

RNTPC Paper No. A/YL-PS/741B
For Consideration by
the Rural and New Town
Planning Committee
on 18.7.2025

APPLICATION FOR PERMISSION
UNDER SECTION 16 OF THE TOWN PLANNING ORDINANCE

APPLICATION NO. A/YL-PS/741

- Applicant** : Mr. CHAN Chi Hung represented by WONG Sun Wo William
- Site** : Lots 51(Part), 52(Part) and 55 RP(Part) in D.D.126, Ping Shan, Yuen Long
- Site Area** : About 5,280m²
- Lease** : Block Government Lease (demised for agricultural use)
- Plan** : Approved Ping Shan Outline Zoning Plan (OZP) No. S/YL-PS/20
- Zoning** : “Recreation” (“REC”)
- Application** : Proposed Temporary Public Vehicle Park (Light Goods Vehicles (LGVs), Medium Goods Vehicles (MGVs) and Coaches) with Ancillary Facilities for a Period of 5 Years and Associated Filling of Land and Pond

1. The Proposal

- 1.1 The applicant seeks planning permission for proposed temporary public vehicle park (LGVs, MGVs and coaches) for a period of five years and associated filling of land and pond at the application site (the Site) (**Plan A-1**) zoned “REC” on the OZP. According to the Notes of the OZP for the “REC” zone, ‘public vehicle park (excluding container vehicle)’ which is a Column 2 use, and filling of land and pond require planning permission from the Town Planning Board (the Board). The Site is currently largely vacant and covered with soil (**Plans A-2 and A-4**).
- 1.2 The Site with the ingress/egress at the western and northeastern parts respectively is accessible from Tin Wah Road via a local track (**Drawing A-1, Plans A-2 and A-3**). According to the applicant, a total of 37 parking spaces including 10 parking spaces for LGVs (7m x 3.5m each), 12 parking spaces for MGVs (12m x 3.5m each) and 15 parking spaces for coaches (12m x 3.5m each) are proposed. One single-storey structure (not more than 3.5m in height) with a floor area of about 40m² for office-cum-meter room would be erected. No car washing, dismantling or other workshop activities will be carried out at the Site. Vehicles without valid licences issued under the Road Traffic Ordinance and container trailers/tractors are not allowed to enter

the Site. The proposed public vehicle park will operate 24 hours daily. 50 new trees are proposed to be planted along the periphery of the Site to mitigate the adverse landscape impact arising from the proposed use.

- 1.3 According to the applicant, the current application also seeks to regularise the filling of pond covering the entire site (i.e. about 5,280 m²) which had already been naturally filled by soil to the current condition since 1990s, and propose further filling of the Site with concrete of about 0.15m in depth using concrete to provide a solid ground for vehicle parking and site maintenance (**Drawing A-2**). No further filling of pond will be carried out.
- 1.4 Plans showing the proposed layout, proposed filling of land area, filling of pond, drainage proposal, landscape proposal and swept path analysis submitted by the applicant are shown at **Drawings A-1 to A-6** respectively.
- 1.5 In support of the application, the applicant has submitted the following documents:
 - (a) Application Form with attachments received on 26.11.2024 (**Appendix I**)
 - (b) Further information (FI) received on 21.3.2025* (**Appendix Ia**)
 - (c) FI received on 19.5.2025* (**Appendix Ib**)
**accepted and exempted from publication and recounting requirements*
- 1.6 On 24.1.2025 and 2.5.2025, the Rural and New Town Planning Committee (the Committee) of the Board 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 Ib**. They can be summarised as follows:

- (a) the proposed use is temporary in nature and would not frustrate the long-term planning intention of the “REC” zone;
- (b) the proposed use could cater for the demand of parking spaces for LGVs, MGVs and coaches in the Tin Shui Wai area, reduce roadside illegal parking and improve the drainage network in the surrounding areas;
- (c) the proposed use will not bring adverse impact to the surroundings; and
- (d) similar applications for similar public vehicle park use were approved by the Board.

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 posting site notice and sending registered mail to the Ping Shan Rural Committee. Detailed information would be deposited at the meeting for Members’ inspection.

4. **Background**

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

5. **Town Planning Board Guidelines**

The Town Planning Board Guidelines for “Application for Developments within Deep Bay Area under Section 16 of the Town Planning Ordinance” (TPB PG-No. 12C) are relevant to this application. According to the said Guidelines, the Site falls within the Wetland Buffer Area (WBA). Relevant extract of the Guidelines is at **Appendix II**.

6. **Previous Applications**

The Site, in part or in whole, was involved in three previous applications (No. A/DPA/YL-PS/50, A/YL-PS/42¹ and 244) for temporary container vehicle park, filling of pond and temporary open storages of construction materials which were rejected by the Rural and New Town Planning Committee (the Committee) of the Board/by the Board upon review between 1996 and 2006. The considerations of these previous applications are not relevant to the current application which is for different use. Details of these previous applications are shown in **Appendix III** and their locations are shown on **Plan A-1b**.

7. **Similar Applications**

There are four similar applications (No. A/YL-PS/634, 661, 688 and 698) within/straddling the subject “REC” zone for temporary public vehicle park with/without ancillary facilities and filling of land approved with conditions by the Committee in the past five years mainly on the considerations that the applied use would not frustrate the long-term planning intention of the “REC” zone; the applied use would unlikely create significant adverse impacts on the surrounding areas; being

¹ Application No. A/YL-PS/42 for proposed pond filling for cultivation was rejected by the Committee on 12.10.1998 mainly on grounds that the proposed development did not comply with the then TPB PG-No. 12A; there were insufficient information in the submission to demonstrate that the proposed development would not cause adverse environmental, ecology, drainage and sewerage impacts in the surrounding areas; and setting of an undesirable precedent. Compared to the application No. A/YL-PS/42, the current application is temporary in nature which is exempted from the requirement of ecological impact assessment under TPB PG-No. 12C and the relevant government departments consulted have no adverse comment on environmental, ecology, drainage and sewerage aspects.

not entirely incompatible with the surrounding areas; and relevant government departments had no objection to/no adverse comment on the application. Details of the applications are summarised at **Appendix IV** and the locations of the applications are shown on **Plan A-1a**.

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

8.1 The Site is:

- (a) largely vacant and covered with soil; and
- (b) accessible via a local track from Tin Wah Road (**Plans A-2 and A-3**).

8.2 The surrounding areas comprise mainly storage/open storage yards, parking of vehicles, shrubland, plant nurseries, shop and services, unused land, ponds and vacant land. Some of these uses are covered with valid planning permissions.

9. Planning Intention

9.1 The “REC” zone is intended primarily for recreational developments for the use of the general public. It encourages the development of active and/or passive recreation and tourism/eco-tourism. Uses in support of the recreational developments may be permitted subject to planning permission.

9.2 According to the Explanatory Statement of the OZP, as filling of land/pond may cause adverse drainage impacts on the adjacent areas and adverse impacts on environment, permission from the Board is required for such activities.

10. Comments from Relevant Government Departments

10.1 Apart from 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 recommended advisory clauses are provided in **Appendices V and VI** respectively.

10.2 The following government department supports the application:

Traffic

10.2.1 Comments of the Commissioner for Transport (C for T):

- (a) she supports the application from traffic engineering perspective as a temporary public vehicle park could meet public demand for vehicle parking spaces; and

- (b) the applicant should note her advisory comments in **Appendix VI**.

11. Public Comments received During the Statutory Publication Period

On 3.12.2024, the application was published for public inspection. During the statutory public inspection period, two public comments (**Appendix VII**) from The Conservancy Association and an individual were received objecting to the application on the grounds that the proposed use will cause adverse drainage and landscape impacts and environmental nuisance to the surrounding areas; land filling works and parking use have already been carried out; and approval of the application might lead to the abuse of approved agricultural use at the adjoining site.

12. Planning Considerations and Assessments

- 12.1 The application is for proposed temporary public vehicle park (LGVs, MGVs and coaches) for a period of five years and associated filling of land and pond at the Site zoned “REC” on the OZP. Although the proposed use is not entirely in line with the planning intention of the “REC” zone, it could serve any such parking demand in the locality. In this regard, C for T supports the application as it could meet the public demand for vehicle parking spaces from traffic engineering point of view. Besides, there is no known development proposal for the Site. Approval of the application on a temporary basis for a period of five years would not frustrate the long-term planning intention of the “REC” zone.
- 12.2 The current application also seeks planning permission for regularization of the filling of pond and proposed filling of land at the Site with concrete with a depth of about 0.15m to provide a solid ground for vehicle parking and site maintenance. The requirement for planning permission for filling of land/pond within “REC” zone is to address the possible drainage impact on the adjacent areas and adverse impacts on the environment. In this regard, the Chief Engineer/Mainland North, Drainage Services Department (CE/MN, DSD) and Director of Environmental Protection (DEP) have no in-principle objection to the application from drainage and environmental perspectives respectively.
- 12.3 The surrounding areas comprise mainly storage/open storage yards, parking of vehicles, shrubland, plant nurseries, shop and services, unused land, ponds and vacant land (**Plan A-2**). The proposed use is not entirely incompatible with the surrounding areas.
- 12.4 Although the Site falls within the WBA of the TPB PG-No. 12C, planning applications for local and minor uses (including temporary uses) are exempted from the requirement of ecological impact assessment. In this regard, the Director of Agriculture, Fisheries and Conservation has no comment on the application.
- 12.5 Other relevant government departments consulted including the Director of

Fire Services and Chief Town Planner/Urban Design and Landscape of Planning Department have no objection to or no adverse comment on the application from fire safety and landscape perspectives respectively. Should the planning application be approved, the applicant will be advised to follow the latest “Code of Practice on Handling the Environmental Aspects of Temporary Uses and Open Storage Sites” to minimise possible environmental nuisance on the surrounding areas. Furthermore, relevant approval conditions are recommended in paragraph 13.2 below to address the technical requirements of concerned government departments.

- 12.6 There are four similar applications for public vehicle park use within/straddling the same “REC” zone approved by the Committee in the past five years. Approval of the current application is in line with the Committee’s previous decisions.
- 12.7 Regarding the public comments as summarised in paragraph 11 above, the planning considerations and assessments in paragraphs 12.1 to 12.6 above are relevant.

13. Planning Department’s Views

- 13.1 Based on the assessment made in paragraph 12 and having taken into account the public comments mentioned in paragraph 11 above, the Planning Department has no objection 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 five years until **18.7.2030**. The following conditions of approval and advisory clauses are also suggested for Members’ reference:

Approval conditions

- (a) the submission of a Drainage Impact Assessment report 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 **18.1.2026**;
- (b) in relation to (a) above, the implementation of the drainage facilities proposed in the Drainage Impact Assessment report 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 **18.4.2026**;
- (c) in relation to (b) above, the implemented drainage facilities shall be maintained at all times during the planning approval period;
- (d) 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;

- (e) if any of the above planning condition (a) or (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 VI**.

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

the proposed use with associated filling of land and pond is not in line with the planning intention of the "REC" zone which is primarily for recreational developments for the use of general public. There is no strong planning justification in the submission for a departure from the planning intention, 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 26.11.2024
Appendix Ia	FI dated 21.3.2025
Appendix Ib	FI dated 19.5.2025
Appendix II	Extract of the TPB PG-No. 12C
Appendix III	Previous Applications
Appendix IV	Similar Applications
Appendix V	Government Departments' General Comments
Appendix VI	Recommended Advisory Clauses
Appendix VII	Public Comments
Drawing A-1	Proposed Layout Plan
Drawing A-2	Proposed Filling of Land Area Plan
Drawing A-3	Filling of Pond Area Plan
Drawing A-4	Drainage Proposal
Drawing A-5	Landscape Proposal
Drawing A-6	Swept Path Analysis Plan

Plan A-1a	Location Plan
Plan A-1b	Previous Applications Plan
Plan A-2	Site Plan
Plan A-3	Aerial Photo
Plan A-4	Site Photos

**PLANNING DEPARTMENT
JULY 2025**