

**APPLICATION FOR RENEWAL OF PLANNING APPROVAL
FOR TEMPORARY USE
UNDER SECTION 16 OF THE TOWN PLANNING ORDINANCE**

APPLICATION NO. A/NE-SSH/165

- Applicant** : Tseng Tau Tsuen (Sai Kung North) Management Committee represented by Grandmax Surveyors Limited
- Site** : Lots 911 (Part) and 912 (Part) in D.D.165, Tseng Tau Village, Sai Sha Road, Shap Sz Heung, Sai Kung North, New Territories
- Site Area** : About 105m²
- Lease** : Block Government Lease (demised for agricultural use)
- Plan** : Approved Shap Sz Heung Outline Zoning Plan (OZP) No. S/NE-SSH/11
- Zoning** : “Village Type Development” (“V”)
- Application** : Renewal of Planning Approval for Temporary Refuse Collection Point for a Period of Three Years

1. The Proposal

- 1.1 The applicant seeks renewal of planning permission to continue using the application site (the Site) for temporary refuse collection point (RCP) for a further period of three years. The Site falls within an area zoned “V” on the OZP (**Plans A-1 and A-2**). According to the Notes of the OZP, temporary use or development of any land or building not exceeding a period of three years within “V” zone requires permission from the Town Planning Board (the Board). The Site is currently used for the applied use with valid planning permission until 28.10.2025 (**Plan A-4**).
- 1.2 The Site is located near the entrance of Tseng Tau Village and is accessible from Sai Sha Road via Hoi Ying Road and a local track (**Plans A-1 and A-2**). According to the applicant, the RCP is open-air and fenced on three sides, which could accommodate about 30 refuse bins (about 1.26m (W) x 0.78m (D) x 1.18 m (H)) and a set of recycling bins. A loading/unloading area for refuse collection vehicles (RCVs) is provided on-site (**Drawing A-1**). The operation hours are 24 hours daily. The Food and Environmental Hygiene Department (FEHD) would arrange RCVs to collect the waste daily. The layout plan submitted by the applicant is at **Drawing A-1**.

- 1.3 The Site is the subject of five previous applications (No. A/NE-SSH/62, 80, 100, 121 and 143), of which the first four previous applications are for temporary private car park (private cars and light good vehicles) for a period of 3 years. The latest application (No. A/NE-SSH/143) was submitted by the same applicant as the current application for the same use (**Plan A-2**). The application was approved with conditions by the Rural and New Town Planning Committee (the Committee) of the Board on 28.10.2022 for a period of three years, and all the approval conditions have been complied with. Details of the previous applications are set out in paragraph 6 below.
- 1.4 In support of the application, the applicant has submitted the following documents:
- (a) Application Form with Supplementary Planning Statement (SPS) and Supplementary Information (SI) received on 29.8.2025 and 3.9.2025 respectively
 - (b) Further information (FI) received on 9.10.2025* (**Appendix Ia**)
 - (c) Further information (FI) received on 14.10.2025* (**Appendix Ib**)
**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, SPS, SI and FI at **Appendices I to Ib**, as summarized below:

- (a) the RCP is intended to serve the residents of Tseng Tau Village. It is considered an essential village facility to meet the genuine need of the villagers;
- (b) the Site is fenced on three sides to ensure that there is no direct view on street level from the adjacent village houses to the RCP. The existing trees to the further east of the Site also provide additional screening between RCP and adjacent village houses;
- (c) the refuse containers at the RCP are quality bins with proper lid cover to avoid odour or spilling of debris. The applicant would continuously remind and ensure villagers to properly dump their garbage. The RCP will be properly monitored by using the CCTV system and daily routine inspection by the management committee. In case of wastewater may be found generating from the Site in the future, an U-channel will be constructed to direct the wastewater to the catchpit for storage and then disposal by the applicant; and
- (d) the Site is the subject of a previously approved application (No. A/NE-SSH/143) for the same use submitted by the same applicant. All approval conditions under the said planning permission have been complied with and the implemented drainage facilities and fire service installations (FSIs) are maintained in good condition. In support of the current application, drainage condition records and

certificate of FSIs and equipment (FS 251) are submitted (**Appendix I**). In addition, a series of guidance, education, monitoring and warning signs measures as proposed by the applicant under the previously approved application have been well implemented during the past three years.

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 notifying the current land owner. Detailed information would be deposited at the meeting for Members’ inspection.

4. **Town Planning Board Guidelines**

The Town Planning Board Guidelines No. 34D 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 the application. The relevant planning assessment criteria attached at **Appendix II**.

5. **Background**

The Site is currently not subject to any active planning enforcement action.

6. **Previous Applications**

6.1 The Site is the subject of a previous application (No. A/NE-SSH/143) which was submitted by the same applicant as the current application for the same use. The application was approved with conditions for a temporary period of three years by the Committee on 28.10.2022, mainly on the considerations that the applied use would not frustrate the long-term planning intention of “V” zone and would unlikely cause adverse environmental and drainage impacts on the surrounding areas. All approval conditions in relation to the submission and implementation of drainage and FSIs proposals have been complied with. As compared with the previous application, there is no change in the major development parameters and the operations and management of the RCP, except for a reduction in site area (from about 175m² to about 105m²) and corresponding minor adjustment to the layout.

6.2 Other four previous applications (No. A/NE-SSH/62, 80, 100 and 121) for temporary private car park (private cars and light good vehicles) for a period of three years were approved by the Committee between 2009 and 2018. Their considerations are not applicable to the current application which involves a different use.

6.3 Details of the applications are summarised at **Appendix III** and the locations are shown on **Plans A-1** and **A-2**.

7. Similar Application

There is no similar application for RCP use within the same “V” zone in the vicinity in the past five years.

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

8.1 The Site is:

- (a) hard-paved, fenced off on three sides and currently used for the applied use;
- (b) situated at the entrance of Tseng Tau Village; and
- (c) accessible from Sai Sha Road via Hoi Ying Road and a local track.

8.2 The surrounding areas are predominantly rural in character. To the immediate east and southeast of the Site is the village proper of Tseng Tau Village. To its northwest is GO PARK Sai Sha which is a recently opened recreational development, and to its southwest is the comprehensive residential and commercial development with open spaces currently under construction.

9. Planning Intention

The planning intention of the “V” zone is to designate both existing recognised villages and areas of land considered suitable for village expansion. 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 the ground floor of a New Territories Exempted House (NTEH). Other commercial, community and recreational uses may be permitted on application to the Board.

10. Comments from Relevant Government Departments

All government departments consulted have no objection to or no adverse comment on the application. Their general comments on the application and recommended advisory clauses are provided at **Appendices IV** and **V** respectively.

11. Public Comment Received During Statutory Publication Period

On 12.9.2025, the application was published for public inspection. During the statutory public inspection period, no public comment was received.

12. Planning Considerations and Assessments

- 12.1 The application is for renewal of planning permission for temporary RCP for a further period of three years at the Site zoned “V” on the OZP (**Plan A-1**). While the applied use is not entirely in line with the planning intention of the “V” zone which is primarily intended for development of NTEH/Small House by indigenous villagers, as advised by the DLO/TP of LandsD, there is no Small House application received at the Site. Taking into account of the planning assessment below, there is no objection to the applied use on temporary basis for a further period of three years.
- 12.2 The Site is located at the entrance of Tseng Tau Village and is accessible via a local track connecting to Hoi Ying Road and Sai Sha Road (**Plans A-1 and A-2**). It is currently hard-paved, fenced on three sides and used for the applied use with valid planning permission. The applied use is considered not incompatible with the surrounding areas mainly comprising village houses and comprehensive residential/commercial/recreational development (**Plans A-3 and A-4**). The Director of Environmental Protection has no objection to the application from environmental planning perspective, and advises that no environmental complaint case related to the Site was received over the last three years. Other concerned government departments consulted, including the Chief Engineer/Mainland North of Drainage Services Department and Director of Fire Services have no objection to or no adverse comment on the application. To address the technical requirements of concerned government departments, appropriate approval conditions are recommended in paragraph 13.2 below.
- 12.3 Except for a minor reduction of site area and corresponding adjustment to the layout, the major development parameters and the operations and management of the RCP largely remain unchanged as compared with the previously approved planning application. The Site is the subject of the previously approved application (No. A/NE-SSH/143), under which, all approval conditions have been complied with.
- 12.4 The application generally complies with TPB PG-No. 34D in that there has been no material change in planning circumstances since the approval of the previous application; no major adverse departmental and local comments against the renewal application; all approval conditions for the previous application have been complied with; and the three-year approval period sought which is the same timeframe as the previous approval granted by the Committee is not unreasonable.

13. Planning Department's Views

- 13.1 Based on the assessments made in paragraph 12, the Planning Department has no objection to the application.
- 13.2 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 and be renewed from 29.10.2025 until 28.10.2028. The following approval conditions and advisory clauses are also suggested for Members' reference:

Approval Conditions

- (a) the existing drainage facilities on the Site shall be maintained at all times during the planning approval period;
- (b) the existing fire service installations implemented on the Site shall be maintained at all times during the planning approval period; and
- (c) if any of the above planning condition (a) or (b) is not complied with during the approval period, the approval hereby given shall cease to have effect and shall be revoked immediately without further notice.

Advisory Clauses

The recommended advisory clauses are attached at **Appendix V**.

- 13.3 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 "V" zone which is to designate both existing recognised villages and areas of land considered suitable for village expansion. Land within this zone is primarily intended for the 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. There is no strong planning justification in the submission to justify a departure from the planning intention, even on a temporary basis.

14. Decision Sought

- 14.1 The Committee is invited to consider the application and decide whether to grant or refuse to grant permission.
- 14.2 Should the Committee decide to approve the application, Members are invited to consider the approval condition(s) and advisory clause(s) to be attached to the permission, and the period of which the permission should be valid on a temporary basis.

- 14.3 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.

15. Attachments

Appendix I	Application Form with Supplementary Planning Statement and Supplementary Information received on 29.8.2025 and 3.9.2025 respectively
Appendix Ia	Further Information received on 9.10.2025
Appendix Ib	Further Information received on 14.10.2025
Appendix II	Relevant Extract of TPB Guidelines No. 34D on Renewal of Planning Approval and Extension of Time for Compliance with Planning Conditions for Temporary Use or Development
Appendix III	Previous Applications
Appendix IV	Government Departments' General Comments
Appendix V	Recommended Advisory Clauses
Drawing A-1	Layout Plan submitted by the applicant
Plan A-1	Location Plan
Plan A-2	Site Plan
Plan A-3	Aerial Photo
Plan A-4	Site Photos

**PLANNING DEPARTMENT
OCTOBER 2025**