

RNTPC Paper No.  
A/YL-KTS/1076A  
For Consideration by  
the Rural and New Town  
Planning Committee  
on 5.9.2025

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**APPLICATION FOR PERMISSION**  
**UNDER SECTION 16 OF THE TOWN PLANNING ORDINANCE**

**APPLICATION NO. A/YL-KTS/1076**

<b><u>Applicant</u></b>	:	HK Hakka Cultural Association Limited represented by R-riches Property Consultants Limited
<b><u>Site</u></b>	:	Lots 2063 and 2064 in D.D. 106 and Adjoining Government Land (GL), Kam Tin, Yuen Long, N.T. (Former Shek Wu Public School)
<b><u>Site Area</u></b>	:	About 1,940 m <sup>2</sup> (including GL of about 1,714m <sup>2</sup> (88%))
<b><u>Lease/Land Status</u></b>	:	Building Lots (Lots 2063 and 2064 in D.D. 106) and GL
<b><u>Plan</u></b>	:	Approved Kam Tin South Outline Zoning Plan (OZP) No. S/YL-KTS/15
<b><u>Zoning</u></b>	:	“Village Type Development” (“V”) [Restricted to maximum building height of 3 storeys (8.23m)]
<b><u>Application</u></b>	:	Proposed Temporary Place of Recreation, Sports or Culture with Ancillary Facilities for a Period of 5 Years

**1. The Proposal**

- 1.1 The applicant seeks planning permission for proposed temporary place of recreation, sports or culture with ancillary facilities for a period of five years at the application site (the Site), which falls within an area zoned “V” on the OZP (**Plan A-1a**). According to the Notes of the OZP for the “V” zone, ‘Place of Recreation, Sports or Culture’ is a Column 2 use which requires planning permission from the Town Planning Board (the Board). The Site is currently fenced-off and mainly occupied by a vacant school premises (VSP) (i.e. Former Shek Wu Public School) with a minor portion at its north being used for agricultural activities (**Plans A-2, A-4a and A-4b**).
- 1.2 The Site is accessible via a local access leading from Kam Sheung Road, with an ingress/egress located at the eastern boundary of the Site (**Drawing A-1 and Plan A-2**). According to the applicant, which is a charitable institution approved under section 88 of the Inland Revenue Ordinance (Cap. 112), the proposed use

involves conversion of a VSP (i.e. the Former Shek Wu Public School) into a hub of various activities, such as exhibition, language courses, unicorn dance teams, music and dance performances, and cuisine cooking class, etc., to protect, preserve and promote the development of Hakka culture. The proposed use comprises six single-storey structures (height of 3m or 6m<sup>1</sup>) with a total floor area of about 389 m<sup>2</sup> for youth/elderly activity centres, ancillary office, washroom, refreshment kiosk, store room and covered corridor (**Drawing A-1**). An outdoor activity area will be provided at the northern part of the Site for holding various activities of Hakka culture such as festival gathering, unicorn dance training, music and dance performances, and fashion show. These outdoor custom activities would be conducted on seasonal basis and when using the public announcement system, portable loud speaker, or any form of audio amplification system for these outdoor custom activities, surrounding villagers will be consulted.

- 1.3 9 out of 22 existing trees with the Site will be preserved while the remaining 13 trees in fair/poor condition are proposed to be felled, mainly for the provision of car parking and load/unloading (L/UL) spaces closer to the proposed elderly activity centre to minimise the walking distance after dropping-off for elderly visitors (**Drawing A-1**). 13 new trees of not less than 2.75m tall for compensatory purpose will be planted as a continuous planting strip of 1.5m wide along the northwestern and southern boundaries of the Site (**Drawing A-2**). Two private car parking spaces for staff members, one L/UL space for light bus (for easy access of elderly and youth) and one L/UL space for light goods vehicles (LGV) for transportation of goods will be provided within the Site. No parking space will be provided for visitors as the Site is well-served by public transport. No vehicles exceeding 5.5 tonnes, including container tractors/trailers, will be allowed to be parked/stored on or enter/exit the Site at all times. Sufficient manoeuvring space will be provided within the Site to ensure that no vehicle will queue back onto local access. It is anticipated that the Site will accommodate 30 visitors per day. The operation hours will be 9:00 a.m. to 9:00 p.m. daily, including public holidays. The layout plan and landscape proposal submitted by the applicant are at **Drawings A-1 to A-2** respectively.
- 1.4 The Site is involved in five previous applications (**Plan A-1b**), including one (No. A/YL-KTS/756) for temporary 'Place of Recreation, Sports or Culture' use which was approved by the Rural and New Town Planning Committee (the Committee) of the Board in March 2018 and the planning permission of which was subsequently revoked in September 2018 due to non-compliance with approval conditions (details are at paragraph 5 below).
- 1.5 In support of the application, the applicant has submitted the following documents :

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<sup>1</sup> Reflecting the as-built condition

- (a) Application Form with supplementary planning statement (SPS) and Supplementary Information (SI) received on 15.5.2025 and 22.5.2025 respectively (**Appendix I**)
- (b) Further Information (FI) received on 9.7.2025\* (**Appendix Ia**)
- (c) Further Information (FI) received on 11.8.2025\* (**Appendix Ib**)
- (d) Further Information (FI) received on 28.8.2025\* (**Appendix Ic**)

*\* accepted and exempted from publication and recounting requirements*

- 1.6 On 4.7.2025, the Committee agreed to the applicant's requests to defer making a decision on the application for two months.

## **2. Justifications from the Applicant**

The justifications put forth by the applicant in support of the application are detailed in the Application Form and FI in **Appendices I, Ia, Ib and Ic**. They can be summarised as follows:

- (a) The proposed use is to preserve and promote Hakka culture, serving nearby locals in Kam Tin, Pat Heung and Shek Kong areas. A variety of activities, such as language courses, unicorn dance teams, music and dance performances and cuisine cooking class, will be held at the Site. Through these activities, the applicant aims to preserve and protect the long history and culture of the Hakka people, while also promoting the development of Hakka culture in contemporary society. Meanwhile, the proposed use would be a hub for bringing the youth and elderly from different backgrounds and building strong community bonds.
- (b) The VSP at the Site has been left vacant since 2014, approval of the application on a temporary basis would better utilise the VSP and would not frustrate the long-term planning intention of the "V" zone. Under the Vacant School Premises Sites Reviewed under the Central Clearing House Mechanism (the VSP Review) by the Planning Department (PlanD), the VSP is available for short-term uses by non-government organizations or social enterprises for government, institution or community (G/IC) use. The proposed use is in line with the recommendation in the VSP Review.
- (c) The proposed use is considered not incompatible with the surrounding areas which is dominated by residential, agricultural and commercial uses.
- (d) The Site is the subject of several s.16 applications, amongst which the latest application No. A/YL-KTS/897 for proposed temporary social welfare facility (elderly and youth centre) was approved by the Committee on a temporary basis

of three years in 2021. Hence, approval of the current application is considered in line with the Committee's decisions. However, it is noted that the approved schemes had not been implemented due to land administrative matter.

- (e) The proposed use will not create significant impact on the surrounding areas, considering that it is intended to serve the local community with infrequent trips and adverse traffic impact is not anticipated; the applicant will follow the 'Code of Practice on Handling the Environmental Aspects of Temporary Uses and Open Storage Sites' (CoP) and 'Professional Persons Environmental Consultative Committee Practice Notes' to minimise potential environmental impacts; all existing and compensatory trees at the Site will be maintained by the applicant during the planning approval period; and adequate drainage facilities and fire service installations (FSIs), as submitted under the current application, will be provided by the applicant to mitigate any potential adverse impacts arising from the proposed use.

### **3. Compliance with the "Owner's Consent/Notification" Requirements**

The applicant is not a 'current land owner' but has complied with the requirements as set out in the Town Planning Board Guidelines on Satisfying the 'Owner's Consent/Notification' Requirements under Sections 12A and 16 of the Town Planning Ordinance (TPB PG-No. 31B) by posting notices near the Site and sending notice to the Pat Heung Rural Committee. Detailed information would be deposited at the meeting for Member's inspection. For the GL portion, the "Owner's Consent / Notification" requirements are not applicable.

### **4. Background**

- 4.1 The Site is currently not subject to any active planning enforcement action.
- 4.2 The Site is a VSP and was previously served as Shek Wu Public School which was closed down in 2014. According to the VSP Review promulgated by PlanD in May 2024, the Site is recommended to be retained for G/IC use and available for short-term uses by non-government organizations or social enterprises.

### **5. Previous Applications**

- 5.1 The Site is involved in five previous applications No. A/YL-KTS/270, 756, 792, 862 and 897 covering different parts of the Site. Details of the applications are at **Appendix II** and their locations are shown on **Plan A-1b**.
- 5.2 Application No. A/YL-KTS/270 for extension of Shek Wu School was approved with conditions by the Committee in 2002. The planning permission lapsed in

March 2005 and no extension works had been carried out. Consideration of this application is not relevant to the current application due to different use involved.

- 5.3 Application No. A/YL-KTS/756 for proposed temporary place of recreation, sports or culture submitted by a different applicant was approved by the Committee in March 2018 for a period of three years mainly on the considerations that the proposed use on a temporary basis would not frustrate the long-term planning intention of the “V” zone; the proposed use was not incompatible with the surrounding area; the proposed use would unlikely cause adverse impacts on the surrounding areas; relevant government departments consulted in general had no adverse comment on the application and their concerns and/or local objection could be addressed by relevant approval conditions. The planning permission was subsequently revoked in September 2018 due to non-compliance with the time-limited approval conditions.
- 5.4 Applications No. A/YL-KTS/792, 862 and 897 for proposed temporary social welfare facilities (elderly and youth centre or youth centre) submitted by different applicants were all approved with conditions each for a period of three years by the Committee between 2018 and 2021. All the planning permissions were subsequently revoked between 2021 and 2023 due to non-compliance with the time-limited approval conditions. Considerations of these applications are irrelevant to the current application due to different uses involved.

## **6. Similar Application**

There is no similar planning application within the subject “V” zone.

## **7. The Site and Its Surrounding Areas (Plans A-1a to A-4b)**

7.1 The Site is:

- (a) accessible via a local access leading from Kam Sheung Road; and
- (b) currently fenced-off and occupied by a VSP (i.e. Former Shek Wu Public School) with a minor portion at its north being used for agricultural activities.

7.2 The surrounding areas are rural in character comprising predominantly the village settlements of Shek Wu Tong and Tin Sam San Tsuen intermixed with open storage/storage yards (including one with valid planning application), parking of vehicles, tyre repair workshop, car service, shop and services, restaurants (including one with valid planning application), office, grassland, woodland and vacant land.

## **8. Planning Intention**

The planning intention of the “V” zone is to reflect existing recognized and other villages, and to provide land considered suitable for village expansion and reprovisioning of village houses affected by Government projects. Land within this zone is primarily intended for development of Small Houses by indigenous villagers. It is also intended to concentrate village type development within this zone for a more orderly development pattern, efficient use of land and provision of infrastructures and services. Selected commercial and community uses serving the needs of the villagers and in support of the village development are always permitted on ground floor of a New Territories Exempted House (NTEH). Other commercial, community and recreational uses may be permitted on application to the Board.

## **9. Comments from Relevant Government Bureau/Departments**

9.1 Apart from the government bureau as set out in paragraph 9.2 below, other departments consulted have no objection to or no adverse comment on the application. Their general comments on the application and advisory comments in the Recommended Advisory Clauses, if any, are provided in **Appendices III and IV** respectively.

9.2 The following government bureau supports the application:

### **Policy Aspect**

Comments of the Secretary for Culture, Sports and Tourism (SCST):

Policy support from SCST is given to the application considering its merits in preserving and promoting Chinese culture.

## **10. Public Comments Received During Statutory Publication Period**

On 23.5.2025, the application was published for public inspection. During the statutory public inspection period, one public comment was received from an individual objecting to the application on the ground that parking spaces could be provided without felling the trees within the Site.

## **11. Planning Considerations and Assessments**

11.1 The application is for proposed temporary place of recreation, sports or culture with ancillary facilities (i.e. a hub for promoting Hakka culture) for a period of five years at the Site zoned “V” (**Plan A-1a**). While the proposed use is not entirely in line with the planning intention of the “V” zone, the District Lands Officer/Yuen Long, Lands Department advises that there is currently no Small

House application approved or under processing at the Site. Besides, according to the VSP Review promulgated by PlanD in May 2024, the Site is recommended to be retained for G/IC uses and available for short-term uses by non-government organizations or social enterprises. The applicant, a charitable institution under section 88 of the Inland Revenue Ordinance (Cap. 112), claims that the proposed use could act as a hub of various activities to protect, preserve and promote the development of Hakka culture, enabling better utilisation of the VSP which had been left vacant since 2014. In this regard, SCST supports the application considering its merits in preserving and promoting Chinese culture. Approving the application on a temporary basis would not frustrate the long-term planning intention of the “V” zone. Taking into account the above and the planning assessments below, there is no objection to the proposed use on a temporary basis of five years.

- 11.2 The proposed use at the Site is considered not incompatible with the surrounding areas which are rural in character comprising predominantly the village settlements of Shek Wu Tong and Tin Sam San Tsuen intermixed with open storage/storage yards, parking of vehicles, tyre repair workshop, car service, shop and services, restaurants, office, grassland, woodland and vacant land. Regarding the proposed custom and outdoor activities as mentioned in paragraph 1.2 above, the applicant is committed that they would be conducted on seasonal basis, and when using the public announcement system, portable loud speaker, or any form of audio amplification system for these outdoor custom activities, surrounding villagers will be consulted. In this regard, Director of Environmental Protection (DEP) has no adverse comment on the proposed custom and outdoor activities. Besides, nine out of 22 existing trees within the Site will be preserved while the remaining 13 trees in fair/poor condition are proposed to be felled to facilitate the operation of the proposed use as mentioned in paragraph 1.3 above. 13 new trees of not less than 2.75m tall will be planted for compensatory purpose as a continuous planting strip of 1.5m wide along the northwestern and southern boundaries of the Site. The Chief Town Planner/Urban Design and Landscape of PlanD considers that significant adverse landscape impacts arising from the proposed use is not anticipated and there is no adverse comment on the application from landscape planning perspective.
- 11.3 Other concerned government departments consulted, including the Commissioner for Transport, as well as Chief Engineer/Mainland North of Drainage Services Department and Director of Fire Services, who also consider the submitted drainage and FSI proposals acceptable respectively, have no objection to or no adverse comment on the application. To address the technical requirements of concerned departments, appropriate approval conditions are recommended in paragraph 12.2 below. Should the application be approved, the applicant will also be advised to follow the revised CoP in order to minimise any potential environmental nuisance caused by the proposed use on the surrounding areas.

- 11.4 Given the approved previous application for the same use at the Site as mentioned in paragraph 5 above, approving the current application is in line with the Committee's previous decision.
- 11.5 Regarding the public comment as stated in paragraph 10 above, the departmental comments and planning assessments above are relevant.

## 12. Planning Department's Views

- 12.1 Based on the assessments made in paragraph 11 and having taken into account the public comments mentioned in paragraph 10 above, PlanD has no objection to the application.
- 12.2 Should the Committee decide to approve the application, it is suggested that the permission shall be valid on a temporary basis for a period of five years until 5.9.2030. The following conditions of approval and advisory clauses are also suggested for Members' reference:

### Approval Conditions

- (a) the implementation of the accepted drainage proposal within **9** months from the date of planning approval to the satisfaction of the Director of Drainage Services or of the Town Planning Board by 5.6.2026;
- (b) in relation to (a) above, the implemented drainage facilities on the site shall be maintained at all times during the planning approval period;
- (c) the implementation of the accepted fire service installations proposal within **9** months from the date of planning approval to the satisfaction of the Director of Fire Services or of the Town Planning Board by 5.6.2026;
- (d) if the above planning condition (b) is not complied with during the planning approval period, the approval hereby given shall cease to have effect and shall be revoked immediately without further notice; and
- (e) if any of the above planning condition (a) or (c) is not complied with by the specified date, the approval hereby given shall cease to have effect and shall on the same date be revoked without further notice.

### Advisory Clauses

The advisory clauses are in **Appendix IV**.

- 12.3 Alternatively, should the Committee decide to reject the application, the following reason for rejection is suggested for Members' reference:



the proposed use is not in line with the planning intention of the “V” zone which is to provide land primarily for development of Small Houses by indigenous villagers. There is no strong planning justification in the submission for a departure from the planning intention, even on a temporary basis.

### **13. Decision Sought**

- 13.1 The Committee is invited to consider the application and decide whether to grant or refuse to grant permission.
- 13.2 Should the Committee decide to approve the application, Members are invited to consider the approval condition(s) and advisory clause(s), if any, to be attached to the permission, and the period of which the permission should be valid on a temporary basis.
- 13.3 Alternatively, should the Committee decide to reject the application, Members are invited to advise what reason(s) for rejection should be given to the applicant.

### **14. Attachments**

<b>Appendix I</b>	Application Form with Supplementary Planning Statement and SI received on 15.5.2025 and 22.5.2025
<b>Appendix Ia</b>	FI received on 9.7.2025
<b>Appendix Ib</b>	FI received on 11.8.2025
<b>Appendix Ic</b>	FI received on 28.8.2025
<b>Appendix II</b>	Previous Applications
<b>Appendix III</b>	Government Departments’ General Comments
<b>Appendix IV</b>	Recommended Advisory Clauses
<b>Appendix V</b>	Public Comment
<b>Drawing A-1</b>	Layout Plan
<b>Drawing A-2</b>	Landscape Proposal
<b>Plan A-1a</b>	Location Plan
<b>Plan A-1b</b>	Previous Application Plan
<b>Plan A-2</b>	Site Plan
<b>Plan A-3</b>	Aerial Photo
<b>Plans A-4a and A-4b</b>	Site Photos

**PLANNING DEPARTMENT  
SEPTEMBER 2025**