

APPLICATION FOR PERMISSION
UNDER SECTION 16 OF THE TOWN PLANNING ORDINANCE

APPLICATION NO. A/SK-TLS/69

Applicant : Trendeep Investments Limited

Site : Lot 329 (Part) in D.D. 401, Ma Yau Tong, Sai Kung, New Territories

Site Area : About 30m²

Lease : Block Government Lease (demised for agricultural use)

Plan : Approved Tseng Lan Shue Outline Zoning Plan (OZP) No. S/SK-TLS/10

Zoning : “Village Type Development” (“V”)

Application : Temporary Private Vehicle Park (Private Cars Only) for a Period of 3 Years

1. The Proposal

- 1.1 The applicant seeks planning permission for temporary private vehicle park (private car only) for a period of three years at the application site (the Site) falling within an area zoned “V” on the OZP (**Plan A-1**). According to the covering Notes of the OZP, temporary use or development not exceeding a period of three years requires planning permission from the Town Planning Board (the Board). The Site is currently hard-paved and used for the applied use without valid planning permission (**Plan A-4**).
- 1.2 The Site is accessible via a local track leading to Po Lam Road to its northeast (**Plans A-1 and A-2**). According to the applicant, the applied private vehicle park comprises two parking spaces (5m x 2.5m each) to serve the residents of adjoining house(s) in Ma Yau Tong Village. The existing single-storey metal shed covering the Site will be maintained (**Plan A-4**). The operating hours of the temporary car park would be 24 hours daily (including public holidays). The site layout plan submitted by the applicant is shown 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 29.9.2025 (**Appendix I**)
 - (b) Further Information (FI) received on 10.11.2025* (**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**. They are summarised below:

- (a) there are inadequate parking spaces in Ma Yau Tong Village. The applied use serves the adjoining house(s) only;
- (b) the applicant undertakes to address the land administration matters and follow up with the management party for access road issue should the Committee approve the application;
- (c) the applied use does not involve any filling/excavation of land; and
- (d) no adverse environmental, drainage, water supplies and traffic impacts are anticipated.

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

The applicant is the sole “current land owner” of the Site. Detailed information would be deposited at the meeting for Members’ inspection.

4. Background

Being part of a larger site, the Site is subject to planning enforcement action for use for place for parking of vehicles (No. E/SK-TLS/41). Enforcement Notice was issued on 30.7.2025 requiring discontinuation of the unauthorized development (UD) by 30.10.2025. Recent site inspection revealed that Site was vacant and the case will be monitored with established practice.

5. Previous Application

There is no previous application at the Site.

6. Similar Application

There is no similar application within the same “V” zone of the OZP in the past 5 years. A planning application (No. A/SK-TLS/67) for the same use and another planning application (No. A/SK-TLS/70) for temporary public vehicle park (excluding container vehicle) for a period of 3 years within the same “V” zone are under processing. Their locations are shown on **Plans A-1 and A-2**.

7. **The Site and Its Surrounding Areas** (Plans A-1 and A-2, aerial photo on **Plan A-3**, and site photos on **Plan A-4**)

7.1 The Site is:

- (a) paved and covered by a metal shed which is currently used for the applied use without valid planning permission;
- (b) located within the village environs of Ma Yau Tong Village; and
- (c) accessible via a local track leading to Po Lam Road.

7.2 The surrounding areas are village area predominated by village houses, and car parks with vegetated slopes and tree clusters to its further east.

8. **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 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.

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 II** and **III** respectively.

9.2 The following government department has adverse comment on the application:

Land Administration

9.2.1 Comments of the District Lands Officer/Sai Kung, Lands Department (DLO/SK, LandsD):

- (a) she has adverse comment on the planning application;
- (b) the Site comprises Old Schedule Agricultural Lot 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) her office’s warning letter dated 4.2.2013 against a metal shed was registered in the Land Registry on 19.4.2013. She also found a metal shed erected on the Site during their recent inspection.

Therefore, the applicant should immediately rectify the lease breach and her office reserves the rights to take necessary lease enforcement action against the breach without further notice;

- (d) the applicant did not indicate the vehicular access in respect of the Site. The applicant should therefore sort out the right-of-way issue and maintenance issue (if any) with the parties concerned. The applicant should note that there is no guarantee to the grant of a right of way over Government land to the Site or approval of emergency vehicular access thereto. In case any Government land is found to have been unlawfully occupied or excavated, enforcement action in accordance with the Land (Miscellaneous Provisions) Ordinance (Cap. 28) will be taken by the Government;
- (e) should planning approval be given to the subject planning application, the owner of the lot without Short Term Waiver (STW) will need to apply to her office for a STW to permit the structures to be erected or regularize any irregularities on site, if any. Besides, given the proposed use is temporary in nature, only application for erection of temporary structures will be considered. The application will be considered by the LandsD acting in capacity as landlord at its sole discretion and there is no guarantee that such application will be approved. If such application is approved, it will be subject to such terms and conditions as may be imposed by LandsD including the payment of fee as considered appropriate; and
- (f) there is no Small House application received by her office in respect of the Site.

10. Public Comment Received During Statutory Publication Period

On 10.10.2025, the application was published for public inspection. No public comment was received during the statutory public inspection period.

11. Planning Considerations and Assessments

- 11.1 The application is for temporary private vehicle park (private car only) for a period of three years at the Site falling within an area zoned “V” on the OZP (**Plan A-1**). While the applied use is not entirely in line with the planning intention of the “V” zone, it can help serve the local villagers to meet the parking demand. C for T has no comment on the application. Besides, DLO/SK, LandsD advises that there is no Small House application received in respect of the Site. Approval of the application on a temporary basis for three years would not jeopardise the long-term planning intention of the “V” zone.
- 11.2 The Site is currently hard-paved and used for the applied use without valid planning permission. The applied use comprising two parking spaces for private cars only is considered not incompatible with the surrounding village area predominated by village houses and car parks (**Plans A-2 and A-3**). The Chief Town

Planner/Urban Design and Landscape, Planning Department considers that no particular adverse landscape impact from the applied use is anticipated and she has no comment on the application from the landscape planning perspective.

- 11.3 Other relevant government departments consulted, including the Director of Environmental Protection, Chief Engineer/Mainland South, Drainage Services Department and Director of Fire Services, have no objection to or no adverse comments on the application. To address the technical requirements of concerned government departments, appropriate approval conditions and advisory clauses are recommended in paragraph 12.2 below and **Appendix III** respectively.
- 11.4 Regarding DLO/SK, LandsD's comments on the unauthorized structures erected within the Site, the applicant has undertaken to submit STW for regularisation under land administrative regime. The applicant will also be advised to liaise with LandsD on these land administration matters should the Committee approve the application.

12. **Planning Department's Views**

- 12.1 Based on the assessments made in paragraph 11, 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 21.11.2028. 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 21.5.2026;
- (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 21.8.2026;
- (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 21.5.2026;
- (e) in relation to (d) above, the implementation of the 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 21.8.2026;
- (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 III**.

- 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 "Village Type Development" zone which is 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.

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) 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 29.9.2025
Appendix Ia	FI received on 10.11.2025
Appendix II	Government Departments' General Comments
Appendix III	Recommended Advisory Clauses
Drawing A-1	Site Layout Plan
Plan A-1	Location Plan
Plan A-2	Site Plan
Plan A-3	Aerial Photo
Plan A-4	Site Photos

**PLANNING DEPARTMENT
NOVEMBER 2025**