

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

**APPLICATION NO. A/YL-NTM/485**

- Applicant** : Sinotek Cross Limited represented by R-riches Planning Limited
- Site** : Lot 343 in D.D. 104, Ngau Tam Mei, Yuen Long
- Site Area** : About 256m<sup>2</sup>
- Lease** : Block Government Lease (demised for agricultural use)
- Plan** : Approved Ngau Tam Mei Outline Zoning Plan (OZP) No. S/YL-NTM/14
- Zoning** : “Recreation” (“REC”)
- Application** : Proposed Temporary Shop and Services with Ancillary Facilities for a Period of Five Years

**1. The Proposal**

- 1.1 The applicant seeks planning permission for proposed temporary shop and services with ancillary facilities for a period of five years at the application site (the Site), which falls within an area zoned “REC” on the OZP (**Plan A-1**). According to the Notes of the OZP for “REC” zone, ‘Shop and Services’ is a Column 2 use which requires planning permission from the Town Planning Board (the Board). The Site is currently fenced-off, hard-paved, and partly occupied by a vacant temporary structure (**Plans A-2 and A-4**).
- 1.2 The Site is accessible from a local access leading to Ngau Tam Mei Road (**Plan A-2**), with an ingress/egress (about 5m wide) at the western part of the Site. According to the applicant, the proposed use with a total floor area of about 126m<sup>2</sup> involves a single-storey structure (with a height of about 4m) for shop and services with an ancillary office. A loading/unloading (L/UL) space for light goods vehicle will be provided at the Site. The proposed use operates daily, including public holidays, from 9:00 a.m to 7:00 p.m. The layout plan submitted by the applicant is at **Drawing A-1**.
- 1.3 The Site is the subject of a previous application for the same use (No. A/YL-NTM/417), which was approved by the Rural and New Town Planning Committee (the Committee) of the Board in 2021, and the planning permission was subsequently revoked in March 2025 due to non-compliance with approval condition (detailed at paragraph 5 below). Compared with the previous application, the current application is submitted by the same applicant at the same Site with a slight increase in site area and minor change in site layout, while other major development parameters remain unchanged.

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

- (a) Application Form received on 13.8.2025 and **(Appendix I)**  
Supplementary Information (SI) received on 18.8.2025
- (b) Further Information (FI) received on 30.9.2025\* **(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, SI and FI at **Appendix I and Ia**, and can be summarised as follows:

- (a) The proposed shop and services use is for a convenience store that sells food, drinks and personal care products to nearby residents, and could cater the demand from the residents in the vicinity. The proposed use is surrounded by structures for residential use, temporary structures for warehouses and shrubland, and is not incompatible with the surrounding environment.
- (b) Temporary approval of the proposed use can better utilise vacant land in the New Territories and would not jeopardize the long-term planning intention of the “REC” zone.
- (c) Previous planning approval had been given for shop and services use at the Site. Similar shop and services use had also been approved in nearby areas within the same “REC” zone. Approval of the current application is in line with the Board’s previous decision.
- (d) The applicant has submitted a fire service installations (FSIs) proposal and a drainage proposal in support of the current application.
- (e) The applicant will strictly follow relevant environmental protection and pollution control ordinances to minimise the potential adverse environmental impacts and nuisance to the surrounding areas.

## **3. Compliance with the “Owner’s Consent/Notification” Requirements**

The applicant is the sole “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 (NTM) area (i.e. the Land Use Review Study for the NTM Area) (the NTM Review Study), which covers the Site. According to the Broad Land Use Concept Plan, the Site falls within an area recommended for the development of the University Town.
- 4.2 The Site is not subject to any active planning enforcement action.

## **5. Previous Application**

The Site is the subject of a previous application (No. A/YL-NTM/417) submitted by the same applicant for the same use at the same Site which was approved with conditions by the Committee in 2021 mainly on the considerations that the temporary approval would not frustrate the long-term planning intention of the “REC” zone; the proposed use was considered not incompatible with the surrounding land uses; and there was no adverse comment from concerned government departments or their concerns could be addressed by imposing approval conditions. The planning permission under the previous application was subsequently revoked in March 2025 due to non-compliance with a time-limited approval condition related to the implementation of the drainage proposal. Compared with the previous application, the current application involves changes as set out in paragraph 1.3 above. Details of the previous application are summarised at **Appendix II** and its location is shown on **Plan A-1**.

## **6. Similar Application**

During the past five years, there was one similar application (No. A/YL-NTM/456) for proposed temporary shop and services at a site within the same “REC” zone. The application was approved with conditions by the Committee of the Board in 2023 mainly on the considerations as stated in paragraph 5 above. Details of the similar application are summarised at **Appendix II** and its location is shown on **Plan A-1**.

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

7.1 The Site is:

- (a) currently fenced-off, hard-paved, and partly occupied by a vacant temporary structure; and
- (b) accessible from the west via a local access leading to Ngau Tam Mei Road.

7.2 The surrounding areas are rural in character and predominated by storage yards, village houses/residential structures, holiday camps, vacant land, plant nursery and grassland.

## **8. Planning Intention**

The planning intention of the “REC” zone is primarily for recreational developments for the use of the general public. It encourages the development of active and/or passive recreation and tourism/ eco-tourism. Uses in support of the recreational developments may be permitted subject to planning permission.

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

9.1 Apart from the government departments 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 Clause, if any, are provided in **Appendices III** and **IV** respectively.

9.2 The following government departments have specific comments on the application:

**Project Interface**

9.2.1 Comments of the Project Manager (West), Civil Engineering and Development Department (PM(W) of 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 notwithstanding the validity period of the planning permission, the applicant should be reminded that the Site may be resumed at any time for potential development project.

**Recreation Provision**

9.2.2 Comments from the Director of Leisure and Cultural Services (DLCS):

- (a) no in-principle objection to the application since the application is for five years only; and
- (b) there is currently no plan to develop any recreation or sports facilities at the Site in the upcoming five years.

**10. Public Comment Received During Statutory Publication Period**

On 22.8.2025, the application was published for public inspection. During the statutory public inspection period, one public comment was received from an individual raising concerns that the approval condition of the previous application was not complied with (**Appendix V**).

**11. Planning Considerations and Assessments**

11.1 The application is for proposed temporary shop and services with ancillary facilities for a period of five years at the Site zoned “REC” (**Plan A-1**). Whilst the proposed use is not entirely in line with the planning intention of the “REC” zone, the applicant claims that the proposed use could meet the demand for daily products from the residents in the vicinity and DLCS has no objection to the application as there is no plan to develop any recreation or sports facilities at the Site in the upcoming five years. 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 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 proposed use on a temporary basis of five years.

- 11.2 The proposed use is considered not incompatible with the surrounding areas which are rural in character and predominated by storage yards, village houses/residential structures, holiday camps, vacant land, plant nursery and grassland. The Chief Town Planner/Urban Design and Landscape of Planning Department (PlanD) has no adverse comment on the application from landscape planning perspective as adverse landscape impact within the Site arising from the proposed use is not anticipated.
- 11.3 Other relevant government departments consulted, including the Commissioner for Transport, Chief Engineer/Mainland North, Drainage Services Department, Director of Environmental Protection and Director of Fire Services, have no objection to or no adverse comment on the application. To address the technical requirements of the concerned departments, relevant approval conditions are recommended in paragraph 12.2 below. It is also recommended to advise the applicant to follow the “Code of Practice on Handling the Environmental Aspects of Temporary Uses and Open Storage Sites” issued by the Environmental Protection Department to minimise any potential environmental nuisance caused by the proposed use on the surrounding areas.
- 11.4 The Site is the subject of a previous application (A/YL-NTM/417) submitted by the same applicant for the same use at the same Site approved by the Committee in 2021. Its planning permission was subsequently revoked in March 2025 due to non-compliance with a time-limited approval condition related to the implementation of drainage proposal. In support of the current application, the applicant has submitted a FSIs proposal and a drainage proposal, which are considered acceptable by the concerned departments. Sympathetic consideration may be given to the current application. Should the application be approved by the Committee, the applicant will be advised that should he fail to comply with any of the approval conditions resulting in revocation of the planning permission, sympathetic consideration may not be given to any further application.
- 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 comment mentioned in paragraph 10, 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 10.10.2030. 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 10.7.2026;
- (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 on the site 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 10.7.2026;
- (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 recommended advisory clauses are attached at **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 "REC" zone, which is primarily for recreational developments for the use of the general public as well as encouraging the development of active and/or passive recreation and tourism/ecotourism. 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 received on 13.8.2025 and SI received on 18.8.2025
<b>Appendix Ia</b>	FI received on 30.9.2025
<b>Appendix II</b>	Previous and Similar 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>Plan A-1</b>	Location Plan with Similar Applications
<b>Plan A-2</b>	Site Plan
<b>Plan A-3</b>	Aerial Photo
<b>Plan A-4</b>	Site Photos

**PLANNING DEPARTMENT  
OCTOBER 2025**