

APPLICATION FOR PERMISSION
UNDER SECTION 16 OF THE TOWN PLANNING ORDINANCE

APPLICATION NO. A/STT/29

- Applicant** : Fortune Nine (HK) Limited
- Site** : Lot 674 S.C RP (Part) in D.D. 99, Various Lots in D.D. 102 and Adjoining Government Land (GL), San Tin, Yuen Long
- Site Area** : About 4,955m² (including GL of about 713 m² or about 14.4% 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** : “Village Type Development” (“V”)
[*restricted to maximum building height of 3 storeys (8.23m)*]
- Application** : Temporary Public Vehicle Park for Private Cars for a Period of Three Years

1. The Proposal

- 1.1 The applicant seeks planning permission for temporary public vehicle park for private cars for a period of three years at the application site (the Site), which falls within an area zoned “V” on the OZP (**Plan A-1a**). According to the Notes of the OZP for “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 hard-paved and occupied by the applied use without valid planning permission (**Plans A-2 and A-4a to A-4b**).
- 1.2 The Site is accessible from Tung Wing On Road (**Plan A-2**) with an ingress/egress (about 7m wide) at the north-eastern part of the Site. According to the applicant, the applied use involves 142 private car parking spaces. In addition, nine structures with a total floor area of about 676m², including eight single-storey structures (with a height not more than 3.5m) for shelters of 42 private car parking spaces, meter room and toilet, as well as a two-storey structure (with a height not more than 5m) for site office, are erected within the Site. The applied use operates 24 hours daily, including public holidays. No vehicle without valid licence issued under the Road Traffic Ordinance is permitted to enter into or park at the Site, and no car washing, vehicle repairing, or other workshop activity will be carried out at the Site. 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 21 previous applications, 12 of which were for temporary public vehicle park (details at paragraph 6 below), including the last application No. A/YL-ST/624 submitted by the same applicant for the same use which was approved by the Rural and New Town Planning Committee (the Committee) of the Board in 2022. Compared with the last application, the number of parking spaces and operation hours under the current application remain unchanged while the site area and floor area have slightly reduced with minor change in the layout.
- 1.4 In support of the application, the applicant has submitted the following documents:
- (a) Application Form received on 20.8.2025 **(Appendix I)**
 - (b) Further Information (FI) received on 3.10.2025* **(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**, and can be summarised as follows:

- (a) The applied use is for parking of private cars only. It is in line with the planning intention of the “V” zone and the applied use could meet the parking demand arising from cross-boundary travel and nearby villages.
- (b) The Site was the subject of previous planning permissions for the same applied use. All the approval conditions under the last application (No. A/YL-ST/624) have been complied with. Compared with the last application, there are changes in major development parameters and layout. The applicant has committed to strictly follow the proposed layout to operate the applied use.
- (c) The applied use is compatible with the surrounding environment. Additional traffic, drainage and environmental impacts are not anticipated.
- (d) The land owners of the Small House (SH) developments on Lots 3064 S.B, 3064 S.C, 3064 S.D, 3067 S.A, 3067 S.B and 3067 S.C in D.D. 102 of the Site have no comment and support the current application and confirmed that as the SH applications are still being processed, they would not commence the SH developments in the coming years until the completion of the planning permission.

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

The Site is located within the Wetland Buffer Area (WBA) in Deep Bay Area (**Plan A-1a**). 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) is relevant to the application. Relevant extract of the Guidelines is at **Appendix II**.

5. Background

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 21 previous applications (No. A/YL-ST/16, 34, 41, 57, 104, 126, 153, 203, 222, 225, 270, 276, 288, 349, 356, 397, 398, 436, 491, 555 and 624¹). Details of the previous applications are summarised at **Appendix III** and their locations are shown on **Plan A-1b**.

Temporary public vehicle park

- 6.2 12 out of the 21 previous applications (No. A/YL-ST/225, 270, 276, 288, 349, 356, 397, 398, 436, 491, 555 and 624) were for temporary public vehicle park use on the sites of various configurations, of which the last four previous applications were submitted by the same applicant of the current application. Among these 12 applications, 11 were approved by the Committee or the Board upon review between 2003 and 2022 mainly on the considerations that the temporary approval would not frustrate the long-term planning intention of the “V” zone; 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. All approval conditions under the last application (No. A/YL-ST/624) have been complied with, and the planning permission lapsed on 5.9.2025. Compared with the last application, the current application is submitted by the same applicant for the same use with the same number of parking spaces and changes in development parameters and layout as mentioned in paragraph 1.3 above.

- 6.3 One application (No. A/YL-ST/270) on a larger site for temporary public car park was rejected by the Committee in 2004 mainly for the reasons that no strong planning justification was given for a departure from the planning intention of the “V” zone and there were programmes for SH developments within that application site.

Other temporary uses

- 6.4 There are nine previous applications (No. A/YL-ST/16, 34, 41, 57, 104, 126, 153, 203 and 222) for other temporary uses, such as container trailer/tractor parks and vehicle repair workshops, etc., with two approved and seven rejected by the Committee or the Board upon review between 1996 and 2003. Considerations of these previous applications were not relevant to the current application due to different uses involved.

¹ All these applications fell within the same “V” zone on the then approved San Tin OZP No. S/YL-ST/8 at the time when they were considered by the Committee.

7. Similar Applications

During the past five years, there were 10 similar applications (No. A/YL-ST/579, 583, 584, 587, 591, 606, 608, A/STT/12, 15 and 21) for temporary public/private vehicle parks within the same “V” zone in the vicinity of the Site. All applications were approved with conditions by the Committee between 2021 and 2025 mainly on the similar considerations as stated in paragraph 6.2 above. Details of the similar applications are summarised at **Appendix III** and their locations are shown on **Plan A-1a**.

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

8.1 The Site is:

- (a) currently hard-paved and occupied by the applied use without valid planning permission;
- (b) accessible from Tung Wing On Road; and
- (c) located within WBA in Deep Bay Area.

8.2 The surrounding areas are rural in character and predominated by village settlements, vehicle parks (some with valid planning permissions), shops and restaurants with valid planning permissions, storage yards, a town gas station, a temporary training facility with valid planning permission and vacant land.

9. Planning Intention

The planning intention of the “V” zone is to designate both existing recognized villages and areas of land considered suitable for village expansion. Land within this zone is primarily intended for development of SH 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 (NTEH). Other commercial, community and recreational uses may be permitted on application to the Board.

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** respectively.

10.2 The following government department supports the application:

Traffic

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

- (a) supports the planning application as it could meet the public demand of vehicle parking spaces; and
- (b) advisory comments are detailed in **Appendix V**.

11. Public Comment Received During Statutory Publication Period

On 29.8.2025, 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 temporary public vehicle park for private cars for a period of three years at the Site zoned “V” (**Plan A-1a**). Whilst the applied use is not entirely in line with the planning intention of the “V” zone, the applicant claims that the applied use could meet the parking demand arising from cross-boundary travel and nearby villages and C for T supports the application as the applied use could meet the public demand of vehicle parking spaces. While the District Lands Officer/Yuen Long of Lands Department advises that there are five SH applications under processing at the Site, the applicant advises that relevant land owners of the SH developments have no comment and support the application, and confirm that the construction of the SH would not be commenced in the coming years should the SH applications be approved. In this regard, the applied use of temporary nature would not adversely affect the land availability for NTEH/SH within the “V” zone in the long term. Taking into account the above and the planning assessments below, there is no objection to the applied use on a temporary basis for a period of three years.
- 12.2 The applied use is considered not incompatible with the surrounding areas which are rural in character and predominated by village settlements, vehicle parks, shops and restaurants, storage yards, a town gas station, a temporary training facility and vacant land. The Chief Town Planner/Urban Design and Landscape of Planning Department (PlanD) has no adverse comment on the application from landscape planning perspective as adverse landscape impact arising from the applied use is not anticipated.
- 12.3 The Site falls within the WBA in Deep Bay Area under the TPB PG-No. 12C, which specifies that planning applications for temporary uses are exempted from the requirement of ecological impact assessment. The Director of Agriculture, Fisheries and Conservation has no comment on the application from nature conservation point of view.
- 12.4 Other relevant government departments consulted, including the Director of Fire Services, Director of Environmental Protection, and Chief Engineer/Mainland North of Drainage Services Department have no objection to or no adverse comment on the application. To address the technical requirements of the concerned 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.

- 12.5 There are 11 approved previous applications involving the Site for the same/similar use as the current application, and 10 similar approved applications within the same “V” zone in the vicinity of the Site in the past five years. 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, 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 until 10.10.2028. The following conditions of approval and advisory clauses are also suggested for Members’ reference:

Approval conditions

- (a) 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 10.4.2026
- (b) in relation to (a) above, the implementation of 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 10.7.2026;
- (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 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 10.4.2026;
- (e) in relation to (d) above, the implementation of the fire service installations proposal on the site 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 10.7.2026;
- (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 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 intention of the "Village Type Development" zone, which is to provide land primarily for development of Small Houses by indigenous villagers. 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 received on 20.8.2025
Appendix Ia	FI received on 3.10.2025
Appendix II	Relevant Extract of TPB PG-No. 12C
Appendix III	Previous and Similar Applications
Appendix IV	Government Departments' General Comments
Appendix V	Recommended Advisory Clauses
Drawing A-1	Layout Plan
Plan A-1a	Location Plan with Similar Applications
Plan A-1b	Previous Application Plan
Plan A-2	Site Plan
Plan A-3	Aerial Photo
Plans A-4a and A-4b	Site Photos

**PLANNING DEPARTMENT
OCTOBER 2025**