

**APPLICATION FOR RENEWAL OF PLANNING APPROVAL
FOR TEMPORARY USE
UNDER SECTION 16 OF THE TOWN PLANNING ORDINANCE**

APPLICATION NO. A/STT/19

- Applicant** : Cheung Shing Motor Transportation Company represented by Top Bright Consultants Limited
- Site** : Lots 2790 (Part), 2798 RP (Part), 2799 (Part), 2800, 2801 and Adjoining Government Land (GL) in D.D. 102, Kwu Tung Road, Ngau Tam Mei, Yuen Long, New Territories
- Site Area** : 2,571m² (including GL of about 457m² or about 17.8% of the Site)
- Lease** : Block Government Lease (demised for agricultural use)
- Plan** : Approved San Tin Technopole Outline Zoning Plan (OZP) No. S/STT/2
- Zoning** : “Government, Institution or Community” (“G/IC”) (about 77%) and area shown as ‘Road’ (about 23%)
- Application** : Renewal of Planning Approval for Temporary Container Vehicle Park with Ancillary Facilities (including Site Offices and Staff Rest Rooms) for a Period of 3 Years

1. The Proposal

- 1.1 The applicant seeks renewal of planning approval for temporary container vehicle park with ancillary facilities (including site offices and staff rest rooms) for a period of three years at the application site (the Site), which falls within an area partly zoned “G/IC” (about 77%) and partly shown as ‘Road’ (about 23%) on the OZP (**Plan A-1**). According to the covering Notes of the OZP, temporary use or development of any land or building not exceeding a period of three years requires planning permission from the Town Planning Board (the Board). The Site is currently paved, fenced-off and occupied by the applied use with valid planning permission under application No. A/YL-NTM/437¹ until 22.4.2025 (**Plans A-2, A-4a and A-4b**).
- 1.2 The Site is accessible from Kwu Tung Road (**Plan A-2**), with a 8m-wide ingress and a 8m-wide egress respectively at the eastern and south-western boundaries of the Site. According to the applicant, the applied use involves 12 structures, including nine single-storey structures (about 2m to 3.5m in height) and three two-storeys structures (about

¹ The Site fell within an area zoned “Open Storage” (“OS”) on the then approved Ngau Tam Mei OZP No. S/YL-NTM/12.

4.8m to 6m in height) for site offices, staff rest room, storage and meter room, with a total floor area of about 530m². Besides, there are seven container vehicle parking spaces and four private car parking spaces for staff/visitors. The applied use operates from Mondays to Saturdays from 7:00 am to 7:00 p.m., with no operation on Sundays and public holidays. The layout plan submitted by the applicant is at **Drawing A-1**.

1.3 The Site, in whole or in part, is the subject of four previous applications (details at paragraph 6 below), including the last application No. A/YL-NTM/437 submitted by the same applicant for the same use at the same site which was approved by the Rural and New Town Planning Committee (the Committee) of the Board on 22.4.2022. The planning permission is valid until 22.4.2025 and all approval conditions have been complied with. Compared with the last application, the layout, development parameters and operation hours under the current application remain unchanged.

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

- (a) Application Form with attachments received on **(Appendix I)**
28.2.2025
- (b) Further Information (FI) received on 31.3.2025* **(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 to Ia**. They can be summarised as follows:

- (a) The applied use is temporary in nature which will not contravene the implementation of any government project. Approval of the application would not jeopardise the long-term planned development of the Site. The applicant also notes that the Site falls within the boundary of Phase 1 Stage 1 development of the San Tin Technopole (the Technopole) and should the application be approved, the applied use may be terminated at any time.
- (b) The Site is the subject of three previously approved applications for the same applied use. There are also similar applications in the vicinity of the Site. All approval conditions of the last application No. A/YL-NTM/437 have been complied with. In support of the current application, the applicant has submitted an as-built drainage plan and photographic records of the existing drainage facilities, as well as a fire service installations (FSIs) plan accepted under the last application and the corresponding FS251 certificates. The applicant will continue to maintain the existing FSIs and drainage facilities on the Site.
- (c) The Site is a preferred location for parking of container vehicles as it is easily accessible to the Mainland via Lok Ma Chau Control Point. The ancillary facilities, including site offices and staff rest rooms, provide the much needed service for the cross-boundary vehicles owned by the applicant.
- (d) The applied use is compatible with the existing surrounding land uses which are predominantly open storage and port-back-up uses. The applied use would not have adverse drainage, traffic, visual, noise or environmental impacts on the surrounding areas.

3. Compliance with the “Owner’s Consent/Notification” Requirements

The applicant is not a “current land owner” of the private land within the Site 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 notice to San Tin Rural Committee. Detailed information would be deposited at the meeting for Members’ inspection. For the GL portion of the Site, the requirements as set out in TPB PG-No. 31B are not applicable.

4. Town Planning Board Guidelines

- 4.1 The Town Planning Board Guidelines for Application for Open Storage and Port Back-up Uses under Section 16 of the Town Planning Ordinance (TPB PG-No. 13G) promulgated by the Board on 14.4.2023 are relevant to the application. The Site falls within the Technopole, which is regarded as a new development area. The relevant extract of the Guidelines is at **Appendix II**.
- 4.2 The Town Planning Board Guidelines on Renewal of Planning Approval and Extension of Time for Compliance with Planning Conditions for Temporary Use or Development (TPB PG-No. 34D) are also relevant to the application. The relevant extract of the Guidelines is at **Appendix II**.

5. Background

- 5.1 The Site fell within an area zoned “Open Storage” (“OS”) on the then approved Ngau Tam Mei OZP No. S/YL-NTM/12. In order to take forward the Technopole development, the draft San Tin Technopole OZP No. S/STT/1, which covers the Site among others, was exhibited under section 5 of the Town Planning Ordinance on 8.3.2024. The draft OZP was subsequently approved by the Chief Executive in Council on 17.9.2024 and the approved San Tin Technopole OZP No. S/STT/2 was gazetted on 20.9.2024. The Site now falls within an area partly zoned “G/IC” and partly shown as ‘Road’ on the OZP.
- 5.2 The Site is not subject to any active planning enforcement action.

6. Previous Applications

- 6.1 The Site, in whole or in part, is the subject of four previous applications (No. A/DPA/YL-NTM/26, A/YL-NTM/326, 380 and 437)². Application No. A/DPA/YL-NTM/26 covering a major part of the Site for open storage use submitted by a different applicant was approved by the Committee in 1994 and the considerations of the above application were not relevant to the current application due to different use involved.
- 6.2 The remaining three applications (No. A/YL-NTM/326, 380 and 437²) were for the same applied use on the same site submitted by the same applicant. These applications were approved by the Committee between 2015 and 2022, mainly on the considerations that the applied use was generally in line with the planning intention and the Town Planning

² The application sites fell within “OS” zone on the then approved Ngau Tam Mei OZP No. S/YL-NTM/12 at the time of consideration by the Committee.

Board Guidelines for Application for Open Storage and Port Back-up Uses; the proposed/applied use was considered not incompatible with the surrounding land uses; and there was no adverse comment from concerned government departments or their concerns could be addressed by imposing approval conditions. For the last application No. A/YL-NTM/437, which was submitted by the same applicant for the same applied use at the same site with the same layout, development parameters and operation hours, all time-limited approval conditions have been complied with and the planning permission is valid until 22.4.2025.

- 6.3 Details of the previous applications are summarised at **Appendix III** and their location are shown on **Plan A-1**.

7. Similar Applications

- 7.1 During the past five years, there were two similar applications (No. A/YL-NTM/410 and 467¹) for temporary public vehicle park (including container vehicle) and ancillary tyre and repairing use on the same site straddling the subject “G/IC” zone and area shown as ‘Road’ on the OZP. Both applications were approved with conditions by the Committee in 2020 and 2023 respectively mainly on the similar considerations as stated in paragraph 6.2 above.
- 7.2 Details of the similar applications are summarised at **Appendix III** and their locations are shown on **Plan A-1**.

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

- 8.1 The Site is:
- (a) currently paved, fenced-off and occupied by the applied use with valid planning permission (No. A/YL-NTM/437) until 22.4.2025; and
 - (b) accessible from Kwu Tung Road at its eastern boundary.
- 8.2 The surrounding areas are rural in character predominated by open storage of vehicles with vehicle repair area (with valid planning permission under application No. A/YL-NTM/467), open storage of recycled product and construction materials, logistics use, sale of vehicles (with valid planning permission under application No. A/STT/17), vehicle parks, and grassland to the west of the Site and Kwu Tung Road. To the further east of the Site across Kwu Tung Road are a nullah, warehouses and vehicle parks.

9. Planning Intention

- 9.1 The planning intention of the “G/IC” zone is primarily for the provision of Government, institution or community (GIC) facilities serving the needs of the local residents and/or a wider district, region or the territory. It is also intended to provide land for uses directly related to or in support of the work of the Government, organizations providing social services to meet community needs, and other institutional establishments.
- 9.2 The area shown as ‘Road’ forms part of the area reserved for future Road L10.

10. Comments from Relevant Government Departments

10.1 Apart from the government department as set out in paragraph 10.2 below, other 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 in **Appendices IV** and **V**.

10.2 The following government department has specific comments on the application:

Project Interface

10.2.1 Comments from the Project Manager (North), Civil Engineering and Development Department (PM(N), CEDD):

the Site is within the proposed boundary of the Technopole under the Phase 1 Stage 1 development. According to the latest tentative development programme, it is targeted to commence the works for development at the Site around 2026/2027 tentatively. Therefore, the Site would be required for timely clearance to facilitate the development.

11. Public Comment Received During Statutory Publication Period

On 7.3.2025, the application was published for public inspection. During the statutory public inspection period, no public comment was received.

12. Planning Considerations and Assessments

12.1 The application is for renewal of planning approval for temporary container vehicle park with ancillary facilities (including site offices and staff rest rooms) for a period of three years at the Site partly zoned “G/IC” (about 77%) and partly shown as ‘Road’ (about 23%) (**Plan A-1**). Whilst the applied use is not in line with the planning intentions of the “G/IC” zone and area shown as ‘Road’, on the long-term development perspective, PM(N), CEDD advises that the Site is under Phase 1 Stage 1 development of the Technopole, where development works is tentatively targeted to commence around 2026/2027 and the Site will be required for timely clearance. Besides, DLCS expresses no objection to the temporary use at the Site and there is no plan to develop the planned indoor recreation centre at part of the subject “G/IC” zone in the upcoming three years. In this regard, the proposed use is of temporary basis only and it is recommended to incorporate an advisory clause to remind the applicant that the Site may be resumed by the Government and the applied use may be terminated at any time during the planning approval period for implementation of Government projects, should the application be approved by the Committee. In view of the above and taking into account the planning assessments below, there is no objection to the renewal application for a period of three years.

12.2 The Site is currently used for the applied use, which is the same as that approved under the last application No. A/YL-NTM/437. The applied use is considered not incompatible with the surrounding land uses which are rural in character predominated by open storage of vehicles with vehicle repair area, open storage of recycled product and construction materials, logistics use, sale of vehicles, vehicle parks, warehouses and grassland. The

Chief Town Planner/Urban Design and Landscape of Planning Department (PlanD) advises that no significant landscape impact arising from the applied use is anticipated.

- 12.3 The application is considered generally in line with TPB PG-No. 13G in that the Site falls within the Technopole, previous approvals for the same use at the Site have been granted since 2015 and all time-limited approval conditions of the last previous application (No. A/YL-NTM/437) have been complied with. Besides, relevant government departments consulted including the Chief Engineer/Mainland North of Drainage Services Department, Director of Fire Services, Director of Environmental Protection and Commissioner for Transport have no objection to or no adverse comments on the application. To address the technical requirements of the concerned government departments, relevant approval conditions are recommended in paragraph 13.2 below. It is also recommended to advise the applicant to follow the “Code of Practice on Handling the Environmental Aspects of Temporary Uses and Open Storage Sites” issued by the Environmental Protection Department to minimise any potential environmental nuisance caused by the applied use on the surrounding areas. In view of the above, sympathetic consideration may be given to the application.
- 12.4 Although the land use zoning for the area has been changed in order to take forward the Technopole development, there has not been any material change in planning circumstances of the Site since the last temporary approval was granted. The application is considered generally in line with TPB PG-No. 34D in that no adverse planning implication arising from the renewal application is anticipated; all the time-limited approval conditions under the previous application (No. A/YL-NTM/437) have been complied with; and the three-year approval period sought which is same as the previous planning application is reasonable.
- 12.5 Given the three approved previous applications and two approved similar applications in the vicinity of the Site in the past five years as mentioned in paragraphs 6 to 7 above, approving the current application is in line with the Committee’s previous decisions.

13. Planning Department’s Views

- 13.1 Based on the assessments made in paragraph 12 above, PlanD has no objection to the application.
- 13.2 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 and be renewed from 23.4.2025 to 22.4.2028. The following conditions of approval and advisory clauses are also 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 records 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 23.7.2025;

- (c) the existing fire service 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 attached at **Appendix V**.

- 13.3 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 intentions of the "Government, Institution or Community" zone and area shown as 'Road', which are primarily for the provision of Government, institution or community facilities serving the needs of the local residents and/or a wider district, region or the territory and for road development respectively. No strong planning justification has been given in the submission for a departure from the planning intentions, even on a temporary basis.

14. Decision Sought

- 14.1 The Committee is invited to consider the application and decide whether to grant or refuse to grant permission.
- 14.2 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.
- 14.3 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.

15. Attachments

Appendix I	Application Form with attachments received on 28.2.2025
Appendix Ia	FI received on 31.3.2025
Appendix II	Relevant Extracts of TPB PG-No. 13G and 34D
Appendix III	Previous and Similar Applications
Appendix IV	Government Departments' General Comments
Appendix V	Recommended Advisory Clauses
Drawing A-1	Layout Plan
Plan A-1	Location Plan with Similar Applications
Plan A-2	Site Plan
Plan A-3	Aerial Photo

Plans A-4a to A-4b Site Photos

**PLANNING DEPARTMENT
APRIL 2025**