

APPLICATION FOR PERMISSION
UNDER SECTION 16 OF THE TOWN PLANNING ORDINANCE

APPLICATION NO. A/HSK/575

- Applicant** : Ming Kee Iron Works Co. Limited represented by R-riches Planning Limited
- Site** : Lots 6 S.C RP (Part) and 7 (Part) in D.D. 125, Fung Kong Tsuen, Yuen Long, New Territories
- Site Area** : About 1,505m²
- Lease** : Block Government Lease (demised for agricultural use)
- Plan** : Approved Hung Shui Kiu and Ha Tsuen (HSK and HT) Outline Zoning Plan (OZP) No. S/HSK/2
- Zoning** : “Government, Institution or Community” (“G/IC”)
[Restricted to a maximum building height (BH) of 3 storeys]
- Application** : Temporary Vehicle Repair Workshop with Ancillary Office for a Period of 3 Years

1. The Proposal

- 1.1 The applicant seeks planning permission for temporary vehicle repair workshop with ancillary office for a period of three years at the application site (the Site) zoned “G/IC” 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 at the Site requires planning permission from the Town Planning Board (the Board). The Site is currently used partly for the applied use and partly for open storage of construction materials without valid planning permission.
- 1.2 The Site is accessible from Kai Pak Ling Road via a local track and the ingress/egress point is at the northern part of the Site (**Drawing A-1, Plans A-2 and A-3**). According to the applicant (**Drawing A-2**), two single-storey temporary structures (about 6m in height) with a total floor area of about 450m² are used for vehicle repair workshops and ancillary office. Four parking spaces for private cars (each of 5m x 2.5m), one loading/unloading (L/UL) space for light goods vehicles (LGVs) (7m x 3.5m), and three medium goods vehicles (MGVs) repair bays are provided (**Drawing A-2**). The applied use involves vehicle repairing activities for LGVs and MGVs while no other heavy vehicles including container tractors/trailers will be repaired at the Site. Workshop activities including dismantling,

maintenance, repairing, cleansing and paint spraying are carried out within enclosed structures at the Site. The operation hours are from 9:00 a.m. to 6:00 p.m. from Mondays to Saturdays with no operation on Sundays and public holidays. Plans showing the access leading to the Site, site layout, drainage facilities and fire service installations (FSIs) proposal submitted by the applicant are at **Drawing A-1 to A-4** respectively.

1.3 The Site, in part or in whole, was involved in two previous applications including one for temporary vehicle repair workshop which was approved by the Rural and New Town Planning Committee (the Committee) of the Board in 2022 (details at paragraph 5 below) (**Plan A-1**). Compared with the last application No. A/HSK/344, the current application is submitted by the same applicant for the same use at a smaller site with similar layout and development parameters.

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

(a) Application Form with attachments received on 8.7.2025 (**Appendix I**)

(b) Supplementary Information (SI) received on 14.7.2025 (**Appendix Ia**)

(c) Further Information (FI) received on 13.8.2025* (**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 can be summarised as follows:

- (a) the previous application No. A/HSK/344 for vehicle repair workshop use at the Site was to relocate an existing business affected by the implementation of Hung Shui Kiu/Ha Tsuen New Development Area (HSK/HT NDA). The application with policy support was approved by the Committee in 2022. All approval conditions of the previous application No. A/HSK/344 had been complied with. The current application for the same use aims to continue the operation at a smaller site due to the land resumption by the Government;
- (b) the applied use is temporary in nature and would not jeopardise the long-term planning intention of the concerned zone. The applicant will surrender the Site unconditionally to facilitate the implementation of the HSK/HT NDA upon Government's request;
- (c) the applicant will search for suitable long-term site for the business and liaise with relevant bureaux/departments to ensure that the proposed development would not affect the proposed works under HSK/HT NDA;
- (d) adverse traffic impact arising from the applied use is not anticipated. Sufficient maneuvering spaces will be provided within the Site; and
- (e) the applicant will strictly comply with all environmental protection/pollution control ordinances and follow the "Code of Practice on Handling the Environmental Aspects of Temporary Uses and Open Storage Sites" ("CoP") to minimise the possible environmental nuisance.

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 notice to Ha Tsuen Rural Committee. Detailed information would be deposited at the meeting for Members’ inspection.

4. Background

The Site is currently subject to two active planning enforcement actions (No. E/YL-HSK/133 and 134) against unauthorized developments (UDs) involving storage use (including deposit of containers), and workshop use and storage use (including deposit of containers) respectively (**Plan A-2**). Enforcement Notices (ENs) for the two cases were issued on 31.7.2025 requiring discontinuation of the UD by 30.9.2025. If the ENs were not complied with, prosecution action would be considered.

5. Previous Applications

- 5.1 The Site, in part or in whole, was involved in two previous applications (No. A/HSK/27 and 344). Application No. A/HSK/27 for proposed temporary fish farming (accredited fish farm) and orchard was approved with conditions by the Committee in 2017. The considerations for this application are not relevant to the current application which is for a different use.
- 5.2 The last application No. A/HSK/344 for proposed temporary vehicle repair workshop with ancillary office was approved with conditions by the Committee on 14.1.2022 for a period of three years mainly on the considerations that the temporary use was not incompatible with the surrounding areas and no major adverse comments from concerned government departments. All time-limited approval conditions had been complied with and the planning permission lapsed on ~~14.1.2025~~ 15.1.2025.
- 5.3 Details of these applications are summarised at **Appendix II** and their locations are shown on **Plan A-1**.

6. Similar Application

There is no similar application within the same “G/IC” zone.

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

- 7.1 The Site is:
 - (a) accessible from Kai Pak Ling Road via a local track; and
 - (b) currently used partly for the applied use and partly for open storage of construction materials without valid planning permission.
- 7.2 The surrounding areas are predominantly occupied by open storage yards, logistics

centre, warehouse, vehicle service centre, storage facility and chicken shed intermixed with car park and unused land. To its further northeast is the village cluster of Fung Kong Tsuen.

8. Planning Intention

The planning intention of the “G/IC” zone is primarily for provision of Government, institution or community facilities serving the needs of the local residents and/or wider district, region or territory.

9. Comments from Relevant Government Departments

9.1 Apart from the government department as set out in paragraph 9.2 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 are provided in **Appendices III and IV** respectively.

9.2 The following government department does not support the application:

Environment

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

- (a) while the applied use does not involve dusty operation, he does not support the application as the applied use would generate traffic of heavy vehicles and there are residential uses in vicinity of the Site (the nearest residential dwelling being about 47m away) (**Plan A-2**); and
- (b) no environmental complaints pertaining to the Site were received in the past three years.

10. Public Comment Received During Statutory Publication Period

On 15.7.2025, 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 temporary vehicle repair workshop with ancillary office for a period of three years at the Site zoned “G/IC” on the OZP. Although the applied use is not in line with the planning intention of the “G/IC” zone, there is no known development proposal at the Site. The Project Manager (West) of Civil Engineering and Development Department advises that the Site falls within the Remaining Phase Development of HSK/HT NDA and he has no objection to the application. Approval of the application on a temporary basis of three years would not jeopardise the long-term development of the Site. Nonetheless, should the application be approved, the applicant should be reminded that the Site may be resumed by the Government at any time during the planning approval period for potential development project and advised not to carry out any substantial works

therein.

- 11.2 The applied use is considered not incompatible with the surrounding areas which are predominantly occupied by open storage yards, logistics centre, warehouse, vehicle service centre, storage facility and chicken shed intermixed with car park and unused land (**Plan A-2**).
- 11.3 Other relevant government departments consulted including the Commissioner for Transport, Director of Fire Services and Chief Engineer/Mainland North of Drainage Services Department have no adverse comment on the application from the traffic, fire safety and drainage points of view respectively. While DEP does not support the application as the applied use involves the use of heavy vehicles and environmental nuisance to the sensitive users in the vicinity of the Site (**Plan-A-2**) is anticipated, no substantiated environmental complaint pertaining to the Site was received in the past three years. To address the technical requirements of concerned departments, relevant approval conditions are recommended in paragraph 12.2 below. Should the application be approved, the applicant will also be advised to follow the latest “CoP” to minimise the potential environmental nuisance on the surrounding areas.
- 11.4 A previous application for temporary vehicle repair workshop with ancillary office at the Site was approved by the Committee. Approval of the current application is in line with the previous decision of the Committee.

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 three years until **5.9.2028**. 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 a condition record of the existing drainage facilities on the site within **3** months from the date of the planning approval to the satisfaction of the Director of Drainage Services or of the Town Planning Board by **5.12.2025**;
- (c) the implementation of the accepted fire service installations proposal within **9** months from the date of the planning approval to the satisfaction of the Director of Fire Services or of the Town Planning Board by **5.6.2026**;
- (d) if the above planning condition (a) is not complied with during the 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 (b) or (c) 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**.

- 12.3 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 intention of the "G/IC" zone which is primarily for provision of Government, institution or community facilities serving the needs of the local residents and/or wider district, region or territory. There is no strong justification 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 received on 8.7.2025
Appendix Ia	SI received on 14.7.2025
Appendix Ib	FI received on 13.8.2025
Appendix II	Previous Applications
Appendix III	Government Departments' General Comments
Appendix IV	Recommended Advisory Clauses
Drawing A-1	Vehicular Access Plan
Drawing A-2	Layout Plan
Drawing A-3	Drainage Proposal
Drawing A-4	FSIs Plan
Plan A-1	Location Plan
Plan A-2	Site Plan
Plan A-3	Aerial Photo
Plans A-4a and A-4b	Site Photos

**PLANNING DEPARTMENT
SEPTEMBER 2025**