floor area to meet the operational needs of the Applicant.

The Proposed Development is fully justified on the following grounds:

- The Proposed Development on a temporary basis possesses compatible development scale and land use with its nearby rural developments predominated by low-rise residential development, eating place, shop and services, and open storage yards.
- The nature of Restaurant use could serve the local neighbourhood;
- There is no immediate permanent development proposal at the Application Site, and approval of the application on a temporary basis of a period of 3 years would not frustrate the long-term planning intention of the “OU(CDWRA)” zone; and
- There would be no adverse impacts to the surroundings in terms of traffic, environmental, drainage, fire safety, and traffic issues.

Given the aforementioned justifications, the Applicant respectfully requests the TPB to approve the current Application.

行政摘要

申請人為現時新界元朗米埔丈量約份第 104 約地段第 3719 號 G 分段第 9 小分段餘段、第 3719 號 G 分段第 10 小分段餘段（部份）和毗連政府土地（「申請地點」）之土地擁有人，現向城市規劃委員會（「城規會」）申請於上述地點作為期三年的臨時「食肆（餐廳）」用途（「擬議發展」）。申請地點總面積約 1,216 平方米。本規劃綱領旨在提供背景資料及規劃理據以支持是次規劃申請。

根據南生圍分區計劃大綱核准圖編號 S/YL-NSW/12（「大綱核准圖」），申請地點劃定為「其他指定用途（綜合發展包括濕地修復區）」（「OU(CDWRA)」）地帶。當中「食肆」涵蓋「餐廳」用途，屬於第二欄用途，須取得城規會的規劃許可。

申請地點現持有有效規劃許可（申請編號 A/YL-NSW/369）。城規會已於 2026 年 6 月 5 日有條件批准申請地點以臨時形式繼續作食肆（餐廳）用途的規劃許可續期申請，許可期限為 3 年。本次申請旨在建議增加樓面面積，以配合申請人的營運需要。

擬議發展有充分規劃理據支持，理由如下：

- 擬議發展的規模及土地用途與其附近以低矮住宅建築、食肆、商店及服務行業及露天貨倉為主的鄉郊發展相容；
- 擬議食肆的性質有助服務當地社區；
- 申請地點目前並無永久發展計劃，批出為期 3 年的臨時許可並不影響 OU(CDWRA)地帶的長遠規劃意向；及
- 擬議發展不會對周邊環境、排水、消防安全及交通造成不良影響。

基於以上理據，申請人謹請城規會批准本申請。

（聲明：此中文譯本僅供參考，如中文譯本和英文原文有差異時，應以英文原文為準。）

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1. Introduction

DeSPACE (International) Limited, on behalf of Gala Growth Company Limited (the “Applicant”), submits this Section 16 Town Planning Application to the Town Planning Board (“TPB”) for a Proposed Temporary Eating Place (Restaurant) (the “Proposed Development”) for a Period of 3 Years at Lots 3719 S.G ss.9 RP, 3719 S.G ss.10 (Part) in D.D. 104 and adjoining Government Land (“GL”), Nam Sang Wai, Yuen Long, New Territories (the “Application Site”, see **Figure 1** – Location Plan).

The Application Site covers about 1,216m² (including about 393m² of GL) (see **Figure 2** – Site Plan) and is zoned “Other Specified Uses (Comprehensive Development to include Wetland Restoration Area)” (“OU(CDWRA)”) under the Approved Nam Sang Wai OZP No. S/YL-NSW/12 (the “OZP”). The proposed Restaurant is subsumed in Eating Place, and falls under Column 2 use requiring TPB permission.

The Application Site currently holds a planning permission No. A/YL-NSW/369 (the “Approved Scheme”) granted on 5.6.2026 for a renewal of temporary Eating Place (Restaurant) for a Period of 3 Years. This application seeks approval to add additional floor area to support operational needs. This planning statement thus provides the project details and justifications for the TPB’s favourable consideration.

2. Site Context

2.1 Application Site and Its Surrounding Areas

The Application Site adjoins Yau Pok Road and a local track branching from Fairview Park Boulevard (see **Figure 1**). It currently has temporary structures for Eating Place (Restaurant) use that have maintained valid planning approvals since 1997. Meanwhile, a New Territories Exempted House (“NTEH”) was approved by TPB in 1991 (No. A/DPA/YL-NSW/4) and currently act as ancillary staff quarters for the Restaurant.

Surrounding areas include low-rise residential developments (e.g. Fairview Park, Yau Pok Road Light Public Housing), open storage yards, a school, plant nursery, vehicle parks, eating places, and nullahs. Nearby uses with valid permissions include a temporary shop and services sites to the north (No. A/YL-NSW/362; A/YL-NSW/401), creating synergies for local residents.

2.2 Land Administration

The Application Site comprises of Old Schedule Agricultural Lots held under the Block Government Lease which contains the restriction that no structures are allowed to be erected without the prior approval of the Government. A valid Building License and Short Term Waiver (STW; No. STW2568) are held allowing structures on the private Lots for the NTEH and Restaurant uses, respectively. Upon approval, the Applicant will apply to the Lands Department to modify the STW. Moreover, a Short Term Tenancy (STT) shall also be submitted for the GL of the Application Site.

3. Town Planning Context

3.1 Statutory Planning Requirements

The Application Site is zoned “OU(CDWRA)” on the OZP (**Figure 1** refers). According to the Schedule of Uses of the OZP, the zone is intended to encourage wetland restoration through comprehensive development while phasing out sporadic open storage and port back-up uses. New buildings should be located away from Deep Bay, but individual temporary uses under 3 years may be exempt from the requirement of providing a wetland restoration proposal. The Applicant proposes a 3-year temporary Eating Place (Restaurant), thus requiring TPB planning permission. This use aims to serve the local community and visitors without conflicting with the area's long-term planning goals.

In accordance with TPB PG-No. 12C, the Application Site falls within the Wetland Buffer Area, which is intended to safeguard the ecological integrity of fish ponds and wetland habitats within the Wetland Conservation Area, and to prevent development that may cause off-site disturbance to their ecological value. Given that the applied use is temporary in nature, the requirement to submit an Ecological Impact Assessment is exempted.

3.2 Previous Planning Approvals

The Site is involved in 13 previous approved applications (No. A/DPA/YL-NSW/4, A/YL-NSW/20, 40, 66, 111, 174, 193, 208, 228, 256, 279, 311 and 369). The first application (No. A/DPA/YL-NSW/4) was approved in 1991 for a NTEH (Small House) while the subsequent 12 applications for the same applied use as the current application which were all approved between 1997 and 2026.

The current valid planning permission was granted under Application No. A/YL-NSW/369, which was approved with conditions on 5.6.2026 for a period of 3 years expiring on 22.7.2029. All approval conditions related to the previously approved application No. A/YL-NSW/311 (effective from 23.7.2023 until 22.7.2026), including those relating to the submission of a condition record of existing drainage facilities and the submission/provision of fire services installations (“FSI”), have been duly complied.

3.3 Similar Planning Approvals

Although there are no similar applications of Eating Place use in the OU(CDWRA) zone on the OZP, **Table 1** shows 1 similar approval for temporary Eating Place in the vicinity approved in the past three years. The approvals were based on no adverse government comments, compatibility with surrounding uses, no frustration with long-term planning intention of its original zoning, and serving local community needs. The Application is therefore fully in line with the above considerations.

Table 1: Similar Planning Approvals

Case No. (Decision Date)	Applied Use	Planning Justifications
A/YL- MP/342 (14.07.2023)	Temporary Eating Place for a Period of 3 Years	<ul style="list-style-type: none"> • The proposed use could <u>serve nearby locals and workers</u>. • The proposed use <u>would not jeopardise the long-term planning intention</u> of the “R(D)” zone. • The proposed use is generally <u>not incompatible with the surrounding land uses</u>, which comprise residential developments and retail shops along Fairview Park Boulevard. • All other government departments consulted have <u>no objection to or no adverse comment</u> on the application.

4. Proposed Development

The proposed Restaurant and ancillary staff quarters (the “Proposed Development”) are accommodated within an existing New Territories Exempted House (“NTEH”) and a temporary structure. Compared to the Approved Scheme, the site area and gross floor area (“GFA”) have increased, site coverage and number of blocks have decreased, while the proposed use, building height, and operating hours remain unchanged. The Proposed Development will serve the needs of nearby residents and help meet local demand for Restaurants. Key differences in major development parameters are summarised in **Table 2** and reflected in **Figure 3 – Layout Plan**.

No car parking spaces are proposed within the Application Site. According to the past operational experience of the Applicant, light goods vehicle (“LGV”) is sufficient to accommodate the transportation needs of the Proposed Development. Therefore, the heavy goods vehicle (“HGV”) loading/unloading bay (“L/UL Bay”) is reprovisioned as a LGV L/UL bay situated on the included GL in the current proposed scheme, with sufficient maneuvering space provided. No medium or large goods vehicles, including container vehicles, will enter the Application Site. It is to be noted that the replenishment of goods for the Proposed Development will be carried out during non-peak hours in the daytime and no replenishment of goods will be carried out in the night-time.

Table 2: Major Development Parameters

Major Development Parameters	Approved Scheme (AYL-NSW/369) (a)	Current Application (b)	Difference (b) - (a)
Proposed Use	Temporary Eating Place (Restaurant)		-
Site Area (About)	840m ²	1,216m ² (incl. about 393m ² of GL)	+376m ²
Total GFA (About) <ul style="list-style-type: none"> • Domestic • Non-domestic 	869m ² 267m ² 602m ²	1,257m ² 130m ² 1,127m ²	+388m ² -137m ² +525m ²
No. of Blocks	1 existing NTEH and 3 temporary structures	1 existing NTEH and 1 temporary structures	-2 temporary structures
Building Height	NTEH: 3 storeys (8.23m) Temporary structures: 1-2 storeys (2.34m to 5.48m)		-
Site Coverage (About)	71.7%	70.2%	-1.5%
No. of Loading/Unloading Bays	1 HGV bay	1 LGV bay	-
Operation Hours	7:30 a.m. to 10 p.m. (daily, incl. public holidays)		-
Uses by Floor	G/F: Restaurant, storage, loading/unloading bay 1/F: Staff quarters/rest area 2/F: Staff quarters		-

5. Planning and Development Justifications

5.1 No Frustration of Long-term Planning Intention of OU(CDWRA) Zone

The Proposed Development use has operated under valid approvals since 1997. Although it does not fully align with the "OU(CDWRA)" zone's long-term planning intention, it meets local demand and there are no known future development plans for the Application Site. Approval for 3 years will not jeopardise the zone's planning goals, as the Proposed Development will not cause permanent or irreversible influence on the land and its temporary nature will not generate significant nuisance. It should be encouraged to make economic use and better utilisation of scarce land resources on a temporary basis.

5.2 Compatible Land Use

Surrounded by low-rise residential areas, plant nurseries, storage yards, vehicle parks, eating places, and shop and services, the Proposed Development can meet the needs of residents and workers nearby. Approvals for the Shop and Services use near the Application Site (e.g., AYL-NSW/362, AYL-MP/401) and Eating Place use (AYL-MP/342) also reflect growing community demand for such facilities, hence further justifying the approval of the Proposed Development.

5.3 No Insurmountable Environmental and Hygiene Impacts

The Application Site is currently seeking an application for relevant food license(s) issued by FEHD. The Applicant will follow the 'Code of Practice on Handling the Environmental Aspects of Temporary Uses and Open Storage Sites' and 'Control of Oil Fume and Cooking Odour from Restaurant and Food Business' to control oily fume and cooking odour emissions generated from the Proposed Development. Adequate air pollution control equipment is provided at the kitchen ventilation system for treating cooking fume emissions before being discharged to the outdoor environment, in order to fulfil the requirements of the Air Pollution Control Ordinance. The Applicant would properly maintain the ventilation system to control noise impact. The operation of the Proposed Development therefore will not cause any environmental nuisance to the surroundings.

5.4 No Insurmountable Drainage Impacts

Since the extents of the Proposed Development remains similar, the drainage facilities provided in the Approved Scheme would still be valid. The change in the drainage provision under the current application compared to the previous application is therefore minimal with no significant change in the flow characteristics. The Applicant will be liable for the implementation and maintenance of the drainage facilities at their cost.

All wastewater collected from the kitchen, including that from basins, sinks and floor drains, will be discharged via a grease trap in accordance with ProPECC PN 1/23 "Drainage Plans subject to Comment by Environmental Protection Department" and effluent discharges from the Proposed Development are subject to control under the Water Pollution Control Ordinance. It is anticipated that drainage impacts from the Proposed Development are thus negligible.

5.5 No Insurmountable Fire Safety Impacts

Since the extents of the Proposed Development remains similar, the fire service installations provided in the Approved Scheme would still be valid. It is anticipated that fire safety impacts from the Proposed Development are negligible. The Applicant will be liable for the implementation and maintenance of the proposed FSI at their cost.

5.6 No Insurmountable Traffic Impacts

The Proposed Development is to serve the nearby locals. No private car parking is provided at the Site. Visitors are required to access the Proposed Development by walking or public transport. Since the staff of the proposed Restaurant will reside in the ancillary staff quarters, no trip generation and attraction from staff to the proposed Restaurant are anticipated in this regard,

Moreover, as mentioned in section 4, goods to support the operation of the proposed Restaurant are transported to the Application Site by LGV once a day. No vehicle will be allowed to queue back to or reverse onto/from the Site at any time during the planning approval period, with a swept path analysis provided in **Figure 4** for demonstration. Hence, adverse traffic impact is not anticipated.

6. Conclusion

This supplementary planning statement seeks Section 16 planning permission for a 3-year Temporary Eating Place (Restaurant) for a Period of 3 Years at Lots 3719 S.G ss.9 RP, 3719 S.G ss.10 (Part) in D.D.104 and Adjoining Government Land, Nam Sang Wai, Yuen Long. The proposal is fully justified on the following grounds:

- The Proposed Development on a temporary basis possesses compatible development scale and land use with its nearby rural developments predominated by low-rise residential development, eating place, shop and services, and open storage yards.
- The nature of Restaurant use could serve the local neighbourhood;
- There is no immediate permanent development proposal at the Application Site, and approval of the application on a temporary basis of a period of 3 years would not frustrate the long-term planning intention of the “OU(CDWRA)” zone; and
- There would be no adverse impacts to the surroundings in terms of traffic, environmental, drainage, fire safety, and traffic issues.

In view of the above, TPB members are respectfully requested to grant approval in support of the Proposed Development.