

**Section 16 Planning Application for
Renewal of Planning Approval for Temporary Transitional Housing
and Ancillary Uses for a Period of 2 Years and 5 months,
at Lots 1212 S.B RP (Part) and 1212 S.C ss.3 RP in D.D. 115
and Adjoining Government Land, Tung Tau, Yuen Long, New Territories**

PLANNING STATEMENT



Toco Planning Consultants Ltd.



Table of Contents

	<u>Page No.</u>
Executive Summary	
1 INTRODUCTION	1
2 PLANNING BACKGROUND	3
2.1 Site Location and Accessibility	3
2.2 Site Condition	3
2.3 Adjacent Land Uses	3
2.4 Planning Context	4
2.5 Land Status	5
3 DEVELOPMENT PROPOSAL	6
3.1 Master Layout Plan and Development Schedule	6
3.2 Landscape Consideration	7
3.3 Access Arrangement	7
3.4 Site Management for the Adjacent Pond by the Prespective Land Owner	7
4 PLANNING JUSTIFICATIONS	8
4.1 In Line with Government's Initiative on Transitional Housing	8
4.2 Compatible Temporary Use without Affecting the "OU(CDWRA)" zone	8
4.3 Adherence to the TPB Guidelines on Renewal of Planning Approval	9
4.4 Adherence to the TPB Guidelines on Developments within Deep Bay Area	10
4.5 No Insumountable Technical Impacts	10
4.6 Unlikely to Set an Undesirable Precedent	12
5 CONCLUSION	13

LIST OF APPENDICES

Appendix I	Letters of Town Planning Board Approval and Compliance with Approval Conditions under Application No. A/YL-NSW/281
Appendix II	Letters of Town Planning Board Approval and Compliance with Approval Conditions under Application No. A/YL-NSW/321
Appendix III	Approved MLP and GBPs
Appendix IV	Updated Drainage Record Plan
Appendix V	Latest F.S. 251

LIST OF FIGURES

FOLLOWING PAGE

Plan A	Zoning and Location Plan	1
Plan B	Site Plan	3
-	Site Photos (1)	3
-	Site Photos (2)	3
Plan C	Land Status Plan	4
Plan D	Master Layout Plan	6
Plan E	Floor Plan	6
Plan F	Landscape Master Plan	7
Plan G	Landscape Section A-A	7
Plan H	Landscape Section B-B and C-C	7
Plan I	Photos Showing the Condition of the Vehicular Access of the Site	11

LIST OF TABLES

PAGE

Table 3.1:	Planning Parameters of the Development Proposal	6
Table 4.1:	Fulfilment of Assessment Criteria under TPB PG-No. 34D	9

Executive Summary

This section 16 (s.16) planning application is submitted by Toco Planning Consultants Limited on behalf of Hong Kong Sheng Kung Hui Welfare Council Limited (the Applicant), which is a non-profit making organisation providing a wide range of social services in the society. The Applicant seeks planning permission from the Town Planning Board (TPB) for a renewal of planning approval under Application No. A/YL-NSW/321 for the temporary transitional housing development and ancillary uses for a period of 2 years and 5 months covering Lots 1212 S.B RP (Part) and 1212 S.C ss.3 RP in D.D. 115 and the adjoining Government land, Tung Tau, Yuen Long (the application site). The application site is about 23,337m² in area and is currently zoned “Other Specified Uses” annotated “Comprehensive Development to include Wetland Restoration Area” (“OU(CDWRA)”) on the Approved Nam Sang Wai Outline Zoning Plan No. S/YL-NSW/12. The subject temporary transitional housing development involves three 4-storey residential blocks and four 1 to 2-storey ancillary blocks, providing a total of 1,800 units.

To facilitate a short-term housing initiative as proposed by the Government in 2018, the Applicant submitted a s.16 planning application (No. A/YL-NSW/281) for a proposed temporary transitional housing development at the site. The aforesaid application was approved by the TPB on 23.10.2020, and the approved transitional housing development was named as “United Court” after completion with first population intakes in May 2022. Since then, United Court has been operating in a non-profit making nature to alleviate imminently the hardship of families on the public rental housing waiting list and those currently inadequately housed. It is intended to operate for a total of eight years (i.e. until 30.3.2029).

Subsequently, a s.16 planning application (No. A/YL-NSW/321) for a renewal of the previous planning approval for a period of 3 years was approved by the TPB on 22.9.2023. As the currently valid planning approval will expire on 23.10.2026, the Applicant now seeks for permission to renew the planning approval in order to facilitate continuity of the transitional housing development for the underprivileged families, which is in line with the Government policy. Compared with the scheme of the last approved application, the development scheme under this application is the same in terms of the applied use, site area / boundary and major development parameters.

Planning assessment shows that the subject temporary nature and low-rise built form of the development, as implemented in accordance with the approved scheme, is considered compatible with the surrounding area with low to medium-rise residential developments and some commercial and institutional uses in the vicinity. It is in line with the TPB Guidelines No. 34D in that there is no material change in planning circumstances since the original permission was granted, and there is no adverse planning implications arising from the renewal of planning approval. The Applicant has fulfilled all the approval conditions under the previous approval. The proposed renewal of further 2 years and 5 months is considered reasonable as it does not exceed the original validity period of temporary approval. Furthermore, the subject transitional housing development has been implemented and currently in operation, and will unlikely cause adverse ecological impacts and therefore renewal of the application would not violate the TPB Guidelines No. 12C. It will not create any insurmountable adverse impacts in terms of traffic, environmental or technical aspects. Given its temporary nature and the planning gains brought by United Court, the approval of this application will not set an undesirable precedent for other similar applications and frustrate the long-term planning intention of the same “OU(CDWRA)” zone.

行政摘要

(內容如有差異，應以英文版本為準)

香港聖公會福利協會有限公司 (申請人)，是一所為社區提供多元社會服務的非牟利組織，現透過達材都市規劃顧問有限公司，根據城市規劃 (城規) 條例第 16 條向城市規劃委員會 (城規會) 遞交規劃許可申請，以准許就位於元朗東頭丈量約份 115 約地段第 1212 號 B 分段餘段 (部分) 及第 1212 號 C 分段 3 小分段餘段和毗連政府土地內 (申請地點) 作臨時過渡性房屋發展及附屬用途之規劃許可編號 A/YL-NSW/321 獲得續期，為期 2 年 5 個月。申請地點面積約有 23,337 平方米，現時在南生圍分區計劃大綱核准圖編號 S/YL-NSW/12 上被訂為「其他指定用途」註明「綜合發展包括濕地修復區」地帶。此臨時過渡性房屋發展包括三棟 4 層樓高的住宅大樓和四棟 1 至 2 層樓的附屬大樓，共提供 1,800 個單位。

為配合政府在 2018 年中所提出的房屋供應短期措施，申請人就擬議臨時過渡性房屋發展根據城規條例第 16 條遞交規劃許可申請 (編號：A/YL-NSW/281)，申請於 2020 年 10 月 23 日獲得城規會批准，並在核准過渡性房屋發展落成後命名為同心村，並於 2022 年 5 月開始入住。自此之後，同心村一直以非營利性質運作，旨在舒緩在輪候公屋名單上的家庭和目前住房條件惡劣的家庭的迫切困境。申請人期望能營運同心村 8 年 (即至 2029 年 3 月 30 日)。

其後，一宗按城規條例第 16 條就續期上回規劃許可三年的規劃申請 (編號：A/YL-NSW/321) 於 2023 年 9 月 22 日獲得城規會批准。由於現時有效的規劃許可將於 2026 年 10 月 23 日屆滿，申請人於是作出是次申請續期，以確保為基層家庭提供的過渡性住房項目能夠持續運作，與政府政策互相配合。與上次獲批的規劃方案相比，是次申請計劃在用途、場地面積／界線和主要發展參數方面均完全一致。

規劃評估指出是次臨時低層建築發展是按照已批准之方案實施的，與週邊環境例如附近的低層至中層的住宅、商業和機構用途互相協調。此外，發展符合規劃指引編號第 34D 號之準則，自上次批給臨時許可後，規劃情況沒有任何重大改變，而規劃許可獲續期亦不會在規劃上帶來不良的影響。申請人已經履行所有上次規劃許可的附帶條件，擬議續期的額外 2 年 5 個月是合理的，因為該時間沒有超過先前獲批給規劃許可的期限。另一方面，這過渡性房屋發展已實施並正在運營，故不會對生態造成不良影響，因此續期申請不會違反規劃指引編號第 12C 號之準則，亦不會在交通、環境或技術層面上造成無可克服的不良影響。由於發展屬臨時性質，加上同心村帶來的社區增益，批准本申請不會為其他類似申請立下不良先例，亦不會阻礙同一「其他指定用途」註明「綜合發展包括濕地修復區」地帶的長遠規劃意向。

PART I- MAIN REPORT



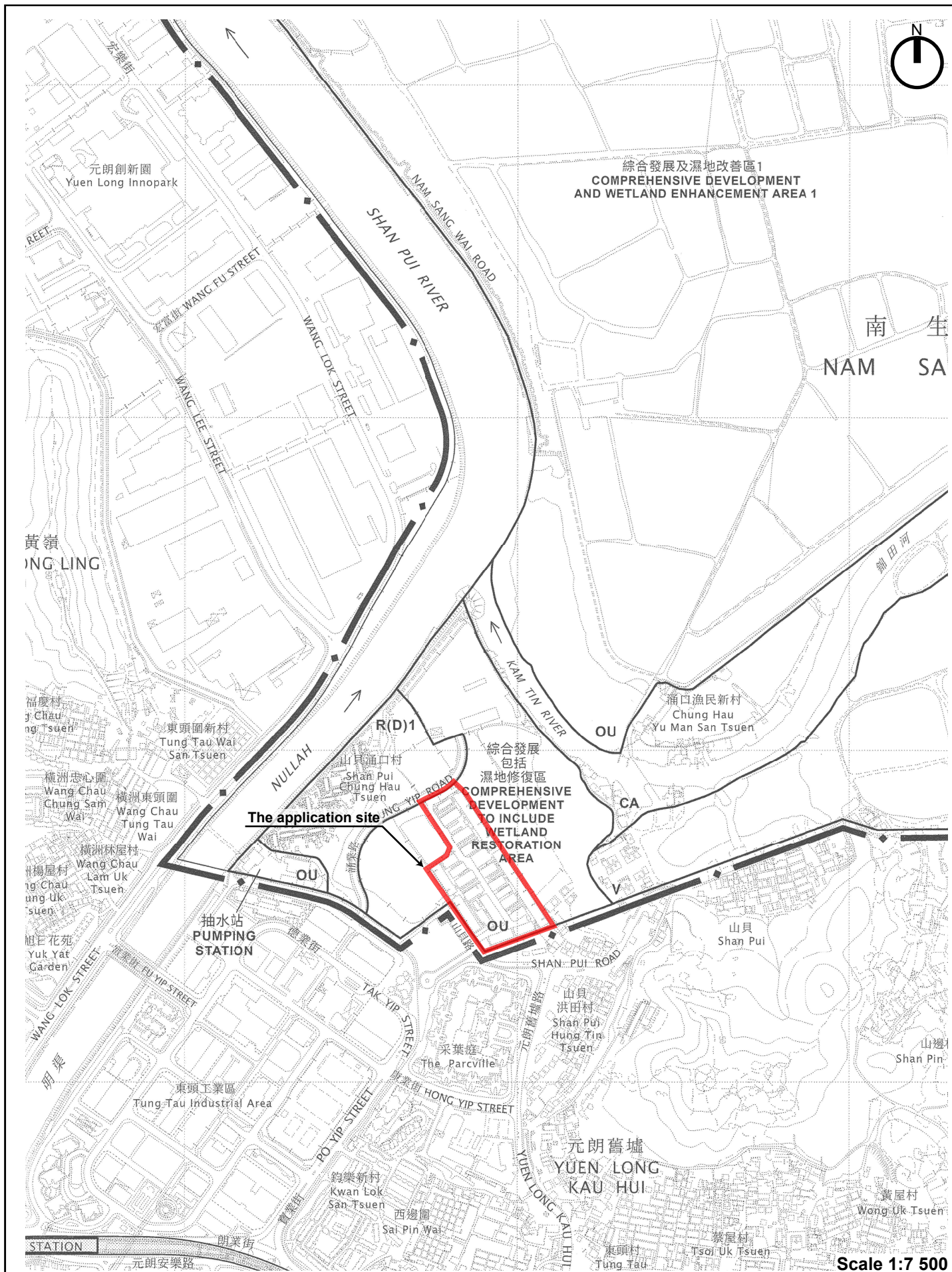
1. INTRODUCTION

This section 16 (s.16) planning application is submitted by Toco Planning Consultants Limited on behalf of Hong Kong Sheng Kung Hui Welfare Council Limited (the Applicant), which is a non-profit making organisation providing a wide range of social services in the society. The Applicant seeks planning permission from the Town Planning Board (the Board / TPB) for a renewal of planning approval under Application No. A/YL-NSW/321 for the temporary transitional housing development and ancillary uses for a period of 2 years and 5 months covering Lots 1212 S.B RP (Part) and 1212 S.C ss.3 RP in D.D. 115 and the adjoining Government land (GL), Tung Tau, Yuen Long, New Territories (the application site). The application site is about 23,337m² in area and is currently zoned “Other Specified Uses” annotated “Comprehensive Development to include Wetland Restoration Area” (“OU(CDWRA)”) on the Approved Nam Sang Wai Outline Zoning Plan (OZP) No. S/YL-NSW/12 (**Plan A**). The subject temporary transitional housing development involves three 4-storey residential blocks and four 1 to 2 storey ancillary blocks, providing a total of 1,800 units.

To facilitate a short-term housing initiative as proposed by the Government in 2018, the Applicant submitted a s.16 planning application (No. A/YL-NSW/281) for a proposed transitional housing development at the application site. The aforesaid application was approved by the Board on 23.10.2020 (see **Appendix I**), and the approved transitional housing development was named as “United Court” after completion with first population intakes in May 2022. Since then, United Court has been operating in a non-profit making nature to alleviate imminently the hardship of families on the public rental housing waiting list and those currently inadequately housed. It is intended to operate for a total of eight years (i.e. until 30.3.2029).

Subsequently, on 22.9.2023, a s.16 planning application (No. A/YL-NSW/321) for a renewal of the previous planning approval for a period of 3 years was approved by the Board (see **Appendix II**). As the currently valid planning approval will expire on 23.10.2026, the Applicant now seeks for permission to renew the planning approval. Compared with the scheme of the last approved application, the development scheme under this application is the same in terms of the applied use, site area / boundary and major development parameters. Planning assessment has indicated that the present application is well justified for the following reasons:

- (a) the proposed renewal of further 2 years and 5 months can facilitate continuity of the transitional housing development with 1,800 units for the underprivileged families, which is in line with the Government policy;
- (b) the temporary nature and low-rise built form of the development, as implemented in accordance with the approved scheme, is considered compatible with the surrounding area with low to medium-rise residential developments and some commercial and institutional uses in the vicinity;



Plan A: Zoning and Location Plan

Extract of Approved Nam Sang Wai Outline Zoning Plan No. S/YL-NSW/12
(Prepared on 6.7.2026)

- (c) it is generally in line with the TPB Guidelines on “Renewal of Planning Approval and Extension of Time for Compliance with Planning Conditions for Temporary Use or Development” (TPB PG-No. 34D) in that:
- the Applicant has complied with all the approval conditions under the previous approvals (see **Appendix I** and **Appendix II**);
 - the current scheme is the same as the previous scheme under Application No. A/YL-NSW/321;
 - there is no material change in planning circumstances such as planning policy and land use zoning in the area since the original permission was granted;
 - there is no adverse planning implications (or pre-emption of planned permanent development in the area) arising from the renewal of the planning approval;
 - the proposed renewal of further 2 years and 5 months is considered reasonable as it does not exceed the original validity period of temporary approval.
- (d) the transitional housing development has been implemented and currently in operation, and will unlikely cause adverse ecological impacts and therefore renewal of the application would not violate the TPB Guidelines for “Application for Developments within Deep Bay Area” (TPB PG-No. 12C); and
- (e) it will not create any insurmountable adverse impacts in terms of traffic, environmental or technical aspects, and given its temporary nature and the planning gains brought by United Court, the approval of this application will not set an undesirable precedent for other similar applications and frustrate the long-term planning intention of the same “OU(CDWRA)” zone.

The above planning justifications are further elaborated in **Section 4**.

2. PLANNING BACKGROUND

2.1 Site Location and Accessibility

The application site is located adjacent to the Tung Tau business and residential area, the northern fringe of Yuen Long Town Centre. It is bounded by Chung Yip Road to the north; a piece of grassland to the east; some residential dwellings and carpark to the south (**Photo 7**); and a pond, a temporary warehouse (**Photo 9**) and Shan Pui Road to the west.

The application site is accessible via Shan Pui Road (**Photo 8**) and Chung Yip Road (**Photo 10**). It is about 12 minutes walk from both Mass Transit Railway (MTR) Yuen Long and Long Ping Stations. There are franchised bus and green mini bus (GMB) routes running in the Tung Tau area near the site.

2.2 Site Condition

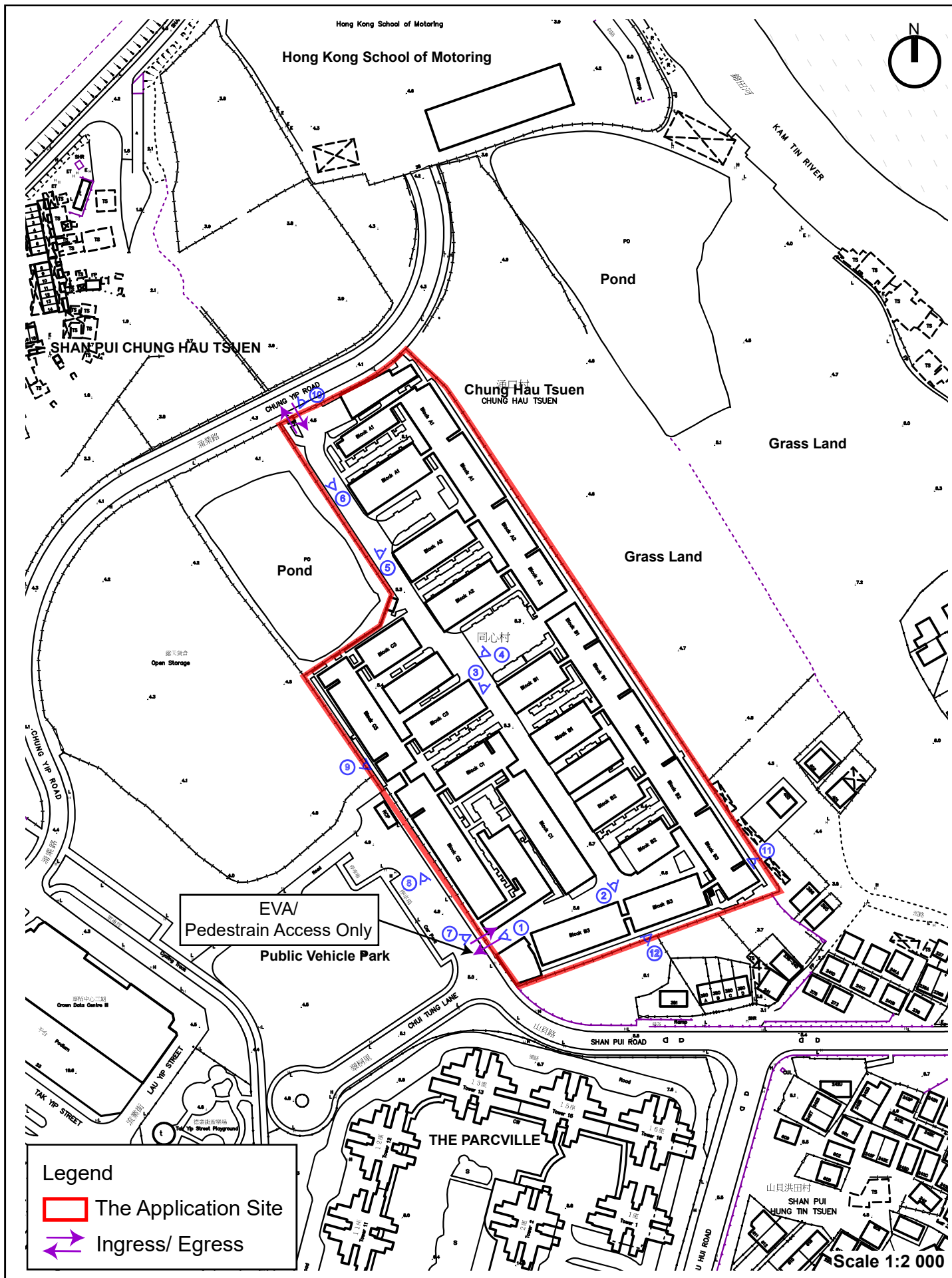
With a total area of about 23,337m², the application site is currently used for the applied use (i.e. a transitional housing development named United Court operated by the Applicant) covered by valid planning permission under Application No. A/YL-NSW/321 until 23.10.2026 (see **Plan B**). United Court involves three 4-storey residential blocks and four 1 to 2-storey ancillary blocks, providing a total of 1,800 units. Five types of flats with toilet and kitchen/pantry and unit size from about 16.5m² to 39.5m² for singletons, families and disabled are provided (**Photo 3** and **Photo 5**). The four ancillary blocks accommodate ancillary services such as integrated social services centre, estate office, communal pantry and laundry, small-scale shop and services (e.g. shared goods store and low-cost convenience stores) and multi-purpose rooms for non-governmental organisations (NGOs) to offer services or arrange activities for the future residents (e.g. after school child care services) (**Photo 1**, **Photo 2** and **Photo 4**).

The application site is accessible by vehicles from Shan Pui Road, while the access at Chung Yip Road only serves as emergency vehicular access and maintenance purpose. Pedestrian accesses are available at both Chung Yip Road (**Photo 6**) and Shan Pui Road. Three loading/unloading spaces and 150 bicycle parking spaces are provided within the site. No residential car parking space is provided.

2.3 Adjacent Land Uses

The surrounding areas have the following characteristics (see **Plan B**):

- (a) North – to its north across Chung Yip Road are the proposed residential development under construction with valid planning permission (No. A/YL-NSW/282), and Shan Pui Chung Hau Tsuen; to its further north is the Hong Kong School of Motoring under approval Application No. A/YL-NSW/324;



Plan B: Site Plan

(Prepared on 9.7.2026)



Photo 1: Entrance of the site from Shan Pui Road.



Photo 2: The southern side of the site.



Photo 3: Open plaza in the site.



Photo 4: The eastern side of the site.



Photo 5: Multi-purpose play area/ fitness area and communal garden.



Photo 6: Entrance of the site facing Chung Yip Road.



Site Photos (1)

(Prepared on 7.7.2026)



Photo 7: Carpark and The Parcville southwest of the site.



Photo 8: Shan Pui Road and green minibus stop to the west of the site.



Photo 9: Open storage northwest of the site.



Photo 10: Chung Yip Road to the north of the site.



Photo 11: Village houses southeast of the site.



Photo 12: The Parcville to the south of the site.

- (b) East – to its immediately east are grassland and a pond; to the further east across the Kam Tin River are the Wetland Conservation Area;
- (c) South – to its southeast are residential dwellings (**Photo 11**); and to its south across the Shan Pui Road is the residential development of Parcville (**Photo 12**); and
- (d) West – to its immediate west are a pond and a temporary warehouse under approval Application No. A/YL-NSW/334 (**Photo 9**); and to the further west is the Tung Tau Industrial Area.

2.4 Planning Context

The application site falls within the “OU(CDWRA)” zone on the Approved Nam Sang Wai OZP No. S/YL-NSW/12 (see **Plan A**). According to the Notes of the OZP, the planning intention of this zone is intended to provide incentive for the restoration of degraded wetlands adjoining existing fish ponds through comprehensive residential and/or recreational development to include wetland restoration area. It is also intended to phase out existing sporadic open storage and port back-up uses on degraded wetlands. Any new building should be located farthest away from Deep Bay.

The Notes of the OZP also states that no new development, or addition, alteration and/or modification to or redevelopment of an existing building shall result in a total development and/or redevelopment in excess of a maximum plot ratio (PR) of 0.4 and a maximum building height (BH) of 6 storeys including car park. Temporary use or development not exceeding a period of three years requires planning permission from the Board ⁽¹⁾.

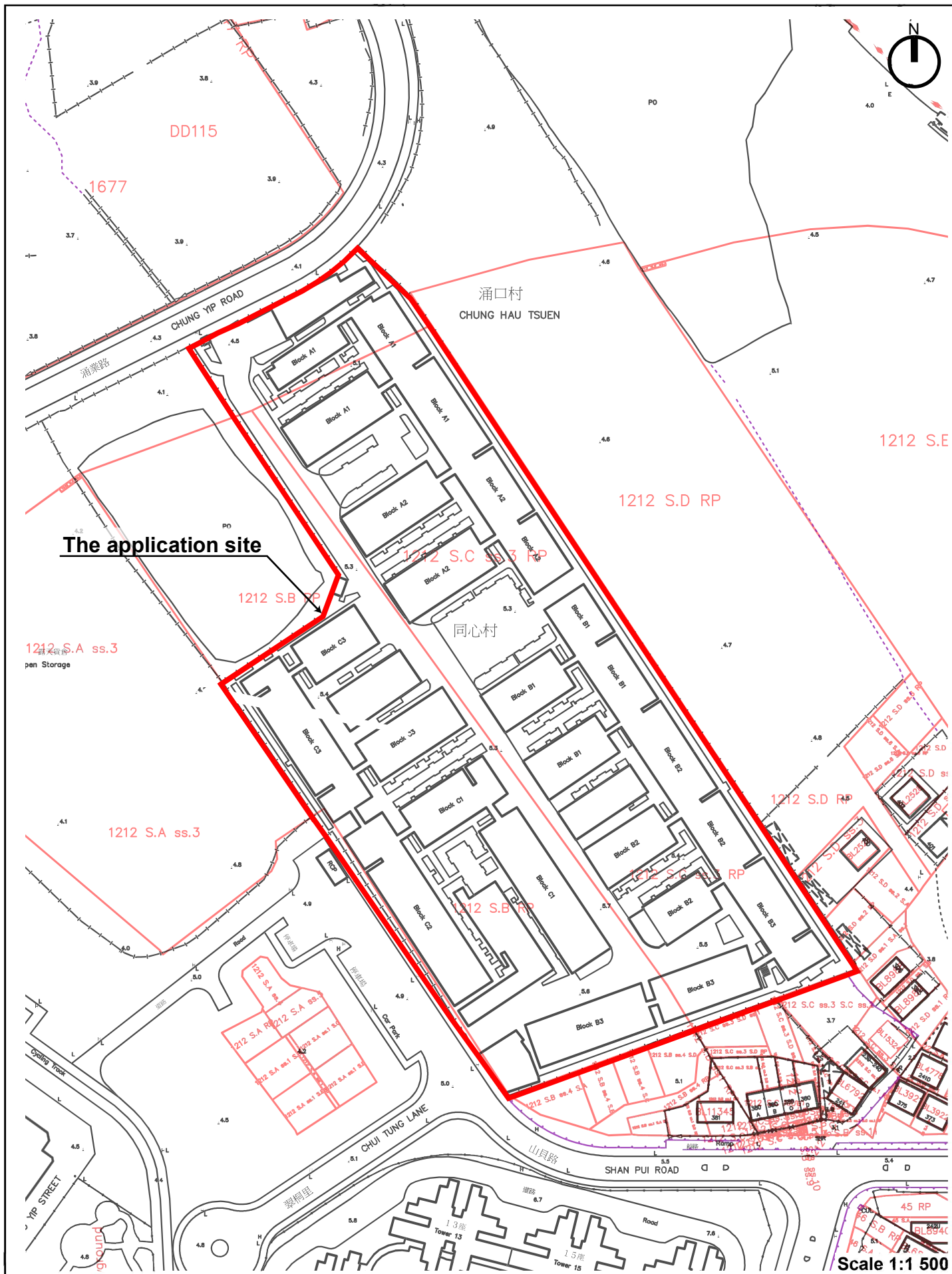
The application site (or part of) was subject to five previous applications. While three of the previous applications (Nos. A/DPA/YL-NSW2 and 25, and A/YL-NSW/189) are irrelevant to the current renewal application, the last two applications (Nos. A/YL-NSW/281 and 321) for the current use covering the site applied by the Applicant was approved by the Board on 23.10.2020 and 22.9.2023 respectively. In view of the current valid planning permission will lapse on 23.10.2026, this s.16 planning application is prepared to seek approval from TPB for the continuation of the operation of United Court for a period of 2 years and 5 months. The proposed extension period aligns with the current lease term (i.e. until 30.3.2029) signed between the Applicant and their land tenure.

The TPB Guidelines for “Application for Developments within Deep Bay Area” (TPB PG-No. 12C) and the TPB Guidelines on “Renewal of Planning Approval and Extension of Time for Compliance with Planning Conditions for Temporary Use or Development” (TPB PG-No. 34D) are relevant to this s.16 planning application.

¹ While ‘Flat’ and ‘Residential Institution’ are Column 2 uses in the “OU(CDWRA)” zone, the PR and BH of the development exceed the development restrictions of this zone. Thus, temporary approval of three years is applied.

2.5 Land Status

The application site involves Lots 1212 S.B RP (Part) and 1212 S.C ss.3 RP in D.D. 115 (about 21,467m² in area) and the adjoining GL (about 1,870m² in area) (see **Plan C**). It falls within Short Term Tenancy No. 3298 by direct grant to the Applicant and the subject private lots which are covered by Short Term Waiver No. 5133 for the purposes of temporary transitional housing development.



Plan C: Land Status Plan

(Prepared on 9.7.2026)

3. DEVELOPMENT PROPOSAL

3.1 Master Layout Plan and Development Schedule

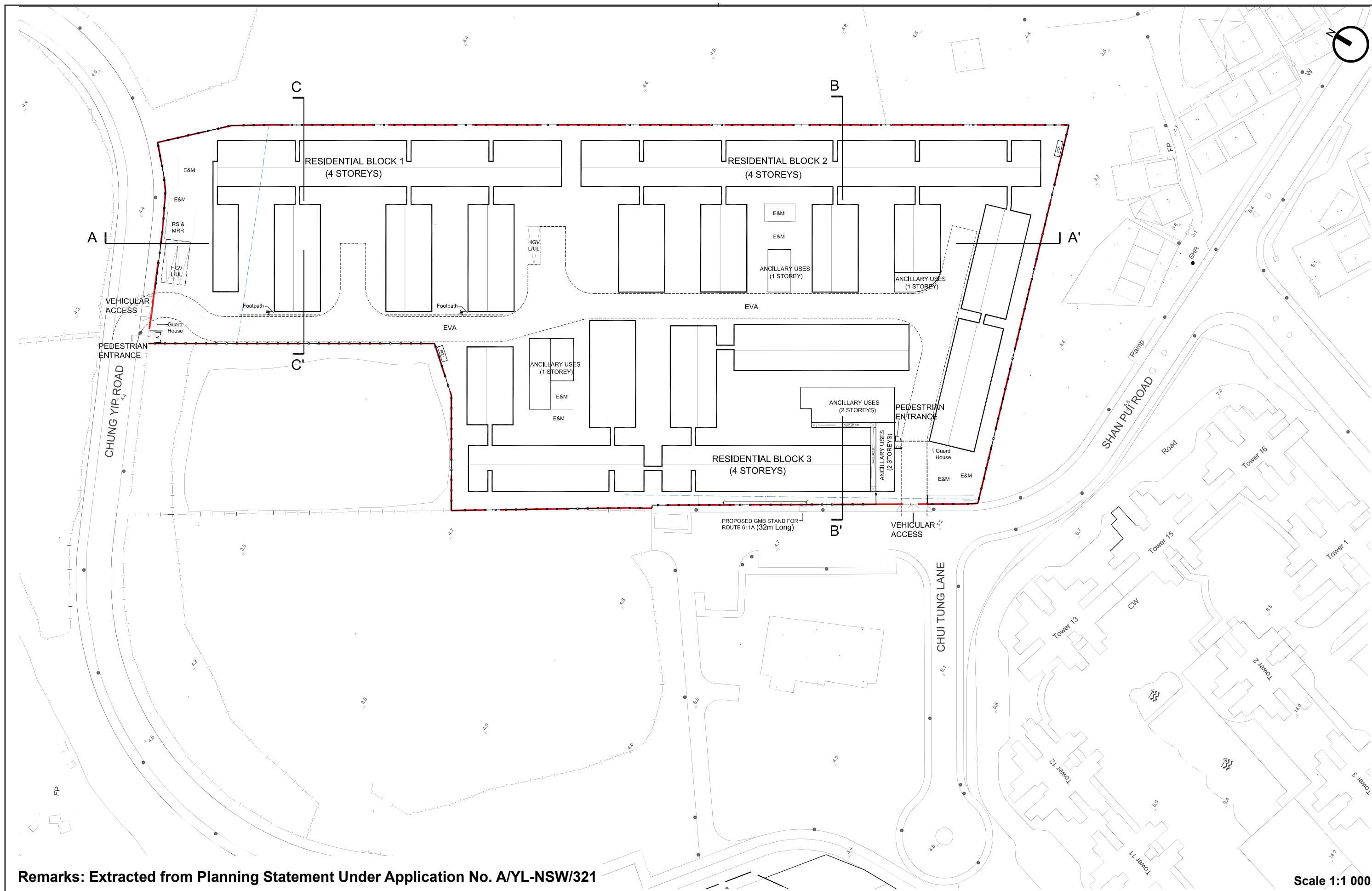
The subject transitional housing development, named United Court, is temporary and non-profit making in nature. Consistent with the Government policy, the target tenants are families on the public housing waiting list and those currently living in inadequate housing conditions, including single-parent households. According to the underlying land lease agreement with the landowner, the Applicant anticipates operating United Court for eight years (until 30.3.2029) as proposed in the approved s.16 planning application and in line with the current renewal application.

The development scheme under the current application remains the same under the approved scheme under Application No. A/YL-NSW/321. As detailed in **Section 2.2**, it comprises three 4-storey residential blocks and four 1 to 2-storey ancillary blocks. The residential blocks comprise of five types of flats with toilet and kitchen/pantry and unit size from about 16.5m² to 39.5m² for singletons, families and disabled. The ancillary blocks such as integrated social service centre, estate office, communal pantry, communal laundry, small-scale shop and services and multi-purpose rooms for NGO to offer services to or arrange activities for the residents. The approved Master Layout Plan and Floor Plan are shown in **Plan D** and **Plan E** respectively.

The major planning parameters of the development are listed in **Table 3.1** below. As per to the approved General Building Plans (see **Appendix III**), the development has a total gross floor area (GFA) of about 39,307m². With a site area of about 23,337m², the total PR is about 1.66. A total of 1,800 transitional housing units to house about 3,840 residents throughout the project.

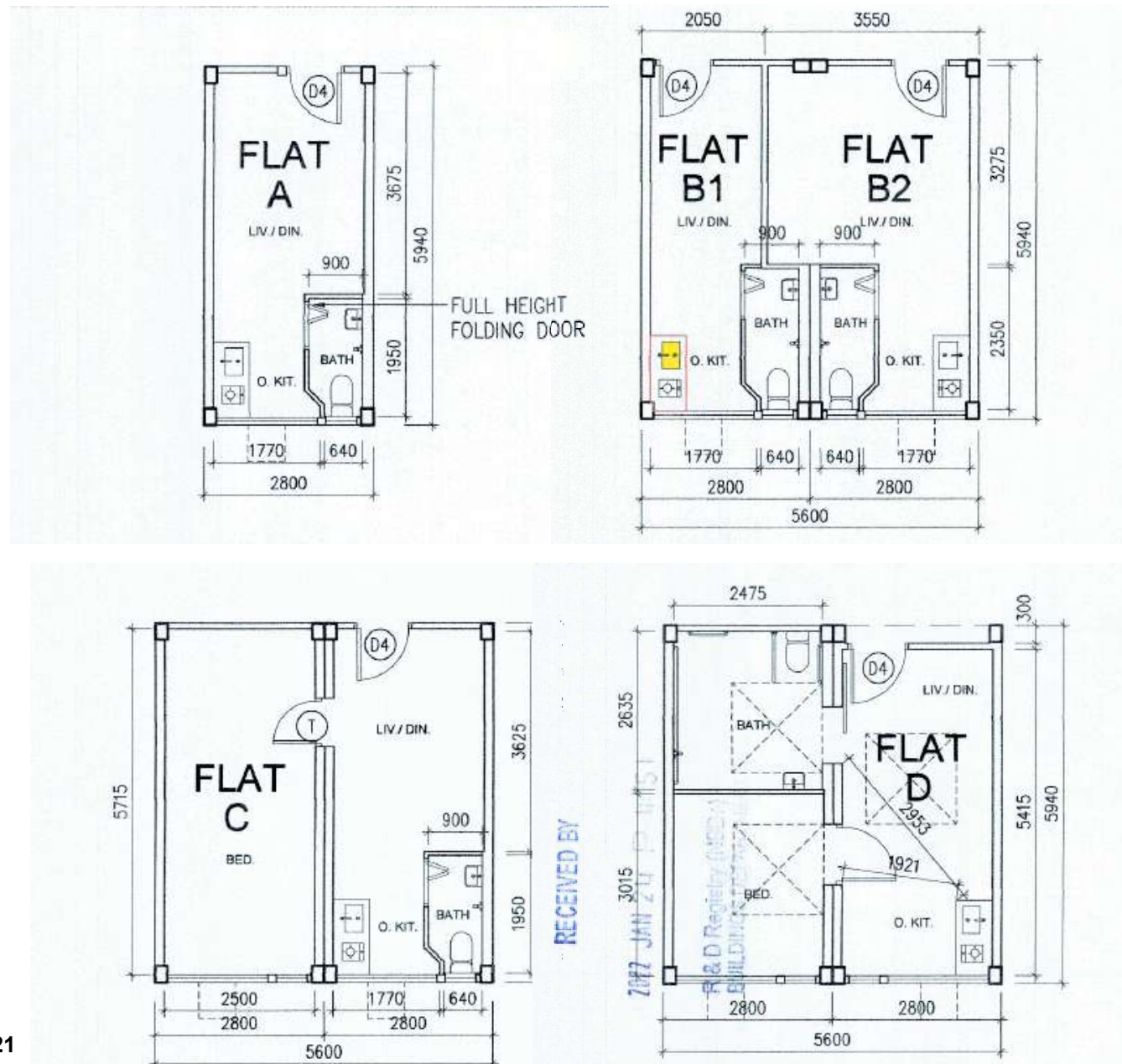
Table 3.1: Planning Parameters of the Development Proposal

	Approved Application (No. A/YL-NSW/321)	Current Application
Site Area	About 23,337m ²	Remains unchanged
Total Plot Ratio	About 1.7	Remains unchanged
Total Gross Floor Area	About 39,307m ²	Remains unchanged
Domestic GFA	About 38,054m ²	Remains unchanged
Non-domestic GFA	About 1,253m ²	Remains unchanged
Total Site Coverage	About 50.2%	Remains unchanged
No. of Blocks	3 Residential Compounds 4 Ancillary Blocks	Remains unchanged
No. of Storeys/ Building Height	Residential Compounds: 4 Storeys/ 18.5mPD Ancillary Blocks: 1 – 2 Storeys/ 12.5mPD	Remains unchanged
No. of Units	About 1,800	Remains unchanged
Estimated Population	About 3,840	Remains unchanged
Communal Open Space	About 6,262m ²	Remains unchanged
Green Coverage	Not less than 15.8%	Remains unchanged
Loading/ Unloading Bay	3	Remains unchanged
Bicycle Parking Spaces	150	Remains unchanged



Remarks: Extracted from Planning Statement Under Application No. A/YL-NSW/321

Scale 1:1 000



Remarks: Extracted from Further
Information Under No. A/YL-NSW/321

Not to Scale

3.2 Landscape Consideration

The landscape proposal under the current application remains the same as that under the previous approved Application No. A/YL-NSW/321. Communal open space of about 6,262m² has been provided, including open plaza, play area, communal garden, sitting courtyard and multi-purpose plan area/ fitness area. The treatment of trees under the current application remains the same as that under the previous approved Application No. A/YL-NSW/321. Landscape buffer with bamboo and shrub planting along the site boundary remains well maintained to allow adequate greening and visual screening for the development.

The Landscape Master Plan approved and implemented under planning condition of Application No. A/YL-NSW.281 is shown in **Plan F**. Landscape Section Plans are attached in **Plan G** and **Plan H** respectively.

3.3 Access Arrangement

The vehicular/ pedestrian circulation under the current application remains the same as that under the previous approved Application No. A/YL-NSW/321. The application site is accessible from Shan Pui Road, while the access at Chung Yip Road only serve as emergency vehicular access and maintenance purposes. Pedestrian accesses are available at both Chung Yip Road and Shan Pui Road. Three loading/ unloading spaces and 150 bicycle parking spaces are provided within the site. No residential car parking spaces is provided.

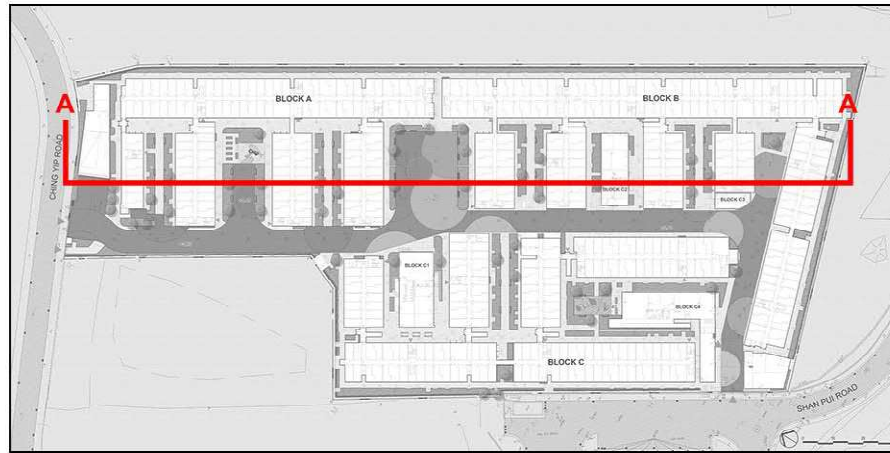
While the site is served by public transport and rail transport with MTR Yuen Long and Long Ping Stations within walking distance, there is also a GMB stop located near the pedestrian entrance at Shan Pui Road with a 24m long GMB stand.

3.4 Site Management for the Adjacent Pond by the Respective Land Owner

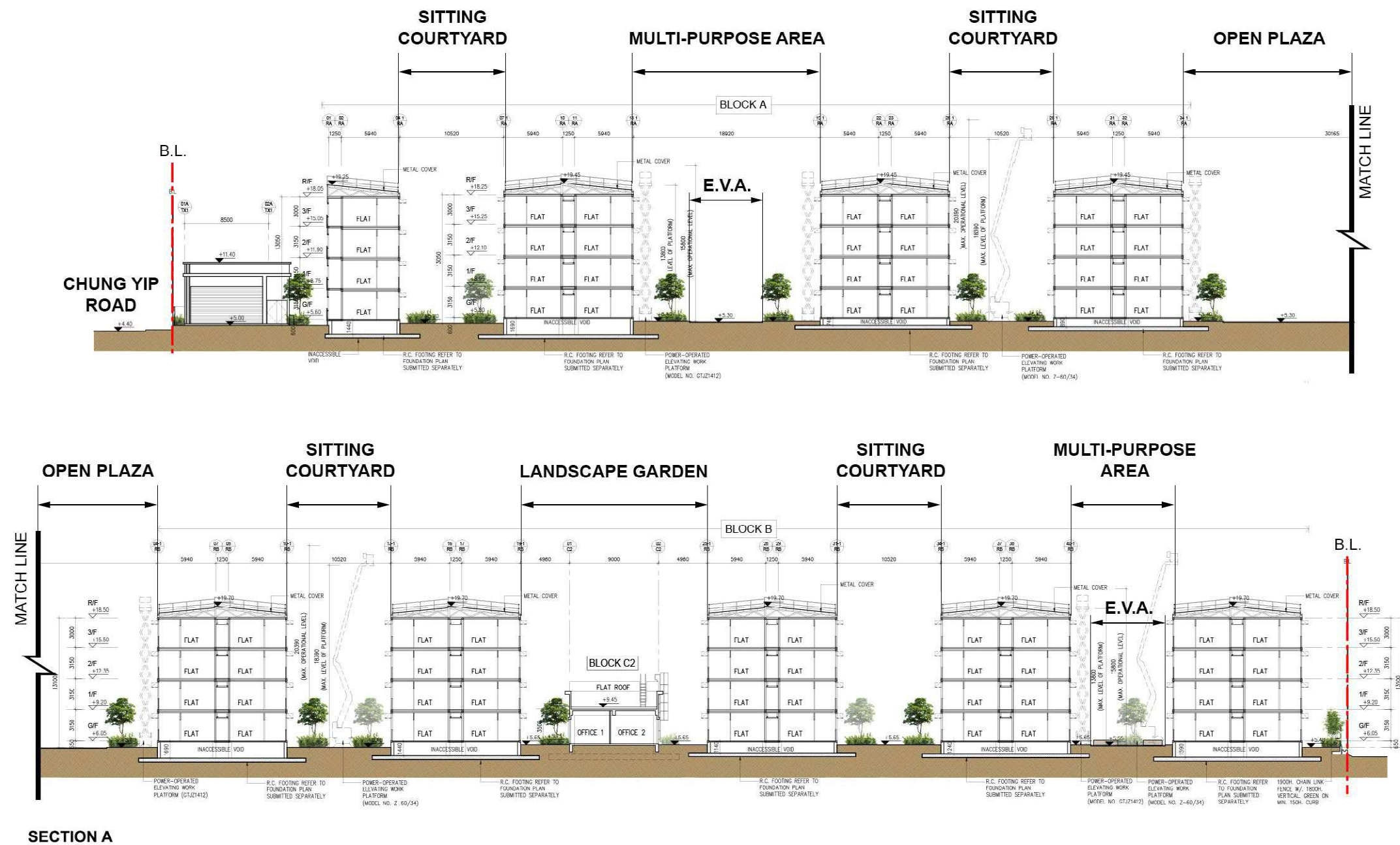
With respect to the existing small pond near Chung Yip Road, located outside the application site, the land owner has implemented appropriate site management measures to safeguard environmental hygiene and public safety. These measures include the removal of solid waste and refuse from the pond, replenishment with clean water, and fencing of the area with perimeter planting. On-site observations confirm that the pond is physically separated from United Court, ensuring that no mutual disturbance arises between the two.



Plan F: Landscape Master Plan

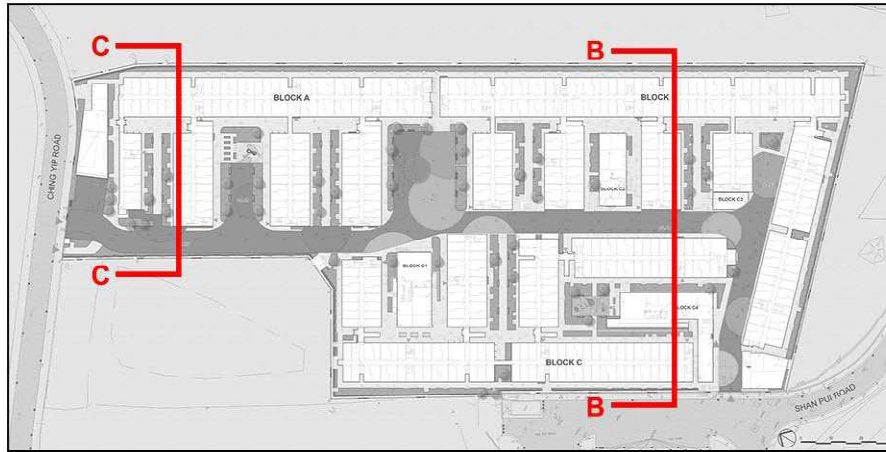


KEY PLAN

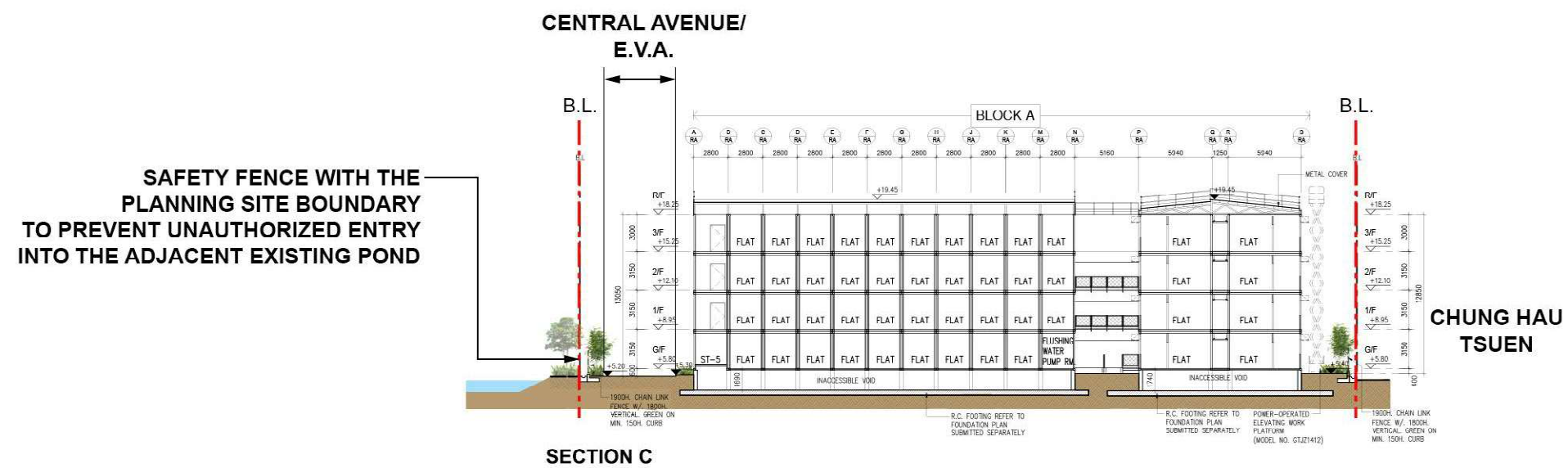
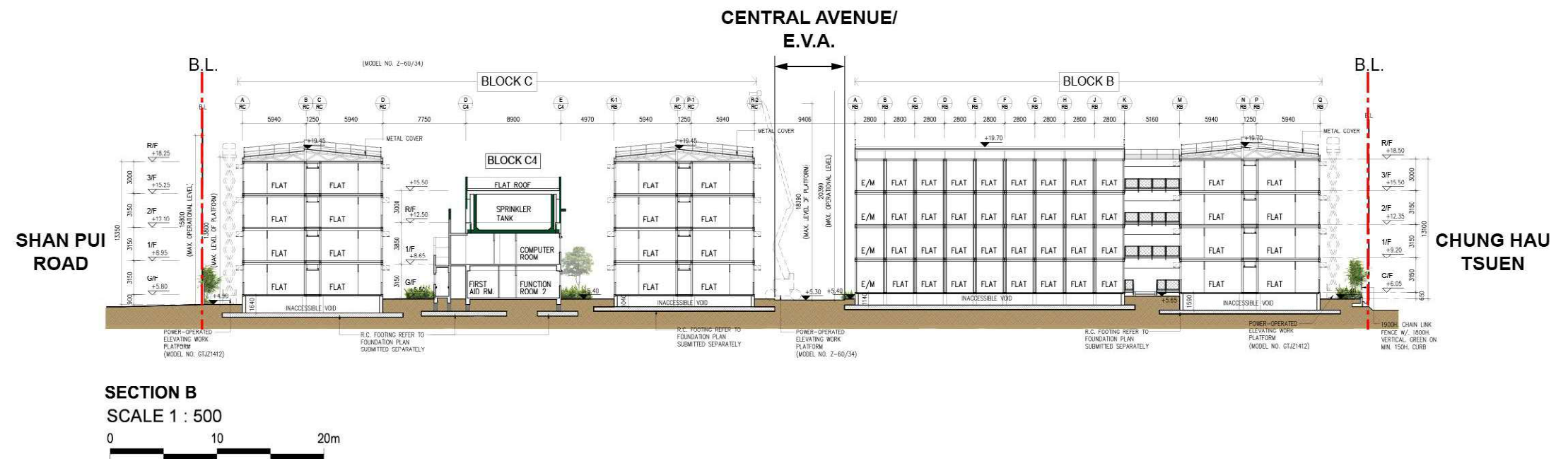


Remarks: Extracted from Planning Statement Under Application No. A/YL-NSW/321

Scale 1:500



KEY PLAN



Remarks: Extracted from Planning Statement Under Application No. A/YL-NSW/321

Scale 1:500



Plan H: Landscape Section B-B

(Prepared on 9.7.2026)

4. PLANNING JUSTIFICATIONS

4.1 In Line with Government's Initiative on Transitional Housing

The Government has continued to actively pursue the development of transitional housing. The continuation of the subject transitional housing development is in line with Government's short-term housing initiative which imminently alleviates hardship of vulnerable families. The development contributed a significant number of transitional housing units (1,800 units) in the territory. According to the Applicant, United Court was completed and put into operation with population intakes in May 2022; and the occupancy rate of the development is about 92.3% (as at 31.5.2026).

In view of the implementation of the Basic Housing Unit regulatory regime officially commenced on 1.3.2026, introducing mandatory registration and recognition requirements for subdivided units (SDUs) to ensure minimum living standards, current and upcoming transitional housing development will serve as one of the accommodation options for residents of subdivided units who are affected and eligible to apply. To support the Government's initiative on transitional housing, United Court, which is already in operation, will continue to provide transitional housing units for those in need.

4.2 Compatible Temporary Use Without Affecting the "OU(CDWRA)" Zones

The application site is located to the northeast of Tung Tau area, where residential use and several residential developments (i.e. Twin Regency, Wang Fu Court and The Spectra) are located near the outskirts. Existing residential developments, such as The Parcville and One Regent Place, can also be found within 300m from the application site. Not least, the proposed residential development on Chung Yip Road to the opposite of the site (Application No. A/YL-NSW/282) is currently under construction. Together with the 3-storey village type developments in the vicinity, the temporary nature and low-rise built form of the United Court, as implemented in accordance with the approved scheme, is considered compatible with the surrounding area with low to medium-rise residential developments and some commercial and institutional uses in the vicinity.

The planning intention for the "OU(CDWRA)" zone covering the application site is intended to provide incentive for the restoration of degraded wetland adjoining existing fishponds through comprehensive residential and/or recreational development to include wetland restoration area". It is also intended to phase out existing sporadic open storage and port back-up uses on degraded wetlands.

United Court is temporary in nature. The rationale is to make efficient use of under-utilized land to deliver immediate alleviation to the families in need. The subject "OU(CDWRA)" site has been left idle for a long period of time without active development programme. No planning permission for proposed permanent comprehensive residential development with wetland restoration proposal within the subject zone has been granted by the Board. A temporary use, which only builds on

formed land with “no-net-loss in wetland”, shall not affect the planning intention in the long run should be considered as an effective interim approach prior to the presence of a comprehensive development with wetland restoration.

4.3 Adherence to the TPB Guidelines on Renewal of Planning Approval

The TPB Guidelines on “Renewal of Planning Approval and Extension of Time for Compliance with Planning Conditions for Temporary Use or Development” (TPB PG-No. 34D) sets out the assessment criteria for assessing applications for renewal of planning approvals. **Table 4.1** below demonstrates that the current application fulfils the corresponding criteria in the TPB PG-No. 34D.

Table 4.1: Fulfilment of Assessment Criteria under TPB PG-No. 34D

Assessment Criteria	Current Application
a) Whether there has been any material change in planning circumstances since the previous temporary approval was granted (such as a change in the planning policy/ land-use zoning for the area) or a change in the land uses of the surrounding areas;	Since the original permission was granted, there is no material change in planning circumstances such as planning policy (i.e. policy on development of transitional housing, and policy on land within Wetland Buffer Area) and land use zoning in the area. The surrounding land uses, predominantly residential in nature, remain unchanged.
b) Whether there are any adverse planning implications arising from the renewal of the planning approval (such as pre-emption of planned permanent development);	The land owner has agreed to lend the site to the Applicant for the operation of transitional housing development for a total period of 8 years (until 30.3.2029). The subject application will not introduce any adverse planning implication for any planned permanent development.
c) Whether the planning conditions under previous approval have been complied with to the satisfaction of relevant Government departments within the specified time limits;	The planning conditions under both application Nos. A/YL-NSW/281 and 321 have been substantively complied with (see Appendix I and Appendix II).
d) Whether the approval period sought is reasonable; and	The current application seeks renewal of the temporary planning approval for 2 years and 5 months, which does not exceed the original validity period of the temporary approval.
e) Any other relevant considerations.	N/A

4.4 Adherence to the TPB Guidelines on Developments within Deep Bay Area

The application site is situated at the landward part of Wetland Buffer Area (WBA) of the Deep Bay Area. While it is located within the WBA and an abandoned pond is located to the immediate west of the site, Agriculture, Fisheries and Conservation Department had no comment on the previous Application No. A/YL-NSW/321. In view that the subject transitional housing development at the site has been implemented and currently in operation, as well as the current scheme is the same as the previously approved scheme, it will unlikely cause adverse ecological impacts and therefore renewal of the application would not violate the TPB Guidelines for “Application for Developments within Deep Bay Area” (TPB PG-No. 12C).

4.5 No Insurmountable Technical Impacts

Compared with the scheme of the last approved application, the development scheme under this application is the same in terms of the applied use, site area/boundary and major development parameters. It will not create any insurmountable adverse impacts in terms of traffic, environmental or technical aspects based on the following reasons:

(a) Minimum Traffic Impact

Under the approved Application No. A/YL-NSW/281, a Traffic Impact Assessment was conducted and concluded that no adverse traffic impact was anticipated, whilst the following relevant approval conditions have been complied with by the Applicant (see **Appendix I**):

- a) No vehicle is allowed to queue back to or reverse onto/from the site at any time during the planning approval period;
- b) The submission of a run-in/out proposal at Shan Pui Road within 6 months from the date of planning approval to the satisfaction of the Director of Highways and the Commissioner for Transport or of the TPB by 23.4.2021;
- c) In relation to (b) above, the implementation of the run-in/out proposal at Shan Pui Road within 9 months from the date of planning approval to the satisfaction of the Director of Highways and the Commissioner for Transport or of the TPB by 23.7.2021; and
- d) The provision of bicycle parking facilities to the satisfaction of the Commissioner for Transport or the TPB.

Subsequently, the following approval conditions were imposed under the approved Application No. A/YL-NSW/321 and complied with by the Applicant:

- a) No vehicle is allowed to queue back to or reverse onto/ from the site at any time during the planning approval period.

As the existing traffic arrangement will be continued at all times during any future planning approval period should the current application be approved, it is concluded that no adverse traffic impact is anticipated. A latest set of photos showing the condition of the vehicular access of the site is attached in **Plan I**.

(b) Minimum Landscape Impact

Under the approved Application No. A/YL-NSW/281, a Landscape Proposal was conducted and concluded that no adverse landscape impact was anticipated, whilst the following relevant approval conditions have been complied with by the Applicant (see **Appendix I**):

- e) The submission of a revised Landscape Proposal within 6 months from the date of planning approval to the satisfaction of the Director of Planning or of the TPB by 23.4.2021; and
- f) In relation to (e) above, the implementation of the revised Landscape Proposal within 9 months from the date of planning approval to the satisfaction of the Director of Planning or of the TPB by 23.7.2021.

All the existing landscape measures and treatment of trees including open plaza, play area, communal garden, sitting courtyard and multi-purpose plan area/fitness area, landscape buffer with bamboo and shrub planting along the site boundary will be continued and maintained at all times during any future planning approval period should the current application be approved, it is concluded that no adverse landscape impact is anticipated.

(c) Minimum Drainage Impact

Under the approved Application No. A/YL-NSW/281, a Drainage Impact Assessment was conducted and concluded that no adverse drainage impact was anticipated, whilst the following relevant approval conditions have been complied with by the Applicant (see **Appendix I**):

- g) The submission of a revised Drainage Impact Assessment within 6 months from the date of planning approval to the satisfaction of the Director of Drainage Services or of the TPB by 23.4.2021; and
- h) In relation to (g) above, the implementation of the revised Drainage Proposal within 9 months from the date of planning approval to the satisfaction of the Director of Drainage Services or of the TPB by 23.7.2021.

Subsequently, the following approval conditions were imposed under the approved Application No. A/YL-NSW/321 and complied with by the Applicant (see **Appendix II**):



Photo 13: Chung Yip Road



Photo 14: Entrance of the site from Chung Yip Road



Photo 15: Shan Pui Road



Photo 16: Entrance of the site from Shan Pui Road.

- b) The submission of revised records of the existing drainage facilities on the site within 3 months from the date of commencement of the renewed planning approval to the satisfaction of the Director of Drainage Services or of the TPB by 24.1.2024; and
- c) The existing drainage facilities on the Site shall be maintained at all times during the planning approval period.

As the existing drainage facilities will remain in place and will continue to be properly maintained at all times during any future planning approval period should the current application be approved, it is concluded that no adverse drainage impact is anticipated. An updated report of revised records of the existing drainage facilities on the site is attached in **Appendix IV**.

(d) Fire Services Installations

Under the approved Application No. A/YL-NSW/281, the relevant following approval conditions have been complied with by the Applicant (see **Appendix I**):

- i) The submission of a Fire Service Installation (FSI) Proposal within 6 months from the date of planning approval to the satisfaction of the Director of Fire Services or of the TPB by 23.4.2021; and
- j) In relation to (i) above, the implementation of the FSI Proposal within 9 months from the date of planning approval to the satisfaction of the Director of Fire Services or of the TPB by 23.7.2021.

Subsequently, the following approval conditions were imposed under the approved application no. A/YL-NSW/321 and complied with by the Applicant:

- d) The existing fire service installations implemented on the Site shall be maintained in efficient working order during the planning approval period.

The existing fire service installations will continue to be properly maintained at all times during the planning approval period should the current application is approved. The latest valid set of F.S. 251 certifications are attached in **Appendix V**.

The Applicant will ensure that all existing facilities and arrangements will be continued and properly maintained at all times during the planning approval period.

4.6 Unlikely to Set an Undesirable Precedent

There are similar applications (Nos. A/YL-NSW/319 and 354) for proposed temporary centralised quarter for imported labour in construction sector within the “OU(CDWRA)” zone on the Nam Sang Wai OZP. Considerations of the two previously approved applications Nos. A/YL-NSW/281 and 321 at the application site are also relevant to the current application. Hence, approval of this s.16 planning application is in line with the previous decision of the Board.

5. CONCLUSION

The Applicant – Hong Kong Sheng Kung Hui Welfare Council Limited seeks renewal of the planning permission under the previous Application No. A/YL-NSW/321 to continue to use the application site, which falls within an area zoned “OU(CDWRA)” on the Nam Sang Wai OZP, for temporary transitional housing (i.e. United Court) and ancillary uses for a period of 2 years and 5 months.

The approved transitional housing development has been completed with the first population intake in May 2022. It involves three 4-storey residential blocks and four 1 to 2-storey ancillary blocks, providing a total of 1,800 units. It is operating in a non-profit making nature to help to alleviate imminently the hardship of the families on the public rental housing waiting list and those currently inadequately housed. The occupancy rate of the development is about 92.3% (as at 31.5.2026).

Planning assessment has indicated that the present application is well justified for the following reasons:

- (a) the proposed renewal of further 2 years and 5 months can facilitate continuity of the transitional housing development with 1,800 units for the underprivileged families, which is in line with the Government policy;
- (b) the temporary nature and low-rise built form of the development, as implemented in accordance with the approved scheme, is considered compatible with the surrounding area with low to medium-rise residential developments and some commercial and institutional uses in the vicinity;
- (c) it is generally in line with the TPB Guidelines on “Renewal of Planning Approval and Extension of Time for Compliance with Planning Conditions for Temporary Use or Development” (TPB PG-No. 34D) in that:
 - the Applicant has complied with all the approval conditions under the previous approvals (see **Appendix I** and **Appendix II**);
 - the current scheme is the same as the previous scheme under Application No. A/YL-NSW/321;
 - there is no material change in planning circumstances such as planning policy and land use zoning in the area since the original permission was granted;
 - there is no adverse planning implications (or pre-emption of planned permanent development in the area) arising from the renewal of the planning approval;
 - the proposed renewal of further 2 years and 5 months is considered reasonable as it does not exceed the original validity period of temporary approval.

- (d) the transitional housing development has been implemented and currently in operation, and will unlikely cause adverse ecological impacts and therefore renewal of the application would not violate the TPB Guidelines for “Application for Developments within Deep Bay Area” (TPB PG-No. 12C);
- (e) it will not create any insurmountable adverse impacts in terms of traffic, environmental or technical aspects, and given its temporary nature and the planning gains brought by United Court, the approval of this application will not set an undesirable precedent for other similar applications and frustrate the long-term planning intention of the same “OU(CDWRA)” zone.

In view of the planning justifications presented in this Planning Statement, honourable members of the TPB are requested to approve this planning application.

PART II- LIST OF APPENDICES

- Appendix I Letters of Town Planning Board Approval and Compliance with
Approval Conditions under Application No. A/YL-NSW/281***
- Appendix II Letters of Town Planning Board Approval and Compliance with
Approval Conditions under Application No. A/YL-NSW/321***
- Appendix III Approved MLP and GBPs***
- Appendix IV Updated Drainage Record Plan***
- Appendix V Latest F.S. 251***