

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

APPLICATION NO. A/SK-PK/311

<u>Applicant</u>	:	Dolphin Canoe Club
<u>Site</u>	:	Government Land (GL), Tai Mong Tsai Road, Tai Wan, Sai Kung, New Territories
<u>Site Area</u>	:	About 111m ²
<u>Land Status</u>	:	Short Term Tenancy (STT) No. SX1085 (a) Restricted to the purposes of open storage of canoes and permitted ancillary uses; (b) Commenced on 1.1.1983 until 30.6.1988 and thereafter quarterly; and (c) Offer of Amendment for a revised STT area accepted by the applicant on 11.3.2022
<u>Plan</u>	:	Approved Pak Kong and Sha Kok Mei Outline Zoning Plan (OZP) No. S/SK-PK/11
<u>Zoning</u>	:	“Coastal Protection Area” (“CPA”)
<u>Application</u>	:	Renewal of Planning Approval for Temporary Place of Recreation (Canoe Club) for a Period of 3 Years

1. The Proposal

- 1.1 The applicant seeks renewal of planning approval for temporary place of recreation (canoe club) for a period of three years at the application site (the Site), which falls within an area zoned “CPA” on the approved Pak Kong and Sha Kok Mei OZP No. S/SK-PK/11 (**Plan A-1**). According to the covering Notes of the OZP, temporary use or development of any land not exceeding a period of three years requires permission from the Town Planning Board (the Board). The Site is currently occupied by the applied use with planning permission under application No. A/SK-PK/277 valid until 23.12.2025 (**Plans A-2, A-4a and A-4b**). All approval conditions of the previous application have been complied with.
- 1.2 The Site together with the adjoining GL are currently used as an canoe club under a STT granted to the applicant for open storage of canoes and permitted ancillary

uses. The STT commenced since 1.1.1983 but originally not covering the Site. Subsequently, the STT area has been expanded to incorporate the Site (**Plan A-2**) upon the applicant's acceptance of the offer of amendment to STT on 11.3.2022. While the canoe club use falling outside the Site, which has been in existence since the gazettal of the interim development permission area (IDPA) plan on 12.10.1990 is tolerated as an "existing use" (EU) under the Town Planning Ordinance, the canoe club use at the Site requires planning permission from the Board.

- 1.3 The Site is the subject of three previous applications (No. A/SK-PK/233, 255 and 277) submitted by the same applicant for the same use as the current application, which were approved by the Rural and New Town Planning Committee (the Committee) of the Board on 23.12.2016, 15.11.2019 and 11.11.2022 respectively. The site boundary, layout, and development parameters of the current application are the same as all previous applications. According to the applicant, upon renewal of the planning approval, the Site will continue to be occupied by three temporary structures including a metal porch (used for canoe storage), office use and changing room of the canoe club (**Drawing A-1**), with a total non-domestic gross floor area of 48m² and building heights varying from 2.7m to 3.3m. The layout plan submitted by the applicant is at **Drawing A-1**. The canoe club will continue to operate between 8:30 a.m. to 6:00 p.m. daily.
- 1.4 In support of the application, the applicant has submitted the following documents:
 - (a) Application Form with attachments received on 29.9.2025 (**Appendix I**)
 - (b) Further information (FI) received on 10.11.2025* (**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 Part 7 of the Application Form and FI at **Appendices I and Ia**. They can be summarized as follows:

- (a) the canoe club has been running smoothly without generating any adverse impact on the surrounding areas;
- (b) the existing fire service installations implemented have been maintained in efficient working order at all times and the Certificate of Fire Service Installation and Equipment (FS 251) has been secured annually; and
- (c) the Site has been used for providing canoe training courses on a non-profit basis for the community and the club will continue to serve the community after the renewal is granted.

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

As the Site involves GL only, the "Owner's Consent/Notification" 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) are not applicable to the application.

4. Town Planning Board Guidelines

The Town Planning Board 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 the application. The relevant assessment criteria are at **Appendix II**.

5. Background

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

6. Previous Applications

6.1 The Site is the subject of three previous applications (No. A/SK-PK/233, 255 and 277) submitted by the same applicant for the same use as the current application, which were all approved with conditions on a temporary basis of 3 years by the Committee on 23.12.2016, 15.11.2019 and 11.11.2022 respectively. The previous applications were approved mainly on the considerations that the applied use would not jeopardise the planning intention of the subject “CPA” zone and no significant adverse impact was anticipated. The site boundary, layout, and development parameters of the current application are the same as the three previous approved applications and all approval conditions of the previous applications have been complied with. The approval under the last application (No. A/SK-PK/277) is valid until 23.12.2025.

6.2 Details of the previous applications are summarized at **Appendix III** and their locations are shown on **Plans A-1** and **A-2**.

7. Similar Application

There is no similar application for ‘Place of Recreation’ within the subject “CPA” zone on the same OZP.

8. The Site and Its Surrounding Areas (Plans A-1 and A-2, Aerial Photos on Plan A-3 and Site Photos on Plans A-4a and A-4b)

8.1 The Site:

- (a) is located at the sea front of Inner Port Shelter (Sai Kung Hoi);
- (b) is paved and occupied by an existing canoe club covered by a valid STT with a metal porch used for canoe storage, office use and changing room of the canoe club; and

(c) abuts Tai Mong Tsai Road with pedestrian access at the northern part.

8.2 The surrounding areas are predominately rural in character with village clusters of Tai Wan zoned “Village Type Development” to the immediate north and west. To the east and south is Inner Port Shelter; and to the south and southwest across Tai Mong Tsai Road are vegetated slopes within the “Green Belt” zone.

9. Planning Intention

The “CPA” zone is intended to conserve, protect and retain the natural coastlines and the sensitive coastal natural environment, including attractive geological features, physical landform or area of high landscape, scenic or ecological value, with a minimum of built development. It may also cover areas which serve as natural protection areas sheltering nearby developments against the effects of coastal erosion. There is a general presumption against development in this zone. In general, only developments that are needed to support the conservation of the existing natural landscape or scenic quality of the area or are essential infrastructure projects with overriding public interest may be permitted.

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 advisory comments in the Recommended Advisory Clauses are provided in **Appendices IV** and **V** respectively.

11. Public Comment Received During Statutory Publication Period

On 10.10.2025, 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 place of recreation (canoe club) for a further period of three years at the Site zoned “CPA” on the OZP (**Plan A-1**). The development parameters and layout remain the same. Whilst the applied use is not in line with the planning intention of “CPA” as set out in paragraph 9 above, the Director of Agriculture, Fisheries and Conservation has no comment on the application. According to the applicant, the canoe club has been operating over three decades and is providing the community with canoe training courses on a non-profit basis.

12.2 The applied use involves three low-rise structures, including a metal porch used for canoe storage, office use and changing room of the canoe club. The surrounding areas of the Site are rural in character and mainly occupied by village clusters and vegetated slopes. The applied use is considered not incompatible with the surrounding areas. The Chief Town Planner/Urban Design and Landscape, Planning Department considers that significant landscape impact arising from the

application is not anticipated.

- 12.3 Given the small scale and nature of operation, the applied use would unlikely cause impact on the surrounding areas. Director of Environmental Protection has no objection to the application and considers no adverse environmental impact would be anticipated given the nature and scale of the temporary use. The applicant will be advised to follow the latest “Code of Practice on Handling Environmental Aspects of Temporary Uses and Open Storage Sites” to minimise any potential environmental nuisances on the surrounding areas. All other government departments consulted also have no objection to or no adverse comment on the application. ***As the site is zoned “CPA”, an approval condition requiring the reinstatement of the site upon expiry of the planning permission so as to uphold the planning intention of the “CPA” zone and restore the greenery of the area is recommended should the Committee decide to approve the application.***
- 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 last renewal application; no adverse planning implication arising from the renewal application is anticipated; all approval conditions under the previous approval have been complied with; no government departments consulted have objection to or adverse comment on the application; and the three-year approval period sought is not longer than the original validity period of the previous approval and is reasonable. As the fire service installations (FSIs) have been implemented, no approval conditions related to FSIs is required for the current application should it be approved.
- 12.5 The Site is the subject of three previous approved applications for the same use. The planning circumstances of the current application are similar to those previous applications. Approval of the current application is in line with the Committee’s previous decisions.

13. Planning Department’s Views

- 13.1 Based on the assessments made in paragraph 12 above, 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 24.12.2025 to 23.12.2028. ***The following condition of approval and advisory clauses are also suggested for Member’s reference:***

Approval Condition

- (a) upon expiry of the planning permission, the reinstatement of the application site, including removal of hard paving and grassing of the application site to satisfaction of the Director of Planning or of the Town Planning Board.***

Advisory Clauses

The recommended advisory clauses are at Appendix V.

13.3 There is no strong reason to recommend rejection of the application.

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 advisory clause(s), if any, to be attached to the permission, and the period of which the application 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 attachments received on 29.9.2025
Appendix Ia	FI received on 10.11.2025
Appendix II	Relevant Extracts of Town Planning Board Guidelines for “Renewal of Planning Approval and Extension of Time for Compliance with Planning Conditions for Temporary Use of Development” (TPB PG-No. 34D)
Appendix III	Previous Applications
Appendix IV	Government Departments’ General Comments
Appendix V	Recommended Advisory Clauses
Drawing A-1	Layout Plan
Plan A-1	Location Plan
Plan A-2	Site Plan
Plan A-3	Aerial Photo
Plans A-4a and A-4b	Site Photos

**PLANNING DEPARTMENT
NOVEMBER 2025**