

APPLICATION FOR PERMISSION
UNDER SECTION 16 OF THE TOWN PLANNING ORDINANCE

APPLICATION NO. A/YL-KTN/1240

- Applicant** : Sha Po Tsuen Fa Pau Society (沙埔村花炮會) represented by Tensor Planning and Surveying Limited
- Site** : Lot 1634 RP (Part) in D.D. 107 and Adjoining Government Land (GL), Sha Po Tsuen, Kam Tin North, Yuen Long
- Site Area** : About 428m² (including GL of about 2m² (about 0.5%))
- Lease** : Block Government Lease (demised for agricultural use)
- Plan** : Approved Kam Tin North Outline Zoning Plan (OZP) No. S/YL-KTN/11
- Zoning** : “Village Type Development” (“V”)
[restricted to maximum building height of 3 storeys (8.23m)]
- Application** : Temporary Place of Recreation, Sports or Culture for a Period of Five Years

1. The Proposal

- 1.1 The applicant seeks planning permission for temporary place of recreation, sports or culture for a period of five years at the application site (the Site), which falls within an area zoned “V” on the OZP (**Plan A-1**). According to the Notes of the OZP for the “V” zone, ‘Place of Recreation, Sports or Culture’ is a Column 2 use which requires planning permission from the Town Planning Board (the Board). The Site is currently hard-paved, erected with some temporary structures and used for the applied use without valid planning permission (**Plans A-2 to A-4**).
- 1.2 The Site is accessible from Sha Po Tsuen Road via a local track (**Plans A-1 to A-3**). According to the applicant, the applied use involves nine single-storey structures with height of not more than 4m and a total floor area of about 190m² for recreation room, communal hub, office, store rooms¹ and electricity meter room (**Drawing A-1**) for preparation of Fa Pau (or known as paper floral tributes) (花炮) for the Tin Hau Festival (天后寶誕) and other festival events², as well as

¹ According to the applicant, the store rooms are for storing paper materials, bamboos for flower plaque, musical instruments, dragon and lion dances costumes, and furniture for Poon Choi (盆菜) feast.

² According to the covering Notes of the OZP, temporary use or development of any land or building (including carnivals, fairs, film shooting on locations, festival celebrations, religious functions or sports events) not exceeding a period of two months is always permitted provided that no site formation (filling or excavation) is carried out.

holding recreational and social activities of the local villagers. There is an open area of about 238m² at the Site designated mainly for temporary storage of Fa Pau (usually not more than 5m high) and conducting occasional events such as dragon and lion dance practice and Poon Choi feast (basin cuisine) (盆菜). One loading/unloading space (L/UL) for light goods vehicle is provided at the Site. The Site will not be fenced-off such that the 24-hour through access currently serving the surrounding residents will be maintained. Musical instruments, public announcement system, portable loud speaker or any form of audio amplification system will only be allowed to be used within the Site during occasionally held events in consultation with nearby villagers. No workshop activity will be involved at the Site at all times. The operation hours are between 7:00 a.m. and 11:00 p.m. daily, including Sundays and public holidays. Plan showing the site layout submitted by the applicant is on **Drawing A-1**.

1.3 In support of the application, the applicant has submitted the following documents:

- (a) Application Form with attachments received on 1.6.2026 (Appendix I)
- (b) Further Information (FI) received on 17.7.2026* (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 the Application Form and FI at **Appendices I** and **Ia** and can be summarised as follows:

- (a) the applied use is operated by the applicant (i.e. villagers of Sha Po Tsuen) on a non-profit basis to preserve and promote the long history of intangible cultural heritage of Fa Pau and the local indigenous traditions. Various recreational and social activities are held at the Site. The applied use would also be a hub to strengthen the community bonds;
- (b) the temporary nature of the application will not jeopardise the long-term planning intention of the “V” zone. The applied use is small in scale and compatible with the surrounding areas; and
- (c) adverse drainage, traffic and environmental impacts are not anticipated. In support of the current application, the applicant has submitted a drainage proposal.

3. **Compliance with the ‘Owner’s Consent/Notification’ Requirements**

The applicant is not a ‘current land owner’ but has complied with the requirement 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 posting site notice and sending notice to the Kam Tin Rural Committee. Detailed information would be deposited at the meeting for Members’ inspection. ***For the GL portion of the Site, the ‘Owner’s Consent/Notification’ Requirements are not applicable.***

4. Background

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

5. Previous Application

There is no previous application involving the Site.

6. Similar Application

There is no similar application for temporary place of recreation, sports or culture use within the same “V” zone in the vicinity of the Site.

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

7.1 The Site is:

- (a) accessible from Sha Po Tsuen Road via a local track; and
- (b) currently hard-paved, erected with some temporary structures and used for the applied use without valid planning permission.

7.2 The surrounding areas are rural in character with mainly the village settlements of Sha Po Tsuen, parking area³ and farmland to the south of Sha Po Tsuen Road, and open storage/storage yards, warehouse, scattered residential structures, parking area and grassland to the north and west across Sha Po Tsuen Road (**Plan A-2**).

8. Planning Intention

The planning intention of the “V” zone is to reflect existing recognized and other villages, and to provide land considered suitable for village expansion and reprovisioning of village houses affected by Government projects. 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 ground floor of a New Territories Exempted House. Other commercial, community and recreational uses may be permitted on application to the Board.

³ A planning application (No. A/YL-KTN/1241) for temporary public vehicle park (excluding container vehicle) is submitted for the consideration of the Rural and New Town Planning Committee (the Committee) of the Board at the same meeting.

9. 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, if any, are provided at **Appendices II** and **III** respectively.

10. Public Comment Received During Statutory Publication Period

On 9.6.2026, the application was published for public inspection. During the statutory public inspection period, one public comment was received from an individual providing views on the application that the application is to regularise the applied use at the Site which may have been operating for years without the provision of fire prevention equipment (**Appendix IV**).

11. Planning Considerations and Assessments

- 11.1 The application is for temporary place of recreation, sports or culture for a period of five years at the Site zoned “V” (**Plan A-1**). Whilst the applied use is not entirely in line with the planning intention of the “V” zone, according to the applicant, the applied use is to preserve and promote the long history of intangible cultural heritage of Fa Pau and local indigenous traditions like Tin Hau Festival and other festival events, as well as holding recreational and social activities of the villagers, forming a hub to strengthen the community bonds. The District Lands Officer/Yuen Long, Lands Department advises that there is no Small House application approved or under processing at the Site. It is considered that approving the application on a temporary basis would not frustrate the long-term planning intention of the “V” zone. Taking into account the above and the planning assessments below, there is no objection to the applied use on a temporary basis of five years.
- 11.2 The applied use is considered small in scale and not incompatible with the surrounding areas which are rural in character mainly with village settlements of Sha Po Tsuen and scattered residential structures, parking areas, open storage/storage yards, warehouse, farmland and grassland. 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 not entirely incompatible with the landscape setting in the proximity and significant adverse landscape impact arising from the applied use is not anticipated.
- 11.3 Other relevant government departments consulted, including the Director of Environmental Protection, Chief Engineer/Mainland North of Drainage Services Department, Commissioner for Transport and Director of Fire Services, have no objection to or no adverse comment on the application. To address the technical requirements of concerned departments, relevant approval conditions are recommended in paragraph 12.2 below. It is also recommended to advise the applicant to follow the revised ‘Code of Practice on Handling the Environmental

Aspects of Temporary Uses and Open Storage Sites' to minimise any potential environmental nuisance caused by the applied use.

- 11.4 Regarding the public comment as mentioned in paragraph 10, the departmental comments and planning assessments above are relevant.

12. Planning Department's Views

- 12.1 Based on the assessments made in paragraph 11 and having taken into account the public comment mentioned in paragraph 10 above, PlanD has no objection to the application.
- 12.2 Should the Committee of the Board decide to approve the application, it is suggested that the permission shall be valid on a temporary basis for a period of five years until 24.7.2031. The following conditions of approval and advisory clauses are also suggested for Members' reference:

Approval conditions

- (a) the submission of a revised drainage proposal within **6** months from the date of planning approval to the satisfaction of the Director of Drainage Services or the Town Planning Board by 24.1.2027;
- (b) in relation to (a) above, the implementation of the revised drainage proposal within **9** months from the date of planning approval to the satisfaction of the Director of Drainage Services or of the Town Planning Board by 24.4.2027;
- (c) in relation to (b) above, the implemented drainage facilities shall be maintained at all times during the planning approval period;
- (d) the submission of a fire service installations proposal within **6** months from the date of planning approval to the satisfaction of the Director of Fire Services or the Town Planning Board by 24.1.2027;
- (e) in relation to (d) above, the implementation of the 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 24.4.2027;
- (f) if the above planning condition (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
- (g) if any of the above planning condition (a), (b), (d) or (e) 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**.

- 12.3 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 primarily intended for development of Small Houses by indigenous villagers. There is no strong planning justification in the submission for a departure from the planning intention, even on a temporary basis.

13. Decision Sought

- 13.1 The Committee is invited to consider the application and decide whether to grant or refuse to grant permission.
- 13.2 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.
- 13.3 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.

14. Attachments

Appendix I	Application Form with attachments received on 1.6.2026
Appendix Ia	FI received on 17.7.2026
Appendix II	Government departments' general comments
Appendix III	Recommended advisory clauses
Appendix IV	Public comment
Drawing A-1	Site layout plan
Plan A-1	Location plan
Plan A-2	Site plan
Plan A-3	Aerial photo
Plan A-4	Site photos

**PLANNING DEPARTMENT
JULY 2026**