RNTPC Paper No. A/TM/605
For Consideration by
the Rural and New Town
Planning Committee
on 6.11.2026

APPLICATION FOR PERMISSION
UNDER SECTION 16 OF THE TOWN PLANNING ORDINANCE

APPLICATION NO. A/TM/605

Applicant	:	Mr. TANG Lung Wai represented by Goldrich Planners and Surveyors Limited
Site	:	Lot 619 RP in D.D.132, Tuen Mun
Site Area	:	About 498m^2
Lease	:	Block Government Lease (demised for agricultural use)
Plan	:	Draft Tuen Mun Outline Zoning Plan No. S/TM/42 (the OZP)
Zoning	:	"Village Type Development" ("V") *[Restricted to a maximum building height of 3 storeys (8.23m)]*
Application	:	Proposed Temporary Shop and Services for a Period of 6 Years

1. The Proposal

1.1 The applicant seeks planning permission for proposed temporary shop and services for a period of six years at the application site (the Site) falling within an area zoned "V" on the OZP (**Plan A-1**). According to the Notes of the OZP of the "V" zone, 'Shop and Services' other than those on the ground floor of a New Territories Exempted House (NTEH), which is a Column 2 use, requires planning permission from the Town Planning Board (the Board). The Site is currently hard-paved, partly vacant and partly occupied by shops and eating place without valid planning permission (**Plan A-4**).

1.2 The Site is accessible from Tsz Tin Road via local tracks for vehicles with the ingress/egress located at the northern part of the Site. The pedestrian entrance is at the southeastern part of the Site at Yan Po Road (**Plans A-2** and **A-3**). According to the applicant, the proposed use will provide a wide range of retail shops and services, including convenience store, hardware store, barber shop and real estate agency, to meet the demand of local residents. A total of six two-storey temporary structures (not more than 7m in height) with a total floor area of about 440m^2 are proposed. One parking space (7m x 3.5m) for light goods vehicle is also proposed at the Site. The operation hours will be 24 hours daily including Sundays and public holidays. No public announcement systems, whistle blowing or portable loudspeaker will be allowed within the Site. The location plan with vehicular/pedestrian accesses and layout plan submitted by the applicant are at **Drawings A-1** and **A-2** respectively.

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

(a)	Application Form with attachments received on 14.9.2026	(**Appendix I**)
(b)	Further Information (FI) received on 22.10.2026*	(**Appendix Ia**)
(c)	FI received 27.10.2026*	(**Appendix Ib**)

*[*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 at **Appendix I**. They are summarised as follows:

(a) the proposed use will meet the demand of local residents and bring convenience to the surrounding area and its temporary nature will not jeopardise the long-term planning intention of the "V" zone;

(b) there are similar applications (No. A/TM/590 and A/TM/599) approved by the Board between 2024 and 2025 in the same "V" zone and their planning considerations are relevant to the current application; and

(c) no adverse visual, drainage, fire safety, traffic and environmental impacts on the surrounding area are anticipated. Should the application be approved, the applicant undertakes to submit and implement a drainage proposal and fire service installations proposal for the proposed use.

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 publishing notice in local newspapers and sending notice to the Tuen Mun Rural Committee. Detailed information would be deposited at the meeting for Members' inspection.

4. Previous Application

There is no previous application at the Site.

5. Similar Applications

There are two similar applications (No. A/TM/590 and A/TM/599) for proposed temporary shop and services with or without eating place for a period of six years within the same "V" zone in the past five years. Both applications were approved with conditions by the Rural and New Town Planning Committee (the Committee) of the Board between 2024 and 2025 mainly on the considerations that temporary approval would not jeopardise the long-term planning intention of the "V" zone; the proposed uses were not incompatible with the surrounding areas; and there were generally no adverse comments from concerned

government departments and the technical concerns could be addressed by implementation of approval conditions. Details of the similar applications are summarised at **Appendix II** and their locations are shown on **Plan A-1**.

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

6.1 The Site is:

(a) currently hard-paved, partly vacant and partly occupied by shops and eating place without valid planning permission;

(b) located in the southwestern part of Tsz Tin Tsuen;

(c) situated within the Siu Hang Tsuen Site of Archeological Interest; and

(d) accessible from Tsz Tin Road via local tracks.

6.2 The surrounding areas are predominantly occupied by village houses, storage yard, open storage and parking of vehicles (**Plan A-2**). Public housing developments including Yan Po Road Light Public Housing and Yan Tin Estate are located to the south and southeast across Yan Po Road which are zoned "Government, Institution or Community" and "Residential (Group A)" respectively (**Plans A-1** and **A-4**).

7. 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 (SHs) 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 the ground floor of a NTEH. Other commercial, community and recreational uses may be permitted on application to the Board.

8. Comments from Relevant Government Bureau/Departments

8.1 Apart from the government department as set out in paragraph 8.2 below, other government bureau/departments consulted have no objection to or no adverse comment on the application. Their general comments on the application and advisory comments are provided in **Appendices III** and **IV** respectively.

8.2 The following government department objects to the application:

Land Administration

8.2.1 Comments of the District Lands Officer/Tuen Mun, Lands Department (DLO/TM, LandsD):

(a) she objects to the application from land administration point of view;

(b) the Site comprises Old Schedule Agricultural Lot 619 RP in D.D.132 ("the Lot") held under the Block Government Lease which contains the restriction that no structures are allowed to be erected without the prior approval of the Government;

(c) the following irregularities have been detected by her office:

Unauthorised structure(s) within the Lot covered by the planning application

(i) there are unauthorised structures used as grocery stores, cafe, learning centre, toilets and converted containers erected on the Lot. The Lot owner should immediately rectify/regularise the lease breaches and her office reserves the rights to take necessary lease enforcement action against the breaches without further notice;

Unauthorised structure(s) within the Lot not covered by the planning application

(ii) there are unauthorised structures at the northwestern corner of the Lot not covered by the current application. The Lot owner should immediately rectify/regularise the lease breaches and her office reserves the rights to take necessary lease enforcement action against the breaches without further notice;

Unlawful occupation of Government land (GL) not covered by the planning application

(iii) the GL adjoining the Lot has been illegally occupied with unauthorised structures without permission. Any occupation of GL without Government's prior approval is an offence under Cap. 28. Her office reserves the right to take necessary land control action against the illegal occupation of GL without further notice; and

(iv) the Lot owner/applicant shall remove the unauthorised structures and cease the illegal occupation of the GL not covered by the current application immediately. LandsD reserves the right to take enforcement action against the Lot owner/applicant for any breach of the lease conditions, including the breach(es) already in existence or to be detected at any point of time in future and land control action for any unlawful occupation of GL;

(d) the Site is accessible via GL branching off the footway of Yan Po Road. Her office does not carry out maintenance works for the said GL nor guarantee the right-of-way to the Site will be given. The applicant shall be responsible for his own access arrangement;

(e) there is no SH application approved or under processing at the Site; and

(f) her advisory comments are detailed in **Appendix IV**.

9. Public Comment Received During the Statutory Publication Period

On 22.9.2026, the application was published for public inspection. During the statutory public inspection period, no public comment was received.

10. Planning Considerations and Assessments

10.1 The application is for proposed temporary shop and services for a period of six years at the Site zoned "V" on the OZP. Although the proposed use is not entirely in line with the planning intention of the "V" zone, the proposed use could meet the demand for shop and services in the surrounding areas. According to DLO/TM, LandsD, there is no SH application approved or under processing at the Site. Approval of the application on a temporary basis for a period of six years would not jeopardise the long-term planning intention of the "V" zone.

10.2 The proposed use comprises six two-storey temporary structures with a building height of not more than 7m. In view of the scale and nature of operation, it is considered not incompatible with the surrounding areas, which are predominantly occupied by village houses, storage yard, open storage and parking of vehicles, and with public housing developments including Yan Po Road Light Public Housing and Yan Tin Estate located to the south and southeast across Yan Po Road respectively (**Plans A-2** and **A-3**).

10.3 There is generally no objection to or no adverse comment on the application from concerned government departments consulted, including the Commissioner for Transport, Chief Highway Engineer/New Territories West of Highways Department, Chief Engineer/Mainland North of Drainage Services Department, Director of Environmental Protection and Director of Fire Services from traffic, drainage, environmental and fire safety aspects respectively. Should the application be approved, relevant approval conditions are recommended in paragraphs 11.2 below to address the technical requirements of the concerned government departments. The applicant will also be advised to follow the "Recommended Pollution Control Clauses for Construction Contracts" to minimise the potential inconvenience and environmental nuisance to the nearby residents and other sensitive receivers.

10.4 Regarding DLO/TM, LandsD's concerns on the unauthorised structures within the Site and unlawful occupation of GL not covered by the application, the applicant will be advised to liaise with LandsD on land administration matters should the Committee approve the application.

10.5 The Committee has approved two similar applications within the same "V" zone in the past five years (**Appendix II**). Approval of the current application is in line with the Committee's previous decisions.

11. Planning Department's Views

11.1 Based on the assessments made in paragraph 10 above, the Planning Department has no objection to the application.

11.2 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 six years until **6.11.2032**. The following conditions of approval and advisory clauses are also suggested for Members' reference.

Approval Conditions

(a) the submission of a drainage proposal within **6** months from the date of planning approval to the satisfaction of the Director of Drainage Services or of the Town Planning Board by **6.5.2027**;

(b) in relation to (a) above, the implementation of the 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 **6.8.2027**;

(c) in relation to (b) above, the implemented drainage facilities on the site shall be maintained at all times during the planning approval period;

(d) the submission of fire service installations proposal within **6** months from the date of planning approval to the satisfaction of the Director of Fire Services or of the Town Planning Board by **6.5.2027**;

(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 **6.8.2027**;

(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 IV**.

11.3 Alternatively, should the Committee decide to reject the application, the following reason for rejection is suggested for Members' reference:

the proposed use is not in line with the planning intention of the "Village Type Development" zone which 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. No strong planning

justification has been given in the submission for a departure from the planning intention, even on a temporary basis.

12. Decision Sought

12.1 The Committee is invited to consider the application and decide whether to grant or refuse to grant permission.

12.2 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.

12.3 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.

13. Attachments

Appendix I	Application Form with attachments received on 14.9.2026
Appendix Ia	FI received on 22.10.2026
Appendix Ib	FI received on 27.10.2026
Appendix II	Similar Applications
Appendix III	Government Bureau/Departments' General Comments
Appendix IV	Recommended Advisory Clauses
Drawing A-1	Location Plan with vehicular/pedestrian accesses
Drawing A-2	Layout Plan
Plan A-1	Location Plan
Plan A-2	Site Plan
Plan A-3	Aerial Photo
Plan A-4	Site Photos

PLANNING DEPARTMENT
NOVEMBER 2026