

APPLICATION FOR PERMISSION
UNDER SECTION 16 OF THE TOWN PLANNING ORDINANCE

APPLICATION NO. A/YL-MP/390

- Applicant** : Mission Ark Limited
- Premises** : First Floor, Lot 4620 in D.D. 104, Mai Po, Yuen Long
- Premises Area** : About 174m²
- Lease** : (a) under New Grant No. 1149
(b) restricted for clinic, chapel and staff accommodation purposes
(c) 1/F of the building: (i) waiver issued for the purpose of a drug dependent persons treatment and rehabilitation centre; or (ii) may be used for school during weekdays
- Plan** : Approved Mai Po & Fairview Park Outline Zoning Plan (OZP) No. S/YL-MP/8
- Zoning** : “Recreation” (“REC”)
- Application** : Temporary Social Welfare Facility (Drug Dependent Persons Treatment and Rehabilitation Centre) for a Period of 2 Years

1. The Proposal

- 1.1 The applicant seeks planning permission for temporary social welfare facility (drug dependent persons treatment and rehabilitation centre (DTRC)) for a period of two years at the application premises (the Premises), which fall within an area zoned “REC” on the OZP (**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 planning permission from the Town Planning Board (the Board). The Premises are currently occupied by the applied use without valid planning application (**Plans A-2, A-4a and A-4b**).
- 1.2 The Premises are located on 1/F of an existing two-storey building at Lot 4620 in D.D. 104, Mai Po and are accessible from G/F of the building via staircase (**Drawing A-1**), while the building is accessible on foot through a local access leading to Castle Peak Road – Mai Po (**Plans A-1 and A-2**). According to the applicant, the applied use involves a total floor area of about 174m² for seven dormitory rooms accommodating a maximum of 20 patients/drug dependent persons and nine staffs/volunteers, two ancillary offices, two lavatories and a living room. The applied use operates 24 hours daily. Patients/drug dependent persons are usually long-stay depending on the treatment progress, while staff and volunteers use public transport and access the

Premises on foot via the local access. Loading/unloading activities for daily necessities are conducted at a nearby vehicle park and will be delivered to the centre by cart via the local access. The layout plan submitted by the applicant is at **Drawing A-1**.

- 1.3 The Premises are the subject of six previous applications for the same use as the current application, which were all approved with conditions by the Rural and New Town Planning Committee (the Committee) of the Board between 2004 and 2022 (detailed in paragraph 6 below). Subsequently, the last three applications (No. A/YL-MP/256, 283 and 327) were revoked due to non-compliance with approval conditions. Compared with the last application (No. A/YL-MP/327), the current application is submitted by the same applicant with the same layout and development parameters.
- 1.4 In support of the application, the applicant has submitted the following documents:
- | | | |
|-----|---|----------------------|
| (a) | Application Form received on 20.5.2025 | (Appendix I) |
| (b) | Further Information (FI) received on 17.9.2025* | (Appendix Ia) |
| (c) | FI received on 30.12.2025* | (Appendix Ib) |
| (d) | FI received on 7.1.2026* | (Appendix Ic) |
- * accepted and exempted from publication and recounting requirements*
- 1.5 On 18.7.2025 and 7.11.2025, the Committee of the Board agreed to defer making a decision on the application for two months each as requested by the applicant.

2. Justifications from the Applicant

The justifications put forth by the applicant in support of the application are detailed in the Application Form and FIs at **Appendices I to Ic**, and can be summarised as follows:

- (a) The applicant, Mission Ark Limited (MAL), is a non-profit making and non-Government subvention Christian organisation, geared towards meeting the special needs of drug addicts and substance abusers. As there is demand for drug treatment and assistance for rehabilitation in the society, the applied DTRC, namely Misson Ark – Yuen Long Centre (YLC), at the Premises hopes to provide services to those in need.
- (b) The YLC at the Premises has been in operation since 2002 and Certificate of Exemption of Treatment Centre (CoE) has been granted by the Director of Social Welfare (DSW). The YLC will be reprovisioned to a site at Shek Pik of Lantau Island in the future. To ensure continuous services in the meantime, and in case of any project delays, the applicant seeks planning permission to maintain current operation at the Premises while reprovisioning arrangements are underway.
- (c) Planning approvals have been granted for the centre since 2004. However, the planning permissions of last three previous applications were revoked due to issues arising from tenancy and funding arrangements, resulting in delays of submission of fire service installations (FSIs) proposal and its implementation works. The applicant has successfully renewed the tenancy of the Premises until 2027 and will discuss extending the tenancy with the landlord in the future if needed. The applicant has also engaged a professional fire engineering consultant and submitted a FSIs proposal under the current application, which is accepted by the Director of Fire Services (D of FS). The applicant is committed to complying with all relevant approval conditions if the application is approved by the Committee.

- (d) The applied use will not lead to adverse traffic impact on the surrounding area. Patients are usually long-stay depending on their treatment progress, while staff and volunteers use public transport and arrive at the centre on foot via the local access.

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 sending registered mail to the current land owner. Detailed information would be deposited at the meeting for Members’ inspection.

4. Town Planning Board Guidelines

The Premises are located within the Wetland Buffer Area (WBA) (**Plan A-1**) of the Deep Bay Area. The Town Planning Board Guidelines for ‘Application for Development within Deep Bay Area under Section 16 of the Town Planning Ordinance’ (TPB PG-No. 12C) is relevant to the application. Relevant extracts of the Guidelines are at **Appendix II**.

5. Background

The Premises and/or the subject building/lot(s) are currently not subject to any active planning enforcement action.

6. Previous Applications

The Premises are the subject of six previous applications (No. A/YL- MP/127, 186, 226, 256, 283 and 327) for the same use. While application No. A/YL-MP/127 was submitted by a different applicant, the remaining five applications were submitted by the same applicant with the same layout and development parameters as the current application. All of these applications were approved with conditions by the Committee between 2004 and 2022 mainly on the considerations that the applied use was located within an existing building and considered not incompatible with the surrounding uses; and relevant government departments had no adverse comment on the applied use and/or their technical concerns could be addressed by relevant approval conditions. Approval conditions for the applications No. A/YL-MP/186 and 226 had been complied with, while the planning permissions under the last three applications (No. A/YL-MP/256, 283 and 327) were revoked between 2018 and 2024 due to non-compliance with approval conditions on the submission and implementation of FSIs proposal. Details of the previous applications are summarised at **Appendix II** and their locations are shown on **Plan A-1**.

7. Similar Application

During the past five years, there is no similar application within the same “REC” zone on the OZP.

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

8.1 The Premises are:

- (a) located on 1/F of the two-storey existing building and operated under the name of YLC;
- (b) accessible from G/F of the subject building via a staircase;
- (c) currently occupied by the applied use without valid planning permission; and
- (d) located within the WBA of the Deep Bay Area.

8.2 The subject building is an existing two-storey building with G/F being used as an assembly hall/worship place and a church's office. It is accessible on foot via the local access leading to Castle Peak Road – Mai Po.

8.3 The surrounding areas are rural fringe in character mainly comprising residential structures with an intermix of plant nursery, retail shop, ponds, vacant land and active/fallow agricultural land (**Plan A-2**).

9. Planning Intention

The “REC” zone is intended 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.

10. Comments from Relevant Government Bureau/Departments

10.1 Apart from the government bureau/department (B/D) as set out in paragraph 10.2 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 IV** and **V** respectively.

10.2 The following government B/D have specific comments on the application:

Policy Perspective

10.2.1 Comments of the Commissioner for Narcotics, Security Bureau (C for N, SB):

- (a) MAL has been operating a self-financing DTRC for male drug abusers, namely YLC, at the Premises on a CoE issued by the DSW under the Drug Dependent Persons Treatment and Rehabilitation Centres (Licensing) Ordinance (Cap. 566), which is subject to renewal;
- (b) it is noted that MAL has previously submitted several applications covering the same Premises and for the same purpose. The last

approved previous application (No. A/YL-MP/327) was revoked in 2024 due to the non-compliance with approval conditions on the submission and implementation of FSIs proposal. Nevertheless, he noted that MAL has since been making efforts to address the issues of fire safety by submitting a new FSIs proposal under the current application which has been accepted by D of FS;

- (c) in addition, MAL is actively pursuing the reprovisioning project of YLC to the site of a former school at Shek Pik of Lantau Island, by forming a combined DTRC which will be operated by Christian New Life Association Limited (CNLA). CNLA has been approved for funding under relevant funding scheme of the Development Bureau to carry out detailed design and site investigation, and a consultancy team has been engaged by CNLA to take forward the reprovisioning project. The project team aims to complete the reprovisioning works in one to two years; and
- (d) in view of the foregoing and that DSW has raised no objection to the application, he has no objection to the application for temporary planning permission from the anti-drug policy perspective so as to enable the continued operation of YLC in the interim.

Social Welfare

10.2.2 Comments of DSW:

- (a) MAL has been operating a self-financing male DTRC, namely YLC, on 1/F of the building on Lot 4620 in D.D.104, Mai Po, Yuen Long. YLC is operated under a CoE with Certificate No. 0480 with a licensing capacity of 20, covering the period from 1.1.2026 to 30.6.2026 inclusive, under Cap. 566. Since YLC has been in operation before the commencement of Cap. 566 but is unable to comply fully with the licensing requirements, it has all along been granted with a CoE, which would be subject to renewal for a period of not exceeding 12 months;
- (b) while MAL is pursuing a reprovisioning project for YLC with another DTRC on Lantau Island, to facilitate MAL's continual operation at the existing Premises and prepare for the long-term reprovisioning plan, he has no objection to the application for use of the Premises as a temporary social welfare facility (drug dependent persons treatment and rehabilitation centre) for a period of two years, given that there is no financial implication, both capital and recurrent, incurred to his Department; and
- (c) to maintain its operation at the Premises, MAL should ensure that the building safety, fire safety, land use, operation and management and / or other conditions of YLC are in compliance with the statutory licensing requirements in accordance with Cap. 566, the Code of Practice for Drug Dependent Persons Treatment and Rehabilitation Centres and the requirements of relevant ordinances.

11. Public Comment Received During Statutory Publication Period

On 27.5.2025, the application was published for public inspection. During the statutory public inspection period, one public comment was received (**Appendix VI**) from an individual raising concern on revocation of previous planning permission due to funding arrangement.

12. Planning Considerations and Assessments

- 12.1 The application is for temporary social welfare facility (drug dependent persons treatment and rehabilitation centre) for a period of two years at the Premises zoned “REC” (**Plan A-1**). Whilst the applied use is not in line with the planning intention of the “REC” zone, the applicant claims that it is intended to continue the provision of drug treatment and rehabilitation services for those suffering from drug addiction, which has been in operation since 2002, before the long-term reprovisioning plan is materialised. C for N, SB, from the anti-drug policy perspective, and DSW have no objection to the application considering that it could facilitate continual operation of the applied use at the Premises in the interim before completion of the reprovisioning project at Shek Pik of Lantau Island. Besides, there is currently no known development proposal for recreational uses involving the Premises and the subject “REC” zone. Taking into account the above and the planning assessments below, sympathetic consideration may be given to the application on a temporary basis for a period of two years.
- 12.2 The applied use at the Premises is considered not incompatible with the existing uses within the same building and with the surrounding areas which are rural fringe in character comprising mainly residential structures with an intermix of plant nursery, retail shop, ponds, vacant land and active/fallow agricultural land (**Plan A-2**). The Chief Town Planner/Urban Design and Landscape of Planning Department (PlanD) has no adverse comment on the application from landscape planning perspective, and considers that the applied use is generally not incompatible with the landscape character in the proximity and adverse landscape impact on landscape resources arising from the applied use is not anticipated.
- 12.3 The Premises falls within the WBA under TPB PG-No. 12C, which specifies that planning applications for temporary uses are exempted from the requirement of ecological impact assessment. The Director of Agriculture, Fisheries and Conservation has no comment on the application from nature conservation point of view.
- 12.4 Other relevant government departments consulted including the Director of Environmental Protection, Commissioner for Transport, Chief Engineer/Mainland North of Drainage Services Department and D of FS have no objection to or no adverse comment on the application. To address the technical requirement of concerned departments, relevant approval conditions are recommended in paragraph 13.2 below.
- 12.5 As detailed in paragraph 6 above, the Premises is the subject of six approved previous applications for the same use, the last five of which were submitted by the same applicant as the current application, and the current application has the same layout and development parameters as compared with the last application (No. A/YL-MP/327). Planning permissions under the last three applications (No. A/YL-MP/256, 283 and 327) were subsequently revoked due to non-compliance with the approval conditions related to submission and implementation of FSIs. According to the applicant, failure in undertaking the approval conditions was due to issues arising from tenancy and funding

arrangements. In this regard, the applicant has successfully renewed the tenancy of the Premises and has submitted a FSIs proposal to support the current application which is accepted by D of FS. In view of the above and noting the nature of the applied use with no objection from relevant B/Ds including C for N, SB and DSW from the perspectives of anti-drug policy and continual provision of the drug treatment and rehabilitation services, sympathetic consideration would 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 again resulting in revocation of the planning permission, sympathetic consideration may not be given to any further application.

- 12.6 Regarding the public comment as stated in paragraph 11 above, the planning considerations and departmental comments above are relevant.

13. Planning Department's Views

- 13.1 Based on the assessments made in paragraph 12 and having taken into account the public comment mentioned in paragraph 11, PlanD 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 two years until 27.2.2028. The following conditions of approval and advisory clauses are also suggested for Members' reference:

Approval conditions

- (a) 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 27.11.2026; and
- (b) if the above approval condition (a) 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 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 "REC" zone which is intended 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.

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), if any, 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 received on 20.5.2025
Appendix Ia	FI received on 17.9.2025
Appendix Ib	FI received on 30.12.2025
Appendix Ic	FI received on 7.1.2026
Appendix II	Relevant Extracts of TPB PG-No. 12C
Appendix III	Previous Applications
Appendix IV	Government Departments' General Comments
Appendix V	Recommended Advisory Clauses
Appendix VI	Public Comment
Drawing A-1	Layout Plan of the Application Premises
Plan A-1	Location Plan with Previous Applications
Plan A-2	Site Plan
Plan A-3	Aerial Photo
Plans A-4a and 4b	Site Photos

**PLANNING DEPARTMENT
FEBRUARY 2026**