

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

Application No. A/YL-KTS/1144

1. <u>Proposal</u>	
Applicant	Mr. TANG Tin Wai represented by Goldrich Planners and Surveyors Limited
Site (Plan A-1)	Lots 565 (Part), 566 RP (Part), 613 (Part) and 616 RP (Part) in D.D. 106 and Adjoining Government Land (GL), Kam Tin South, Yuen Long
Site Area	About 3,985m ² (including GL of about 53m ² (1.3%))
Zoning and Outline Zoning Plan (OZP) No.	“Other Specified Uses” annotated “Rural Use” (“OU(RU)”) zone on the approved Kam Tin South Outline Zoning Plan No. S/YL-KTS/15 <i>[Subject to maximum plot ratio of 0.4 and maximum building height of 3 storeys (9m)]</i>
Application	Renewal of Planning Approval for Temporary Shop and Services for a Period of Three Years
Site Context and the Current Proposal	The application site (the Site) is accessible from Kam Sheung Road on the east (Plan A-2). According to the applicant, the applied use involves 15 one to two-storey structures (not more than 7m in height) with a total floor area of about 2,622m ² for shop and services (motor-vehicle showroom) and ancillary office, storeroom, toilet and meter room uses. Ten parking spaces (including seven for private car and three for light goods vehicle) are provided at the Site. The operation hours are from 8:00 a.m. to 9:00 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-KTS/970 approved on 25.8.2023 for a period of three years until 15.9.2026, which was submitted by the same applicant for the same use at the same Site with the same development parameters and layout.

¹ The Site is involved in 20 previous applications for various temporary uses and the last three applications (No. A/YL-KTS/718, 851 and 970) for the same applied use as the current application were approved between 2016 and 2023.

	(Please refer to https://www.tpb.gov.hk/uploads/page/meetings/RNTPC/A_YL-KTS_970/A_YL-KTS_970_MainPaper.pdf for details of the last previous relevant application)
Justifications from the Applicant (Appendices I and Ia)	(a) The applied use, which is temporary in nature, could meet local and industrial demand for motor vehicles, provide job opportunities to local residents and will not frustrate the long-term planning intention of the “OU(RU)” zone. (b) The applied use is not incompatible with the surrounding areas and there is no change in development parameters and layout of the applied use between the current application and the last approved application No. A/YL-KTS/970. All approval conditions of the last application have been complied with. There are also similar applications for ‘shop and services’ use approved within the same “OU(RU)” zone on the OZP in recent years. (c) The applied use will not cause adverse visual, drainage, fire safety, traffic and environmental impacts on the surrounding areas and adequate measures will be provided to mitigate any impacts arising from the applied use. The applicant will also follow the ‘Code of Practice on Handling the Environmental Aspects of Temporary Uses and Open Storage Sites’ (‘CoP’) issued by the Environmental Protection Department and comply with all environmental protection/pollution control ordinances. In support of the application, the applicant has also submitted an as-built drainage plan and a set of F.S. 251 certificates. (d) Upon approval of the application, the applicant will submit to the Lands Department (LandsD) the necessary application for Short Term Waiver and Short Term Tenancy as appropriate for implementing the applied use.
Compliance with the Owner’s Consent/Notification” requirements ²	Notified the current land owner by publishing notices in local newspapers and sending notice to the Pat Heung Rural Committee.

2. Planning Considerations and Assessments				
	<u>Criteria</u>	<u>Yes</u>	<u>No</u>	<u>Remarks</u>
(a)	In line with TPB PG No. 34D ³ , including: i. no material change in planning circumstances since the previous approval	✓		Whilst the applied use is not entirely in line with the planning intention of the “OU(RU)” zone, there is currently no known proposal for long-term development involving the Site and approval of the application on a

² 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](#)).

³ TPB Guidelines No. 34D on Renewal of Planning Approval and Extension of Time for Compliance with Planning Conditions for Temporary Use or Development.

	was granted (e.g. a change in planning policy/zoning for the area) or land uses of surrounding areas); ii. no adverse planning implications arising from the renewal of the planning approval (e.g. pre-emption of planned permanent development); iii. all the time-limited approval conditions under the previous approval have been complied with; and iv. the 3-year approval period sought does not exceed the duration of the last approval.			temporary basis would not jeopardise the long-term planning intention of the “OU(RU)” zone.
(b)	In line with TPB PG-No. 38 ⁴	✓		The applied use would not adversely affect the rural environment, the conservation of the rural landscape and the maintenance of the rural character of the area and its surroundings, nor would it overstrain the capacity of existing and planned infrastructure.
(c)	Any other relevant considerations (e.g. minor change in layout/development parameters)?		✓	Nil
(d)	Any adverse departmental comments?	✓		Relevant government departments consulted, except the District Lands Officer/Yuen Long (DLO/YL), LandsD, have no objection to or no adverse comment on the application (Appendix II). <u>Adverse Departmental Comments</u> DLO/YL, LandsD has adverse comment on the application. • <u>Unauthorised structure(s) within the private lot(s) covered by the application</u>

⁴ TPB Guidelines No. 38 for Designation of “OU(RU)” Zone and Application for Development Within “OU(RU)” Zone under Section 16 of The Town Planning Ordinance.

				LandsD has reservation on the application since there are unauthorized structure(s) and/or uses on Lot 565 in D.D. 106 which is already subject to lease enforcement actions according to case priority. The lot owner(s) should rectify/apply for regularization on the lease breaches as demanded by LandsD; and • <u>Unlawful occupation of GL adjoining the private lot(s) with unauthorised structure covered by the application</u> The GL within the Site (about 53m²) has been fenced off/unlawfully occupied with unauthorised structure without any permission. Any occupation of GL without Government's prior approval is an offence under Cap.28. His office reserves the rights to take necessary land control action against the unlawful occupation of GL without further notice. <u>PlanD's Assessments</u> To address the technical requirements of concerned government departments, relevant approval conditions are recommended in paragraph 4 below. Regarding DLO/YL, LandsD's concerns on the unauthorized structures on the Site and the unlawful occupation of GL, the applicant will be advised to liaise with LandsD on the land administration matters should the Committee approve the application. The applicant will also be advised to follow the revised 'CoP' to minimise any potential environmental nuisance caused by the applied use.
(e)	Public comment received during statutory publication period	✓		Total: 1 - Providing views: 1 (Appendix III) <u>Providing views</u> (from the Aviation Club of Hong Kong, China) - expresses concern on the height of the applied use from flight safety

				perspective. <u>Responses</u> Director-General of Civil Aviation has no comment on the application and advises the maximum level of the applied structures of not exceeding 7m / 2 storeys above ground level is in general compatible with the building heights in the surrounding areas and will not exceed the Airport Height Restriction as prescribed under the Hong Kong Airport (Control of Obstructions) Ordinance (Cap.301).
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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 3 years, and be renewed from 16.9.2026 to 15.9.2029. 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;
- the submission of a 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 16.12.2026;
- the existing fire service installations implemented on the site shall be maintained in efficient working order at all times during the planning approval period;
- 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
- 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 IV**.

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

Attachments

Appendix I	Application Form with attachments received on 10.7.2026
Appendix Ia	Further Information (FI) received on 19.8.2026 (accepted and exempted from publication and recounting requirements)
Appendix II	Government Departments with No Objection / No Adverse Comment
Appendix III	Public Comment
Appendix IV	Recommended Advisory Clauses
Drawing A-1	Layout Plan
Plan A-1a	Location Plan with Similar Applications
Plan A-1b	Previous Application Plan
Plan A-2	Site Plan

**PLANNING DEPARTMENT
AUGUST 2026**