

APPLICATION FOR PERMISSION
UNDER SECTION 16 OF THE TOWN PLANNING ORDINANCE

APPLICATION NO. A/YL-NTM/483

<u>Applicant</u>	:	Miss CHAU Chiu Nam
<u>Site</u>	:	Lot 1319 in D.D. 104, Ngau Tam Mei, Yuen Long, New Territories
<u>Site Area</u>	:	809m ² (about)
<u>Lease</u>	:	Block Government Lease (demised for agricultural use)
<u>Plan</u>	:	Approved Ngau Tam Mei Outline Zoning Plan (OZP) No. S/YL-NTM/14
<u>Zoning</u>	:	“Residential (Group D)” (“R(D)”) <i>[restricted to a maximum plot ratio of 0.2 and a maximum building height of 2 storeys (6m)]</i>
<u>Application</u>	:	Temporary Warehouse (excluding Dangerous Goods Godown) with Ancillary Open Storage for a Period of Three Years

1 The Proposal

- 1.1 The applicant seeks planning permission for temporary warehouse (excluding dangerous goods godown) with ancillary open storage for a period of three years at the application site (the Site), which falls within an area zoned “R(D)” on the OZP (**Plan A-1**). According to the covering Notes of the OZP, temporary use or development of any land or building not exceeding a period of three years requires planning permission from the Town Planning Board (the Board). The Site is currently hard-paved and occupied by the applied use without valid planning permission (**Plans A-2 and A-4**).
- 1.2 The Site is accessible from a local access leading to Chun Shin Road, with an ingress/egress at the north-western part of the Site (**Drawing A-1 and Plan A-2**). According to the applicant, the applied use involves six single-storey container structures, including four of which under a rain shelter, with height of not more than 4.5m and total floor area of about 147m² for storage of sports equipment to support sports events or competitions. Besides, an outdoor area with a total area of about 13.9m² (about 1.7% of the Site) is used for storage of sports equipment. One private car parking space, two parking spaces and one loading/unloading bay for light goods vehicle (LGV) are provided. No dangerous goods will be stored at the Site, and no assembling, dismantling, maintenance and other workshop activities will be undertaken within the Site. The applied use operates from 7:00 a.m. to 7:00 p.m. daily including public holidays, mainly at days before and after sports events or competitions. During times when no sports events or competitions are scheduled, there will be minimal or no operation at the Site. Besides, whenever there are sports events or competitions that

require setting up of venues, limited trips of LGV for transportation of equipment will be carried out between midnight to 4:00 a.m.. The layout plan submitted by the applicant is at **Drawing A-1**.

1.3 In support of the application, the applicant has submitted the following documents:

- (a) Application Form received on 22.7.2025 (Appendix I)
- (b) Further Information (FI) received on 17.9.2025* (Appendix Ia)

** accepted and exempted from publication and recounting requirements*

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 at **Appendices I and Ia** and can be summarised as follows:

- (a) The applied use is for storage of sports equipment for the Triathlon Association of Hong Kong, China to be used in sports events or competitions, thus supporting the sports development in the city. It is on a temporary basis for a period of three years and will not frustrate the long-term planning intention of the “R(D)” zone.
- (b) The Site is only used for storing sports equipment and its operation mainly takes place where there are sports events or competitions. The applied use is considered not incompatible with the surrounding land uses with storage use and parking of lorries.
- (c) A passageway for public use has been reserved at the western part of the Site to allow convenient access of local residents and other passerby. Barriers will be placed along the passageway at the Site to ensure safety.
- (d) During times when no sports events or competitions are scheduled, there will be minimal or no operation at the Site. The use of LGV, despite at times between midnight to 4:00 a.m., will be of limited trips, and at a frequency of about three to four times a year. To minimise the potential nuisances to surrounding areas, the applicant commits to shorten the loading/unloading (L/UL) time for approximately one hour. Pre-preparation works including preparation of equipment list will be conducted to ensure the L/UL process is swift and efficient. The applicant will also strictly follow the revised “Code of Practice on Handling on Environmental Aspects of Temporary Uses and Open Storage Sites” (CoP) issued by the Environmental Protection Department (EPD) and relevant regulations to minimise adverse environmental impact and nuisance to the surrounding areas.

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 Ordinance (TPB PG-No. 31B) by obtaining consent of the “current land owner”. Detailed information would be deposited at the meeting for Members’ inspection.

4 Background

- 4.1 The Government is conducting a planning study on the Ngau Tam Mei area (i.e. the Land Use Review Study for the Ngau Tam Mei Area) (the NTM Review Study), which covers the Site. According to the Broad Land Use Concept Plan, the Site falls mainly within an area recommended for blue-green spine integrated with revitalised river.
- 4.2 The Site is subject to a planning enforcement action (No. E/YL-NTM/419) (**Plan A-2**) against unauthorized development (UD) involving storage use (including deposit of containers) and use for place for parking of vehicles. Enforcement Notices were issued on 22.11.2024 and 18.6.2025 requiring discontinuation of the UD.

5 Previous Application

There is no previous application covering the Site.

6 Similar Application

There is no similar application in the same “R(D)” zone in the past five years.

7 The Site and Its Surrounding Areas (Plans A-1 to A-4)

- 7.1 The Site is:
- (a) currently hard-paved and occupied by the applied use without valid planning permission; and
 - (b) accessible from a local access leading to Chun Shin Road.
- 7.2 The surrounding areas are rural fringe in character and predominated by existing/planned residential structures including a temporary transitional housing (with valid planning permission), storage uses, parking of lorries, ponds, vacant and vegetated land.

8 Planning Intention

The planning intention of the “R(D)” zone is primarily for improvement and upgrading of existing temporary structures within the rural areas through redevelopment of existing temporary structures into permanent buildings. It is also intended for low-rise, low-density residential developments subject to planning permission from the Board.

9 Comments from Relevant Government Departments

- 9.1 Apart from the government department as set out in paragraph 9.2 below, other government 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 II and III** respectively.

9.2 The following government department has specific comments on the application:

Project Interface

9.2.1 Comments from the Project Manager (West), Civil Engineering and Development Department (PM(W), CEDD):

the Site falls within the boundary of a Potential Development Area (PDA) being examined under the NTM Review Study. However, the implementation programme of the proposed development at Ngau Tam Mei Area is still being studied. As the land resumption and clearance programme shall follow the project programme, the applicant should be reminded that the Site may be resumed at any time for potential development project.

10 Public Comments Received During Statutory Publication Period

On 25.7.2025, the application was published for public inspection. During the statutory public inspection period, two public comments were received from individuals (**Appendix VI**) objecting to the application that the applied use would induce traffic-related impacts, including traffic noise and safety issues, and the Site is close to the transitional housing development and ponds.

11 Planning Considerations and Assessments

- 11.1 The application is for temporary warehouse (excluding dangerous goods godown) with ancillary open storage for a period of three years at the Site zoned “R(D)” (**Plan A-1**). While the applied use is not in line with the planning intention of the “R(D)” zone, the applicant claims that the applied use could support sports development by providing a place for storing of sports equipment to be used a different sports events or competitions. On the other hand, PM(W) of CEDD advises that the Site falls within the PDA being examined under the NTM Review Study, and may be resumed at any time for potential development project following the project programme. As such, approving the current application for temporary use pending permanent development may be considered. To address PM(W) of CEDD’s concerns on the potential interface issue, should the application be approved by the Board, an advisory clause is recommended to remind the applicant that the Site may be resumed by the Government and the proposed use may be terminated at any time during the planning approval period for implementation of Government projects. Taking into account the above and the planning assessments below, there is no objection to the applied use on a temporary basis for a period of three years.
- 11.2 The applied use is considered not incompatible with the surrounding areas which are rural fringe in character and predominated by existing/planned residential structures, storage uses, parking of lorries, ponds, vacant and vegetated land. (**Plan A-2**). The Chief Town Planner/Urban Design and Landscape of Planning Department (PlanD) considers that significant adverse landscape impact arising from the applied use is not anticipated and has no adverse comment on the application from landscape planning perspective.
- 11.3 Other relevant government departments consulted, including the Commissioner for Transport, Director of Environmental Protection, Director of Fire Services and Chief

Engineer/Mainland North, Drainage Services Department have no objection to or no adverse comment on the application. To address the technical requirements of concerned departments, relevant approval conditions are recommended in paragraph 12.2 below. It is also recommended to advise the applicant to follow the CoP issued by the EPD to minimise any potential environmental nuisance caused by the applied use on the surrounding areas.

- 11.4 Regarding the public comments as stated in paragraph 10 above respectively, the planning considerations and departmental comments 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 three years until 19.9.2028. The following conditions of approval and advisory clauses are suggested for Members' reference:

Approval Conditions

- (a) the submission of a drainage proposal within **6** months from the date of planning approval to the satisfaction of the Director of Drainage Services or of the Town Planning Board by 19.3.2026;
- (b) in relation to (a) above, the implementation of the 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 19.6.2026;
- (c) in relation to (b) above, the implemented drainage facilities shall be maintained at all times during the planning approval period;
- (d) the submission of a fire service installations proposal within **6** months from the date of planning approval to the satisfaction of the Director of Fire Services or of the Town Planning Board by 19.3.2026;
- (e) in relation to (d) above, the implementation of the 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 19.6.2026;
- (f) if the above planning condition (c) 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
- (g) if any of the above planning condition (a), (b), (d) or (e) 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 recommended advisory clauses are at **Appendix III**.

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

the applied use is not in line with the planning intention of the "R(D)" zone which is primarily for improvement and upgrading of existing temporary structures within the rural areas through redevelopment of existing temporary structures into permanent buildings, and for low-rise, low-density residential developments subject to planning permission from the Board. There is no strong planning justification given 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

Appendix I	Application Form received on 22.7.2025
Appendix Ia	FI received on 17.9.2025
Appendix II	Government Departments' General Comments
Appendix III	Recommended Advisory Clauses
Appendix IV	Public Comments
Drawing A-1	Layout Plan
Plan A-1	Location Plan
Plan A-2	Site Plan
Plan A-3	Aerial Photo
Plan A-4	Site Photos

**PLANNING DEPARTMENT
SEPTEMBER 2025**