

**Application for Renewal of Planning Approval for Temporary Use
 Under Section 16 of the Town Planning Ordinance**

Application No. A/YL-MP/411

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| 1. <u>Proposal</u> | |
| Applicant | Mr. FUNG Hok Lan represented by R-riches Planning Limited |
| Site (Plan A-1) | Lot 20 RP in D.D. 101, Mai Po, Yuen Long |
| Site Area | About 726.1m ² |
| Zoning and Outline Zoning Plan (OZP) No. | “Open Space” (“O”) zone on the draft Mai Po and Fairview Park OZP No. S/YL-MP/9 |
| Application | Renewal of Planning Approval for Temporary Shop and Services (Metal Hardware Shop and Household Item Retail Store) for a Period of Five Years |
| Site Context and the Current Proposal | The application site (the Site) is accessible from a local access leading to Mai Po South Road with an ingress/egress (about 5m wide) at its north-eastern part. (Plan A-2). According to the applicant, the applied use, with a total floor area of about 303.92m ² , involves one two-storey structure (about 6.5m in height) for shop and services with ancillary office. Three private car parking spaces and one loading/unloading space for light goods vehicle are provided (Drawing A-1). No dismantling, maintenance, repairing, cleansing, paint spraying or other workshop activities and storage of dangerous and dusty goods will be involved at the Site at all times. Besides, no vehicle without valid licence issued under the Road Traffic (Registration and Licensing of Vehicle) Regulations will be allowed to be parked and stored at the Site. The applied use operates from 9:00 a.m. to 6:00 p.m. from Mondays to Saturdays, excluding Sundays and public holidays. The layout plan submitted by the applicant is at Drawing A-1 . |
| Last Previous Relevant Application ¹ | Application No. A/YL-MP/306 ² approved on 9.7.2021 for a period of five years until 9.7.2026 which was submitted by the |

¹ The Site is involved in three previous applications (No. A/YL-MP/244, 269 and 306) for the same applied use submitted by the same applicant as the current application which were approved by the Rural and New Town Planning Committee (the Committee) of the Town Planning Board (the Board) each for a period of three or five years between 2015 to 2021.

² The Site fell within the same “O” zone on the then approved Mai Po and Fairview Park OZP No. S/YL-MP/6 at the time when the last previous relevant application was considered by the Committee.

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| | <p>same applicant for the same use at the same Site with the same layout and development parameters.</p> <p>(Please refer to https://www.tpb.gov.hk/uploads/page/meetings/RNTPC/A_YL-MP_306/A_YL-MP_306_MainPaper.pdf for details of the last previous relevant application)</p> |
| Justifications from the Applicant (Appendices I and Ia) | <p>(a) the application can facilitate the continuation of the existing shop and services use to serve the nearby residents and business operators;</p> <p>(b) the applied use is considered not incompatible with the surrounding uses and there is no implementation programme for the planned open space at present. No adverse traffic, drainage, sewerage and environmental impacts are anticipated;</p> <p>(c) all the approval conditions under the last previous application No. A/YL-MP/306 have been complied with. Similar applications for the same shop and services use have also been approved within the “O” zones in the OZP within the past 5 years; and</p> <p>(d) in support of the current application, the applicant has submitted an as-built drainage plan and photographic records of the existing drainage facilities, as well as a fire service installations (FSIs) proposal accepted under the last previous application and the corresponding FS251 certificates. The applicant will continue to maintain the existing FSIs and drainage facilities on the Site.</p> |
| Compliance with the “Owner’s Consent/Notification” requirements ³ | The applicant is the sole “current land owner”. |

| 2. <u>Planning Considerations and Assessments</u> | | | | |
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| | <u>Criteria</u> | <u>Yes</u> | <u>No</u> | <u>Remarks</u> |
| (a) | In line with <u>TPB PG No. 34D</u> ⁴ , including: <ul style="list-style-type: none"> i. no material change in planning circumstances | ✓ | | Whilst the applied use is not in line with the planning intention of the “O” zone, according to the applicant, it could serve the nearby residents and business operators. The Director of Leisure and Cultural |

³ As set out in TPB Guidelines on Satisfying the ‘Owner’s Consent/Notification’ Requirements under Sections 12A and 16 of the Town Planning Ordinance (TPB PG-No. 31B) and detailed information would be deposited at the meeting for Members’ inspection.

⁴ TPB Guidelines No. 34D on Renewal of Planning Approval and Extension of Time for Compliance with Planning Conditions for Temporary Use or Development.

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| | <p>since the previous approval was granted (e.g. a change in planning policy/zoning for the area) or land uses of surrounding areas);</p> <p>ii. no adverse planning implications arising from the renewal of the planning approval (e.g. pre-emption of planned permanent development);</p> <p>iii. all the time-limited approval conditions under the previous approval have been complied with; and</p> <p>iv. the 3-year approval period sought does not exceed the duration of the last approval.</p> | | | <p>Services has no objection to the application as there is currently no plan to develop the Site into a public open space in the coming five years. Approval of the application on a temporary basis for a period of five years would not jeopardise the long-term planning intention of the “O” zone.</p> |
| (b) | In line with <u>TPB PG-No.12C</u> ⁵ | ✓ | | <p>The Site falls within the Wetland Buffer Area in Deep Bay Area under the 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 renewal application from nature conservation perspective.</p> |
| (c) | Any other relevant considerations (e.g. minor change in layout/development parameters)? | | ✓ | Nil |
| (d) | Any adverse departmental comments? | | ✓ | <p>Relevant government departments consulted have no objection to or no adverse comment on the renewal application (Appendix II). Relevant approval conditions and advisory clauses are recommended at paragraph 4 below.</p> <p><u>PlanD’s Assessments</u></p> <p>To address the technical requirements of concerned departments, relevant approval</p> |

⁵ TPB Guidelines No. 12C for Application for Developments within Deep Bay Area under Section 16 of the Town Planning Ordinance.

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| | | | | conditions and advisory clauses are recommended in paragraph 4 below. |
| (e) | Public comments received during statutory publication period | | ✓ | No public comment was received. |

3. Planning Department's View

- No objection to the application.

4. Decision Sought

- 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, and be renewed from 10.7.2026 to 9.7.2031. The following conditions of approval and advisory clauses are suggested for Members' reference:

Approval Conditions

- the existing drainage facilities on the site shall be maintained at all times during the planning approval period; and
- if the above planning condition (a) 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.

Advisory Clauses

The recommended advisory clauses are at **Appendix III**.

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

Attachments

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| Appendix I | Application Form and Supplementary Information received on 8.4.2026 and 10.4.2026 respectively |
| Appendix Ia | Further Information received on 8.5.2026 and 14.5.2026 (accepted and exempted from the publication and recounting requirements) |
| Appendix II | Government Departments with No Objection / No Adverse Comment |
| Appendix III | Recommended Advisory Clauses |
| Drawing A-1 | Layout Plan |
| Plan A-1a | Location Plan with Similar Applications |
| Plan A-1b | Previous Applications Plan |
| Plan A-2 | Site Plan |