

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

Application No. A/YL-NSW/369

1. <u>Proposal</u>	
Applicant	Gala Growth Co. Limited represented by DeSPACE (International) Limited
Site (Plan A-1)	Lots 3719 S.G ss.9 RP (Part) and 3719 S.G ss.10 (Part) in D.D.104, Nam Sang Wai, Yuen Long
Site Area	About 840m ²
Zoning and Outline Zoning Plan (OZP) No.	“Other Specified Uses” annotated “Comprehensive Development to include Wetland Restoration Area” (“OU(CDWRA)”) zone on the approved Nam Sang Wai Outline Zoning Plan (OZP) No. S/YL-NSW/12 <i>[restricted to a maximum plot ratio of 0.4 and a maximum building height of 6 storeys including car park]</i>
Application	Renewal of Planning Approval for Temporary Eating Place (Restaurant) for a Period of 3 Years
Site Context and the Current Proposal	The application site (the Site) is accessible via a local track leading from Fairview Park Boulevard (Plan A-2). According to the applicant, the applied use with ancillary staff quarters is accommodated within an existing New Territories Exempted House (NTEH) (not more than 8.23m) and three temporary structures (not more than 5.48m in height) with a total floor area of about 869m ² (Drawing A-1). No parking space but one loading/unloading space is provided at the Site. The operation hours are from 7:30 a.m. to 10:00 p.m. daily, including 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-NSW/311 approved on 5.5.2023 for a renewal of planning approval for a period of three years until 22.7.2026, which was submitted by the same applicant for the same use at the same Site with the same development parameters and layout. (Please refer to https://www.tpb.gov.hk/uploads/page/meetings/RNTPC/A_YL-NSW_311/A_YL-NSW_311_MainPaper.pdf for details of the last previous relevant application)

¹ The Site is involved in 12 previous approved applications (No. A/DPA/YL-NSW/4, A/YL-NSW/20, 40, 66, 111, 174, 193, 208, 228, 256, 279 and 311). The first application (No. A/DPA/YL-NSW/4) was approved in 1991 for a NTEH (Small House) while the subsequent 11 applications (A/YL-NSW/20, 40, 66, 111, 174, 193, 208, 228, 256, 279 and 311) for the same applied use as the current renewal application which were all approved between 1997 and 2023.

<p>Justifications from the Applicant (Appendices I to Ib)</p>	<p>(a) There is no change to the existing structures and the applied use remains as ‘Eating Place (Restaurant)’ as per the previous planning approval under application No. A/YL-NSW/311. The Site is the subject of several approved applications for the same use. Approval of the current application would not set an undesirable precedent within the “OU(CDWRA)” zone.</p> <p>(b) The applied use (i.e. restaurant) will continue to provide catering services to the local residents, workers and visitors in the vicinity. It is not incompatible with the surrounding areas which include the residential developments at Man Yuen Chuen and Fairview Park.</p> <p>(c) The applied use is temporary in nature and modest in scale, and renewal of planning approval for a further period of three years will not cause adverse traffic, environmental, drainage or landscape impacts to the surrounding environment.</p> <p>(d) The renewal application is in line with the Town Planning Board (TPB) Guidelines (TPB PG-No. 34D) in that there is no adverse planning implication arising from the renewal of the planning approval and all approval conditions under the previous application have been complied with. The accepted fire service installations proposal and records of existing drainage facilities are submitted to support the current application.</p>
<p>Compliance with the “Owner’s Consent/ Notification” requirements²</p>	<p>The applicant is the sole “current land owner”.</p>

<p>2. <u>Planning Considerations and Assessments</u></p>				
	<p><u>Criteria</u></p>	<p><u>Yes</u></p>	<p><u>No</u></p>	<p><u>Remarks</u></p>
<p>(a)</p>	<p>In line with TPB PG-No. 34D³, including:</p> <p>i. no material change in planning circumstances 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>✓</p>		<p>While the applied use is not entirely in line with the planning intention of the “OU(CDWRA)” zone, it could provide catering services to local residents, workers and visitors in the area and there is no known long-term development proposal for the Site. Approval of the application on a temporary basis for a period of three years would not jeopardise the long-term planning intention of the “OU(CDWRA)” zone.</p>

² As set out in the TPB Guidelines on Satisfying the ‘Owner’s Consent/Notification’ Requirements under Sections 12A and 16 of the Town Planning Ordinance ([TPB PG-No. 31B](#)).

³ TPB Guidelines on Renewal of Planning Approval and Extension of Time for Compliance with Planning Conditions for Temporary Use or Development ([TPB PG-No. 34D](#)).

	<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>			
(b)	In line with TPB PG-No. 12C ⁴	✓		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.
(c)	Any other relevant considerations (e.g. minor change in layout/development parameters)?		✓	
(d)	Any adverse departmental comments?		✓	<p>Relevant government departments consulted have no objection to or no adverse comment on the application (Appendix II). Relevant approval conditions and advisory clauses are recommended in paragraph 4 below.</p> <p><u>PlanD's Assessments</u></p> <p>To address the technical requirements of concerned departments, relevant approval conditions are recommended in paragraph 4 below.</p>
(e)	Public comment received during statutory publication period		✓	No public comment was received.

<p>3. <u>Planning Department's View</u></p> <ul style="list-style-type: none"> • <u>No objection</u> to the application.
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⁴ TPB Guidelines No. 12C for Application for Developments within Deep Bay Area under Section 16 of the Town Planning Ordinance.

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 3 years, and be renewed from 23.7.2026 to 22.7.2029. The following conditions of approval and advisory clauses are 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 submission of an updated condition record of the existing drainage facilities on the Site within **3** months from the date of commencement of the renewed planning approval to the satisfaction of the Director of Drainage Services or of the Town Planning Board by **23.10.2026**;
- (c) the existing fire services installations implemented on the Site shall be maintained in efficient working order at all times during the planning approval period;
- (d) if any of the above planning condition (a) or (c) 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 the above planning condition (b) 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 at **Appendix III**.

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

Attachments

Appendix I	Application Form with supporting documents received on 13.4.2026 and Supplementary Information received on 16.4.2026
Appendix Ia	Further Information (FI) received on 19.5.2026 (accepted and exempted from publication and recounting requirements)
Appendix Ib	FI received on 22.5.2026 (accepted and exempted from 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-1	Location Plan with Previous Applications
Plan A-2	Site Plan

**PLANNING DEPARTMENT
JUNE 2026**