RNTPC Paper No. A/YL-PN/89B
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/YL-PN/89

Applicant	:	Ha Pak Nai Education Center Limited represented by Mr. Luen Kwok Wing
Site	:	Various Lots in D.D. 135, Pak Nai, Yuen Long, New Territories
Site Area	:	About 686m^2
Lease	:	Block Government Lease (demised for agricultural use)
Plan	:	Approved Sheung Pak Nai and Ha Pak Nai Outline Zoning Plan (OZP) No. S/YL-PN/9
Zoning	:	"Coastal Protection Area" ("CPA")
Application	:	Temporary Field Study, Education and Visitor Centre and Associated Filling of Land for a Period of 3 Years

1. The Proposal

1.1 The applicant seeks planning permission for temporary field study, education and visitor centre and associated filling of land for a period of three years at the application site (the Site) falling within an area zoned "CPA" on the OZP. According to the Notes of the OZP for the "CPA" zone, 'Field Study/Education/ Visitor Centre' which is a Column 2 use as well as filling of land requires planning permission from the Town Planning Board (the Board). The Site is currently largely covered with grass, partly paved and occupied by some temporary structures for the applied use without valid planning permission **(Plans A-2 and A-4a to A-4c)**.

1.2 According to the applicant, it has been a registered charitable institution since 2021. The Site is primarily used for educating the public about the ecology of Deep Bay area by means of educational programmes, guided tours and exhibitions, and for supporting a variety of nature conservation and environmental monitoring projects, such as ecological survey, release of marine species and water quality control (details elaborated in **Appendices I to Ic**). The applicant considers that the Site, located at the periphery of mudflats and mangroves, is most suitable for low-density development for environmental education purpose. The applied use can also play a vital role in supporting eco-tourism by serving as a gateway to the nearby wetlands and areas suitable for coastal protection. Besides, leveraging on the proximity of

the Site to Pak Nai and Lau Fau Shan, the applied use would help promote local village culture through integrating coastal landscape, oyster farming practice and rural lifestyle.

1.3 As mentioned in the applicant's submission, the Site has been used for supporting a number of conservation-related activities in collaboration with different organisations/institutions, such as coastal clean-up events in Ha Pak Nai with schools and volunteering groups, conservation of horseshoe crabs with the City University of Hong Kong (CityU) and Ocean Park Conservation Foundation (OPCF), as well as oyster restoration with The Nature Conservancy (TNC). In support of the application, the applicant has provided support letters from a former Legislative Council member and various organisations/institutions including CityU, OPCF, TNC and Ha Tsuen Rural Committee etc. (**Appendices I and Ia**).

1.4 The Site is accessible from Nim Wan Road via a local track with the ingress/egress located at the southern part of the Site (**Plan A-2**). According to the applicant, two single-storey structures (not more than 4m to 7m in height) with a total floor area of about 260m^2 are proposed, including one existing open shed **(Plans A-4b and A-4c)** for resting and storage purposes while the other is for portable toilets. The remaining areas are designated for outdoor activity zones (about 426m^2). Besides, the applicant seeks regularisation of land filling works for an area of about 230m^2 (34% of the Site) with concrete at a depth of 0.2m, which has already been undertaken at part of the Site occupied by the existing open shed. No additional building works and land filling works will be carried out. The applicant also proposes to plant 13 new trees mainly along the western periphery of the Site to mitigate the landscape impact. The layout plan, land filling plan and landscape plan submitted by the applicant are at **Drawings A-1 to A-3** respectively.

1.5 The Site is the subject of a previous application (No. A/YL-PN/83) submitted by the same applicant for the same use covering a larger site area (**Plan A-1**), which was rejected by the Rural and New Town Planning Committee (the Committee) of the Board on 14.2.2025 (details in paragraph 5 below). A comparison of the major development parameters between the previously rejected and current applications is as follows, and a comparison of their proposed layouts is at **Plan A-5**.

	Rejected Application No. A/YL-PN/83 (a)	**Current Application No. A/YL-PN/89 (b)**	**Difference (b) - (a)**
Applied Use	Temporary field study, education and visitor centre for a period of 3 years	Temporary field study, education and visitor centre and associated filling of land for a period of 3 years	Regularisation of land filling works is involved in the current application
Site Area	about 3,570m^2	about 686m^2	-2,884m^2 (-81%)
Total Floor Area	about 632m^2	about 260m^2	-372m^2 (-59%)
No. of Structures	6	2	-4 (-67%)
Height of Structures	1 storey (not more than 4m to 7m)	1 storey (not more than 4m to 7m)	0
Parking Spaces	4	0	-4 (-100%)

	Rejected Application No. A/YL-PN/83 (a)	Current Application No. A/YL-PN/89 (b)	Difference (b) - (a)
Loading/Unloading Space for Coach Bus	1	0	-1 (-100%)
Maximum Number of Visitors	80	40	-40 (-50%)

1.6 As shown in the table above, the scale of applied use in the current application, including site area, total floor area, number of structures, as well as numbers of parking spaces and loading/unloading space for coach bus, has been substantially reduced as compared to the previously rejected application (**Plan A-5**). In the current application, the applicant has also committed to demolish the temporary toilet and other structures near the site entrance[1], reinstate the paved walkways, as well as remove the kitchen facilities and miscellaneous items within the existing open shed at the Site[2] (**Appendix Ic**).

1.7 According to the applicant, a 1.5m-high wire fencing will be erected along the entire site boundary. Catering service and retail activity will not be carried out at the Site. Besides, sewage collected in septic tanks will be removed as necessary. The operation hours of the applied use are between 7 a.m. to 7 p.m. daily including Sundays and public holidays. While no parking spaces for visitors will be provided, they may access the Site by minibus, taxi or coach.

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

(a) Application Form with attachments received on 13.1.2026 (**Appendix I**)
(b) Further Information (FI) received on 24.2.2026, 25.2.2026 & 26.2.2026* (**Appendix Ia**)
(c) FI received on 11.5.2026 & 12.5.2026* (**Appendix Ib**)
(d) FI received on 9.9.2026* (**Appendix Ic**)

**accepted and exempted from publication and recounting requirements*

1.9 On 13.3.2026 and 10.7.2026, the Committee agreed to defer making a decision on the application for two months each as requested by the applicant.

2. Justifications from the Applicant

The justifications put forth by the applicant in support of the application are detailed in the Application Form and FIs at **Appendices I to Ic**. They can be summarised as follows:

(a) the applicant has been a registered charitable institution since 2021 and is committed to protecting and improving the coastal habitats in Pak Nai and along Deep Bay for many years;

[1] Some of which were included in the previous application but fall entirely/partly outside the Site.

[2] According to the site inspection in mid-October 2026, the relevant works as committed by the applicant have partially been completed (e.g. demolition of temporary toilet and removal of kitchen facilities) (**Plans A-4a to A-4c**).

(b) the Site is mainly used for education and visiting purposes, and the various conservation projects can help preserve and enhance the habitat of Deep Bay area and are compatible with the conservation objectives of the "CPA" zone. The proposal has garnered support from villagers, schools as well as relevant government departments, rural committees and institutions/organisations;

(c) the applied site area/floor space is considered necessary as a larger space is essential for better air ventilation to ensure visitors' comfort due to the absence of air conditioning; adequate circulation space is required to meet the needs of the physically disabled; storage of tools (e.g. gloves, shovels and boots) is required for ecological acitivites at the inter-tidal zones; and temporary stacking of garbage in large quantities from coastal clean-up events is needed before disposal;

(d) efforts have been/will continue to be made to demolish the structures and re-grass the paved areas within the Site and its adjoining areas (as detailed in paragraph 1.6 above); and

(e) the applied use is temporary in nature for a period of three years, small in scale with no operation during sensitive times, and far from residential dwellings. Adverse traffic, environmental, ecological, drainage, landscape and visual impacts on the surrounding areas are not anticipated.

3. Compliance with the "Owner's Consent/Notification" Requirements

The applicant is not the "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 posting site notice and sending notification letter to the Ha Tsuen Rural Committee. Detailed information would be deposited at the meeting for Members' inspection.

4. Background

4.1 As shown on the time-series aerial photos taken in June 2013, May 2014, April 2017 and October 2024 (**Plans A-3a to A-3d**), the Site and its adjoining areas to the west and northwest which include other private lots and Government land have been substantially formed/hard-paved and converted from a vegetated area to formed land for the applied use.

4.2 The majority of the Site is currently subject to planning enforcement action against an unauthorized development (UD) involving field study, education and visitor centre, parking of vehicles and storage uses (No. E/YL-PN/71) (**Plan A-2**). Enforcement Notice (EN) was issued on 23.5.2025 requiring discontinuation of the UD and Compliance Notice in respect of the EN was issued on 19.8.2026. Reinstatement Notice (RN) was subsequently issued on the same day requiring reinstatement of the concerned land. If the RN is not complied with, prosecution action would be considered.

5. Previous Application

The Site was involved in a previous application (No. A/YL-PN/83) covering a larger site area (**Plan A-1**) submitted by the same applicant for temporary field study, education and visitor centre for a period of three years, which was rejected by the Committee on 14.2.2025 mainly on grounds that there was no strong justification for a departure from the planning intention; the applicant failed to demonstrate that the applied use is needed to support the conservation of the natural landscape or scenic quality of the area; and the applicant failed to demonstrate that the applied use with associated land filling works already undertaken would not have significant adverse landscape impact on the surrounding areas.

6. Similar Application

There is no similar application within the "CPA" zone on the OZP in the last five years.

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

7.1 The Site is:

(a) currently largely covered with grass, partly paved and occupied by some temporary structures for the applied use without valid planning permission;

(b) accessible from Nim Wan Road via a local track; and

(c) situated within the Long Jok Tsuen Site of Archaeological Interest.

7.2 The surrounding areas are rural in character predominated by vacant land, cultivated agricultural land, ponds and scattered residential dwellings intermixed with recreational fishing ground and temple uses, some of which are covered by valid planning permissions. The mangroves along the coast of Ha Pak Nai are located to the further west (**Plan A-2**).

8. Planning Intention

8.1 The "CPA" zone is intended to conserve, protect and retain the natural coastlines and the sensitive coastal natural environment, including attractive geological features, physical landform or area of high landscape, scenic or ecological value, with a minimum of built development. It may also cover areas which serve as natural protection areas sheltering nearby developments against the effects of coastal erosion. There is a general presumption against development in this zone. In general, only developments that are needed to support the conservation of the existing natural landscape or scenic quality of the area or are essential infrastructure projects with overriding public interest may be permitted.

8.2 According to the Explanatory Statement of the OZP for the "CPA" zone, filling of land may cause adverse drainage impacts on the adjacent areas and

adverse impacts on the natural environment. In view of the conservation value of the area within the "CPA" zone, permission from the Board is required for such activities.

9. Comments from Relevant Government Bureau/Departments

9.1 Apart from the government department as set out in paragraph 9.2 below, other bureau/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 are provided in **Appendices II and III** respectively.

9.2 The following government department has adverse comment on the application:

Land Administration

9.2.1 Comments of the District Lands Officer/Yuen Long, Lands Department (DLO/YL, LandsD):

(a) the Site comprises Old Schedule Agricultural Lot(s) 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;

(b) LandsD has reservation on the planning application since there is/are unauthorized structure(s) on Lots 68, 70 and 71 in D.D.135 which is/are already subject to lease enforcement actions according to case priority. The lot owner(s) should rectify/apply for regularisation on the lease breaches as demanded by LandsD; and

(c) the applicant should note his advisory comments at **Appendix III**.

9.3 The following government departments provide views on the application:

Landscaping

9.3.1 Comments of the Chief Town Planner/Urban Design and Landscape, Planning Department (CTP/UD&L, PlanD):

(a) she has no adverse comment on the application from landscape planning perspective;

(b) the Site falls within the "CPA" zone, which is considered as having distinctive landscape character;

(c) according to the aerial photo taken in 2025, the Site is situated in an area of rural coastal landscape characterised by temporary structures, ponds and tree clusters. The applied use is considered not entirely incompatible with the landscape

character of the area;

(d) with reference to the drone photo and site photos taken in October 2026, the Site is formed with temporary structures in its southern portion and turf in its northern portion. No distinctive landscape resources are observed within the Site and no tree felling is involved as stated by the applicant;

(e) according to the "Site Planting Plan (場地種植圖)" submitted by the applicant, 13 new trees are proposed to be planted along the western periphery of the Site;

(f) in view of the above, significant adverse landscape impact arising from the applied use is not anticipated; and

(g) should the application be approved, relevant approval conditions requiring the applicant to submit and implement a landscape proposal should be incorporated.

Nature Conservation

9.3.2 Comments of the Director of Agriculture, Fisheries and Conservation (DAFC):

(a) although the Site falls within the "CPA" zone, it has been paved and used for the applied use for years. Continuing the applied use would unlikely bring additional adverse ecological impacts. Therefore, he has no adverse comment on the application; and

(b) the applicant should note his advisory comments at **Appendix III**.

10. Public Comments Received During Statutory Publication Period

On 20.1.2026, the application was published for public inspection. During the statutory public inspection period, two comments from individuals were received (**Appendix IV**). One of them supports the application as the applied use helps promote environmental education, support eco-tourism and facilitate rural revitalisation through guided eco-tours. The other objects to the application mainly on grounds that the applied use is a commercial development operating without planning approval; and not in line with the planning intention of the "CPA" zone.

11. Planning Considerations and Assessments

11.1 The applicant seeks planning permission for temporary field study, education and visitor centre and associated filling of land for a period of three years falling within an area zoned "CPA" on the OZP (**Plan A-1**). The planning intention of the "CPA" zone is to conserve, protect and retain the natural coastlines and the sensitive coastal natural environment, including attractive geological features, physical landform or area of high landscape, scenic or ecological value, with a minimum of built development. There is a

general presumption against development in this zone. In general, only developments that are needed to support the conservation of the existing natural landscape or scenic quality of the area or are essential infrastructure projects with overriding public interest may be permitted.

11.2 According to the applicant's proposal, the Site is mainly used for a field study, education and visitor centre providing the public with environmental education about the Deep Bay area through educational programmes, guided tours and exhibitions. It also helps support various nature conservation and environmental monitoring projects for protecting and enhancing the habitats of Pak Nai and Deep Bay areas, including ecological survey, coastal clean-up activities, horseshoe crab conservation and oyster restoration. Some of these conservation and educational efforts have been made in collaboration with different organisations/institutions including CityU, OPCF and TNC. Moreover, the applicant has also provided justifications on site selection for the applied use, which include the suitability of the Site for low-density development for environmental education at the periphery of mudflats and mangroves, its potential role in supporting eco-tourism by integrating with the nearby wetlands and areas suitable for coastal protection, as well as its proximity to Pak Nai and Lau Fau Shan for promoting local village culture. Based on the applicant's submission, the applied use which is intended for education and conservation purposes is considered not in conflict with the planning intention of the "CPA" zone. DAFC also has no adverse comment on the application, considering that the applied use would unlikely bring additional adverse ecological impacts. Taking into account the above, the reduced scale of the applied use and the planning assessments below, sympathetic consideration may be given to the application on a temporary basis of three years.

11.3 The applicant also applies for regularisation of land filling works with an area of about 230m^2 (34% of the Site) with concrete at a depth of 0.2m, which has already been undertaken at part of the Site occupied by the existing open shed (**Drawing A-2 and Plans A-4b and A-4c**). Although the extent of land filling works accounts for about one-third of the total site area, the applicant has provided justifications on the necessity of the applied site area and floor space, including the needs to provide better ventilation, sufficient activity space for the physically disabled, as well as tool storage area for conservation programmes. Filling of land within the "CPA" zone requires planning permission from the Board as it may cause adverse drainage impacts on the adjacent areas and adverse impacts on the natural environment. In this regard, the Chief Engineer/Mainland North, Drainage Services Department and Director of Environmental Protection have no objection to the application from drainage and environmental planning perspectives respectively. As the Site is zoned "CPA", an approval condition requiring the reinstatement of the Site upon expiry of the planning permission so as to uphold the planning intention of the "CPA" zone and restore the greenery of the area is recommended in paragraph 12.2 below should the Committee decide to approve the application.

11.4 According to the applicant, the applied use involves two single-storey structures (not more than 4m to 7m in height) with a total floor area of about 260m^2 for resting, storage and toilet uses, while the remaining areas (about

426m^2) are designated for outdoor activity zones. As compared to the previously rejected application (No. A/YL-PN/83), the current proposal features a substantial reduction in scale, including decreases in site area (-2,884m^2 or 81%), total floor area (-372m^2 or 59%), number of structures (-4 or 67%), as well as numbers of parking spaces (-4 or 100%) and loading/unloading space for coach bus (-1 or 100%) (**Plan A-5**). The Site is located in an area predominated by vacant land, cultivated agricultural land, ponds and scattered residential dwellings intermixed with recreational fishing ground and temple uses, some of which are covered by valid planning permissions. Taking into account the reduced scale of applied use and the local context, the applied use for education and conservation purposes is considered not incompatible with the surrounding land uses.

11.5 With reference to the aerial photos taken from 2013 to 2024 (**Plans A-3a to A-3d**), the Site and its adjoining areas to the west and northwest were once vegetated and have subsequently been formed/hard-paved for the applied use. Following the applicant's effort to demolish some of the structures and re-grass the paved areas within the Site and its adjoining areas as detailed in paragraph 1.6 above, the majority of the Site and its adjoining areas are now covered with grass except for the portion occupied by the existing open shed (**Plans A-4a to A-4c**). The applicant also proposes to plant 13 new trees along the western periphery of the Site to mitigate the landscape impact (**Drawing A-3**). As no distinctive landscape resources are observed and no tree felling is involved within the Site, CTP/UD&L, PlanD considers that the applied use is not entirely incompatible with the landscape character of the area, and no significant adverse landscape impact is anticipated. In this regard, CTP/UD&L, PlanD has no adverse comment on the application from landscape planning perspective. Notwithstanding this, since the Site is located within the "CPA" zone which is considered as having distinctive landscape character, relevant approval conditions requiring the submission and implementation of a landscape proposal are recommended in paragraph 12.2 below should the Committee decide to approve the application.

11.6 Other concerned government bureau/departments including the Commissioner for Transport, Director of Fire Services and Chief Heritage Executive (Antiquities and Monuments), Antiquities and Monuments Office, Development Bureau have no objection to or no adverse comment on the application from traffic, fire safety and archaeological perspectives respectively. The technical requirements of the concerned government departments could be addressed by implementation of approval conditions as recommended in paragraph 12.2 below. In particular, an approval condition requiring the erection of fencing along the site boundary as proposed by the applicant is recommended to ensure that the applied use will be confined within the Site.

11.7 Regarding DLO/YL, LandsD's concerns on the unauthorized structure(s) within the Site which is/are already subject to lease enforcement actions, the applicant will be advised to liaise with LandsD on these land administration matters should the Committee approve the application.

11.8 Regarding the public comment objecting to the application as summarised in paragraph 10 above, the planning considerations and assessments in paragraphs 11.1 to 11.7 above are relevant.

12. Planning Department's Views

12.1 Based on the assessments made in paragraph 11 above and having taken into account the public comments mentioned in paragraph 10, PlanD has no objection to the application.

12.2 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 three years until **6.11.2029**. The following conditions of approval and advisory clauses are also suggested for Members' reference:

Approval conditions

(a) the provision of boundary fencing as proposed by the applicant within **6 months** from the date of planning approval to the satisfaction of the Director of Planning or of the Town Planning Board by **6.5.2027**;

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

(c) in relation to (b) above, the implementation of the landscape proposal within **9 months** from the date of planning approval to the satisfaction of the Director of Planning or of the Town Planning Board by **6.8.2027**;

(d) 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**;

(e) in relation to (d) above, the implementation of drainage facilities identified in 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**;

(f) in relation to (e) above, the implemented drainage facilities on the Site shall be maintained at all times during the planning approval period;

(g) 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 of the Town Planning Board by **6.5.2027**;

(h) in relation to (g) 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**;

(i) if the above planning condition (f) 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;

(j) if any of the above planning condition (a), (b), (c), (d), (e), (g) or (h) 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; and

(k) upon expiry of the planning permission, the reinstatement of the Site, including the removal of fill materials and grassing of the Site to the satisfaction of the Director of Planning or of the Town Planning Board.

Advisory clauses

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

12.3 Alternatively, should the Committee decide to reject the application, the following reasons for rejection are suggested for Members' reference:

(a) the applied use with associated filling of land is not in line with the planning intention of the "CPA" zone, which is intended to conserve, protect and retain the natural coastlines and the sensitive coastal natural environment, including attractive geological features, physical landform or area of high landscape, scenic or ecological value, with a minimum of built development. There is a general presumption against development in this zone. There is no strong planning justification in the submission for a departure from such planning intention, even on a temporary basis; and

(b) there is insufficient information in the submission to demonstrate that the applied use is needed to support the conservation of the natural landscape or scenic quality of the area.

13. Decision Sought

13.1 The Committee is invited to consider the application and decide whether to grant or refuse to grant planning 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 13.1.2026
Appendix Ia	FI received on 24.2.2026, 25.2.2026 & 26.2.2026
Appendix Ib	FI received on 11.5.2026 & 12.5.2026

Appendix Ic	FI received on 9.9.2026
Appendix II	Government Bureau/Departments' General Comments
Appendix III	Recommended Advisory Clauses
Appendix IV	Public Comments
Drawing A-1	Layout Plan
Drawing A-2	Land Filling Plan
Drawing A-3	Landscape Plan
Plan A-1	Location Plan
Plan A-2	Site Plan
Plans A-3a to 3d	Aerial Photos taken in 2013, 2014, 2017 and 2024
Plans A-4a to 4c	Site Photos
Plan A-5	Comparison on Layout Plan between the Previously Rejected and Current Applications

PLANNING DEPARTMENT
NOVEMBER 2026