

APPLICATION FOR PERMISSION
UNDER SECTION 16 OF THE TOWN PLANNING ORDINANCE

APPLICATION NO. A/TM-LTYT/487

- Applicant** : Ka Long Consultant Engineering Limited represented by Mr. WONG Sun Wo William
- Site** : Lots 3865 S.E, 3865 S.F, 3865 S.G ss.1 (Part), 3865 S.G RP (Part), 3865 RP and 3870 in D.D. 124, Tuen Mun, New Territories
- Site Area** : 1,590m² (about)
- Lease** : Block Government Lease (demised for agricultural use)
- Plan** : Draft Lam Tei and Yick Yuen Outline Zoning Plan No. S/TM-LTYT/13 (the OZP) (*currently in force*)
- Approved Lam Tei and Yick Yuen OZP No. S/TM-LTYT/12
(*at the time of submission*)
- [No change to zoning and development restrictions for the application site]*
- Zoning** : “Village Type Development” (“V”)
[Restricted to a maximum building height (BH) of 3 storeys (8.23m)]
- Application** : Proposed Temporary Public Vehicle Park (Light and Medium Goods Vehicles) with Ancillary Facilities for a Period of 5 Years

1. The Proposal

- 1.1 The applicant seeks planning permission for proposed temporary public vehicle park (light and medium goods vehicles) with ancillary facilities for a period of five years at the application site (the Site) zoned “V” on the OZP (**Plan A-1a**). According to the Notes of the OZP for the “V” zone, ‘Public Vehicle Park (excluding container vehicle)’ is a Column 2 use which requires planning permission from the Town Planning Board (the Board). The Site is currently formed and fenced, largely vacant, and partly occupied by parking of vehicles without valid planning permission (**Plan A-4**).
- 1.2 The Site is accessible from Shun Tat Street (**Plan A-2**). According to the applicant, four single-storey structures (3.5m in height) will be erected at the Site for ancillary office, meter room, washroom, and guardroom respectively with a total floor area

of 75m². A total of twelve parking spaces, including six spaces for light goods vehicles (3.5m x 7m each) and six spaces for medium goods vehicles (3.5m x 11m each) are proposed. The operation hours are 24 hours daily, including Sundays and public holidays. No heavy goods vehicles and container vehicles will be allowed to enter/park at the Site. No dangerous goods will be stored at the Site. The proposed layout plan of the Site submitted by the applicant is at **Drawing A-1**.

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

- (a) Application Form with attachments received on 3.6.2025 **(Appendix I)**
- (b) Further Information (FI) received on 8.7.2025 **(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** and **Ia** respectively. They can be summarised as follows:

- (a) there are inadequate parking spaces for both light and medium goods vehicles in the vicinity of the Site. The proposed use is intended to serve the villagers and reduce illegal roadside parking and traffic accidents along Shun Tat Street; and
- (b) the proposed use will have insignificant traffic impact on the surrounding areas.

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 obtaining consents of the current land owners. Detailed information would be deposited at the meeting for Members’ inspection.

4. **Background**

The Site was the subject of two planning enforcement cases (No. E/TM-LTY/416 and 418) against unauthorized developments (UDs) both involving storage use (including deposit of containers) and use for place for parking of vehicles (**Plan A-2**). Enforcement Notices (ENs) for both cases were issued on 7.2.2025 requiring discontinuation of the UD. Subsequent site inspections revealed that the UD at one of the sites (Case No. E/TM-LTY/416) has been discontinued and the Compliance Notice was issued on 15.7.2025. The UD at the remaining site (Case No. E/TM-LTY/418) has not been discontinued upon expiry of the EN, prosecution action is being taken.

5. Previous Applications

- 5.1 The Site was the subject of six previous applications (No. A/DPA/TM-LTY Y/101 and A/TM-LTY Y/123, 140, 165, 185 and 293). Details of these applications are summarised at **Appendix II** and their locations are shown on **Plan A-1b**.
- 5.2 Four applications (No. A/TM-LTY Y/123, 140, 165 and 185) for various temporary public vehicle park uses were approved with conditions by the Rural and New Town Planning Committee (the Committee) of the Board between 2005 and 2009, mainly on the considerations that approval on a temporary basis would not frustrate the long-term planning intention of the “V” zone; the proposed use was not incompatible with the surrounding uses; and the concerned government departments consulted had no objection to or no adverse comment on the application or their technical concerns could be addressed by relevant approval conditions. However, all of these planning permissions were subsequently revoked due to non-compliance with time-limited approval conditions in relation to drainage, landscape, vehicular run-in, fencing, paving and fire service installations. Compared with the last approved application (No. A/TM-LTY Y/185), the current application is submitted by a different applicant for a smaller site with different layout and development parameters.
- 5.3 Two applications (No. A/DPA/TM-LTY Y/101 and A/TM-LTY Y/293) for open storage of building/construction materials were rejected by the Committee of the Board in 1996 and 2015 respectively. The considerations for these applications are not relevant to the current application which involve a different use.

6. Similar Application

There is no similar application within the same “V” zone on the OZP.

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

- 7.1 The Site is:
- (a) formed and fenced;
 - (b) largely vacant and partly occupied by parking of vehicles without valid planning permission (**Plan A-4**); and
 - (c) accessible from Shun Tat Street (**Plan A-2**).
- 7.2 The surrounding areas are sub-rural in nature predominantly occupied by rural settlements and village houses, intermixed with open storage, storage yards, parking of vehicles, vehicle repair workshop, and fallow/cultivated agricultural land (**Plans A-2 and A-3**).

8. 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 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 New Territories Exempted House. Other commercial, community and recreational uses may be permitted on application to the Board.

9. Comments from Relevant Government Departments

9.1 Apart from the government departments as set out in paragraphs 9.2 and 9.3 below, other 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.

9.2 The following government department supports the application:

Traffic

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

- (a) she supports the application from traffic engineering perspective to meet the public demand for car parking spaces; and
- (b) her advisory comments are detailed in **Appendix IV**.

9.3 The following government departments have adverse comments on/do not support the application:

Land Administration

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

- (a) he has adverse comments on the application from land administration point of view;
- (b) the Site comprises Old Schedule Agricultural Lots 3865 S.E, 3865 S.F, 3865 S.G ss.1 (Part), 3865 S.G RP (Part), 3865 RP and 3870 all in D.D. 124 (“the Lots”) 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 not covered by the application have been detected by his office:

unauthorised structure(s) within the Lots not covered by the application

- (i) his site inspection on 11.6.2025 revealed that there were unauthorised structures within the Lots not covered by the application. The Lots owner(s) should immediately rectify/regularise the lease breaches and LandsD reserves the rights to take necessary lease enforcement action against the breaches without further notice; and
- (ii) according to the Land Registry records, the Lots were in different ownerships. If the application is approved, the Lots owners shall apply to LandsD for Short Term Waivers (STWs) to permit the structures erected within the Lots. The application for STWs will be considered by the Government in its capacity as a landlord and there is no guarantee that it will be approved. The STWs, if approved, will be subject to such terms and conditions including the payment of waiver fees and administrative fees as considered appropriate by LandsD. Besides, given the proposed use is temporary in nature, only erection of temporary structures will be considered. LandsD reserves the right to take enforcement action against the Lots owner(s)/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
- (d) the Site is accessible via Shun Tat Street via a strip of Government land (GL) and private lots. LandsD does not carry out maintenance works for the said GL nor guarantee that any right-of-way to the Site will be given. The applicant shall be responsible for his own access arrangement; and
- (e) there is no Small House (SH) application approved or under processing at the Site.

Environment

9.3.2 Comments of the Director of Environmental Protection (DEP):

- (a) the proposed development will generate traffic of heavy vehicles; and the Site boundary is within 100m from the nearest residential building, and the heavy vehicle traffic is expected to travel along any access road within 50m from the nearest residential building. He could not lend his support to the application from environmental planning perspective;
- (b) there was no environmental complaint pertaining to the Site in the past three years; and
- (c) his advisory comments are detailed in **Appendix IV**.

10. Public Comment Received During the Statutory Publication Period

On 10.6.2025, the application was published for public inspection. During the statutory public inspection period, no public comment was received.

11. Planning Considerations and Assessments

- 11.1 The application is for proposed temporary public vehicle park (light and medium goods vehicles) with ancillary facilities for a period of five years at the Site zoned “V” on the OZP (**Plan A-1a**). Whilst the proposed use is not entirely in line with the planning intention of the “V” zone, as advised by DLO/TM, LandsD, there is currently no SH application approved or under processing at the Site. C for T supports the application from traffic engineering perspective as it could meet the public demand for car parking spaces. In this regard, approval of the application on a temporary basis of five years would not jeopardise the long-term planning intention of the “V” zone.
- 11.2 The surrounding areas are sub-rural in nature predominantly occupied by rural settlements and village houses, intermixed with open storage, storage yards, parking of vehicles, vehicle repair workshop, and fallow/cultivated agricultural land. The proposed use is considered not incompatible with the surrounding areas (**Plans A-2 and A-3**).
- 11.3 Other concerned government departments consulted, including the Chief Highway Engineer/New Territories West of Highways Department, Chief Engineer/Mainland North of Drainage Services Department, and Director of Fire Services have no objection to or no adverse comment on the application from traffic, drainage, and fire safety aspects respectively. To address the technical requirements of concerned government departments, appropriate approval conditions are recommended in paragraph 12.2 below. DEP does not support the application as the proposed use will generate traffic of heavy vehicles and environmental nuisances on the surrounding residents are anticipated. Nonetheless, there was no environment complaint pertaining to the Site in the past three years. Should the 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 the possible environmental nuisance on the surrounding land uses.
- 11.4 Regarding DLO/TM, LandsD’s concerns on the unauthorised structures within the Site not covered by the application, the applicant will be advised to liaise with LandsD on land administration matters should the Committee approve the application.
- 11.5 The Site was involved in four previously approved applications for temporary public vehicle park uses between 2005 and 2009 as mentioned in paragraph 5 above. Approval of the current application is in line with the Committee’s previous decisions.

12. Planning Department's Views

- 12.1 Based on the assessments made in paragraph 11 above, the Planning Department 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 five years until **1.8.2030**. The following conditions of approval and advisory clauses are also suggested for Members' reference:

Approval conditions

- (a) the submission of a revised 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 **1.2.2026**;
- (b) in relation to (a) above, the implementation of the revised 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 **1.5.2026**;
- (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 a revised 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 **1.2.2026**;
- (e) in relation to (d) above, the implementation of the revised 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 **1.5.2026**;
- (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**.

- 12.2 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.

13. Decision Sought

- 13.1 The Committee is invited to consider the application and decide whether to grant or refuse to grant 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 3.6.2025
Appendix Ia	FI received on 8.7.2025
Appendix II	Previous Applications
Appendix III	Government Departments' General Comments
Appendix IV	Recommended Advisory Clauses
Drawing A-1	Layout Plan
Plan A-1a	Location Plan
Plan A-1b	Previous Applications
Plan A-2	Site Plan
Plan A-3	Aerial Photo
Plan A-4	Site Photos

**PLANNING DEPARTMENT
AUGUST 2025**