

APPLICATION FOR PERMISSION
UNDER SECTION 16 OF THE TOWN PLANNING ORDINANCE

APPLICATION NO. A/YL-MP/399

<u>Applicant</u>	: Ample Forwarding Limited represented by Lanbase Surveyors Limited
<u>Site</u>	: Lots 2942 S.A RP (Part), 2952 and 2953 in D.D. 104, Mai Po, Yuen Long
<u>Site Area</u>	: About 1,583m ²
<u>Lease</u>	: Block Government Lease (demised for agricultural use)
<u>Plan</u>	: Approved Mai Po and Fairview Park Outline Zoning Plan (OZP) No. S/YL-MP/8
<u>Zoning</u>	: “Recreation” (“REC”)
<u>Application</u>	: Proposed Temporary Shop and Services (Sale of Electric Goods Vehicles) and Electric Goods Vehicle Charging Station and Associated Filling of Land for a Period of Three Years

1. The Proposal

- 1.1 The applicant seeks planning permission for proposed temporary shop and services (sale of electric goods vehicles) and electric goods vehicle charging station and associated filling of land for a period of three years at the application site (the Site), which falls within an area zoned “REC” on the OZP (**Plan A-1**). According to the Notes of the OZP for “REC” zone, ‘Shop and Services’, which is a Column 2 use, and filling of land require planning permission from the Town Planning Board (the Board). Moreover, temporary use or development of any land or building not exceeding a period of three years also requires planning permission from the Board. The Site is currently largely vacant, fenced-off, hard-paved and occupied by some construction machinery/materials and a structure (**Plans A-2 and A-4**).
- 1.2 The Site is accessible from a local access (i.e. Geranium Path) leading to Castle Peak Road – Tam Mi (**Plan A-2**), with an ingress/egress (about 7m wide) at the north-eastern part of the Site. According to the applicant, the proposed uses with a total floor area of about 347.84m² involve seven structures, including six single-storey structures (with heights varied from 2.6m to 6m) for showroom, electric vehicle (EV) charging station for heavy goods vehicles (HGVs)/medium goods vehicles (MGVs) respectively, transformer rooms and toilet, and one two-storey structure (6m in height) for ancillary site office (**Drawing A-1**). Five charging spaces and two waiting spaces for HGVs/MGVs as well as three private car parking spaces will be provided at the Site. Sufficient maneuvering space will be provided within the Site to avoid queueing of vehicles outside. The applicant also applies for regularisation of associated filling of land for the entire Site with concrete of not more than 0.2m in depth for site formation and vehicular circulation

(Drawing A-2). The proposed showroom will operate from 11:00 a.m to 6:00 p.m from Mondays to Saturdays with no operation on Sundays and public holidays, while the proposed EV charging station will operate 24 hours daily (including public holidays). The layout plan and land filling plan submitted by the applicant are at **Drawings A-1 and A-2** respectively.

- 1.3 The Site is the subject of a previous application (No. A/YL-MP/387) approved with conditions by the Rural and New Town Planning Committee (the Committee) of the Board in June 2025, and the planning permission is valid until 6.6.2028 (details at paragraph 6 below). Compared with the previous application, the current application is submitted by the same applicant for the same uses at the same Site, except with changes in major development parameters and layout involving an increase in total floor area (+ 76.56m²), building height (+ 1m), number of structures (+ 4 structures) and site coverage (+ 2.99%), as well as associated filling of land for the entire Site.
- 1.4 In support of the application, the applicant has submitted the following documents:
- (a) Application Form with attachments received on 13.10.2025 and Supplementary Information (SI) received on 20.10.2025 **(Appendix I)**
 - (b) Further Information (FI) received on 6.11.2025* **(Appendix Ia)**
 - (c) FI received on 26.11.2025* **(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, SI and FIs at **Appendices I to Ib**. They can be summarised as follows:

- (a) The proposed uses could address the demand for EV charging station for goods vehicles in the local community and make efficient use of the vacant land, and are in line with the government's recent policy in promoting the adoption of EVs and the associated supporting facilities in Hong Kong.
- (b) With a previous application for the same use at the Site and multiple similar applications for similar uses approved in the vicinity, approval of the current application will not prejudice the future long-term planning of the "REC" zone.
- (c) With the limited traffic flow and provision of traffic management measures, adverse traffic impacts are not anticipated from the proposed uses. Besides, the proposed uses will not generate adverse environmental impacts. The applicant will strictly follow relevant statutory environmental and gas safety requirements as well as practice notes to minimise possible adverse impacts and environmental nuisance to the nearby residents.
- (d) The applicant has also committed to applying for Short Term Waiver (STW) to rectify the lease breaches upon planning approval given.

3. Compliance with the "Owner's Consent/Notification" Requirements

The applicant is not a "current land owner" of 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.

4. Town Planning Board Guidelines

The Site is located within the Wetland Buffer Area (WBA) of Deep Bay Area (**Plan A-1**). 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 extracts of the Guidelines are at **Appendix II**.

5. Background

The Site is currently subject to a planning enforcement action (No. E/YL-MP/271) against unauthorised development (UD) involving filling of land. Reinstatement Notice was issued on 28.11.2025 requiring reinstatement of the Site by 28.2.2026. Technical Enforcement Notice was issued on 28.11.2025 requiring discontinuation of the UD by 12.12.2025. The Site is under close monitoring.

6. Previous Application

The Site is the subject of a previous application (No. A/YL-MP/387) submitted by the same applicant for the same uses at the same Site without associated filling of land, which was approved with conditions by the Committee for a period of three years in June 2025 mainly on the considerations that the proposed uses would not frustrate the long-term planning intention of the “REC” zone; the proposed uses were not incompatible with the surrounding areas; and there was no adverse comment from relevant government departments consulted or their concerns could be addressed by approval conditions. The planning permission is valid until 6.6.2028. Compared with the previous application, the current application involves changes in the development parameters and layout, as well as regularisation of filling of land for the entire Site as set out in paragraph 1.3 above. Details of the previous application are summarised at **Appendix III** and its location is shown on **Plan A-1**.

7. Similar Application

During the past five years, there is no similar application for temporary shop and services and electric goods vehicle charging station within the same “REC” zone on the OZP. However, there is one application (No. A/YL-MP/364) for temporary shop and services and public vehicle park (PVP) with ancillary EV charging facilities within the “Open Space” (“O”) zone to the north of the Site. The similar application was approved with conditions by the Committee in June 2024 mainly on the considerations that the proposed uses would not frustrate the long-term planning intention of the “O” zone; the proposed uses were not incompatible with the surrounding land uses; and adverse impacts on the surrounding areas were not anticipated. Details of the application are summarised at **Appendix III** and its location is shown on **Plan A-1**.

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

8.1 The Site is:

- (a) currently largely vacant, fenced-off, hard-paved and occupied by some construction machinery/materials and a structure;
- (b) accessible from a local access leading to Castle Peak Road – Tam Mi; and
- (c) located within WBA of Deep Bay Area.

8.2 The surrounding areas are sub-urban in character and predominated by open storage/storage yards, low-rise residential developments/structures including Royal Palms, electric vehicle charging services, church, plant nursery, grassland, ponds and vacant land.

9. Planning Intention

9.1 The planning intention of the “REC” zone is 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 for “REC” zone, as filling of land may cause adverse drainage impacts on the areas and adverse impacts on the environment, permission from the Board is required for such activities.

10. Comments from Relevant Government Bureaux/Departments

10.1 Apart from the government bureau/departments 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 bureau provides specific comments on the application:

Policy Aspect

10.2.1 Comments from the Secretary for Environment and Ecology (SEE):

- (a) no adverse comment on the application from EV charging policy perspective;
- (b) to echo with the latest version of the Chapter 8 of Hong Kong Planning Standards and Guidelines (HKPSG) about EV charging facilities and to support the government’s policies in promoting the wider adoption of EVs, the applicant is suggested to comply with the requirement of HKPSG, i.e. EV chargers with output power of not less than 7kW should be installed in all parking spaces for private cars, light goods vehicles (if any) and motorcycles (if any) of the Site; and

- (c) advisory comments are detailed in **Appendix V**.

10.3 The following government departments have reservation on/ do not support the application:

Land Administration

10.3.1 Comments of the District Lands Officer/Yuen Long, LandsD (DLO/YL, LandsD):

- (a) the Site comprises Old Schedule Agricultural Lot Nos. 2942 S.A RP, 2952 and 2953 in D.D. 104 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;
- (b) he has reservation on the planning application since there is/are unauthorised structure(s) or use(s) on the said private lots which is/are already subject to lease enforcement actions according to case priority. The lot owner(s) should rectify/apply for regularisation on the lease breaches as demanded by LandsD; and
- (c) advisory comments are at **Appendix V**.

Environment

10.3.2 Comments from the Director of Environmental Protection (DEP):

- (a) does not support the proposed uses from environmental planning perspective;
- (b) no adverse comment on the proposed filling of land from environmental planning perspective;
- (c) considering the 'Code of Practice on Handling Environmental Aspects of Temporary Uses and Open Storage Sites' (CoP), the proposed uses would involve traffic of heavy vehicles (i.e. MGVs or HGVs), but no dusty operations. The nearest residential premise is about ~~37~~ 42m to the northwest of the Site;
- (d) there was no substantiated environmental complaint concerning the Site in the past three years; and
- (e) advisory comments as detailed in **Appendix V**.

11. Public Comment Received During Statutory Publication Period

On 21.10.2025, the application was published for public inspection. During the statutory public inspection period, one public comment was received from an individual raising concerns on the suspected unauthorised operation at the Site; drainage issues arising from the proposed uses; and feasibility of the proposed uses (**Appendix VI**).

12. Planning Considerations and Assessments

- 12.1 The application is for proposed temporary shop and services (sale of electric goods vehicles) and electric goods vehicle charging station and associated filling of land for a period of three years at the Site zoned “REC” (**Plan A-1**). While the proposed uses are not in line with the planning intention of the “REC” zone, there is no known long-term development proposal for the Site. According to the applicant, the proposed uses including an electric goods vehicle charging station can address the demand for EV charging station for goods vehicles in the local community. SEE has no adverse comment on the application from EV charging policy perspective. In view of the above and taking into account the planning assessments below, there is no objection to the proposed uses with associated filling of land on a temporary basis of three years.
- 12.2 Filling of land in the “REC” zone requires planning permission from the Board as it may cause adverse drainage and environmental impacts on the surrounding areas. In this regard, the Chief Engineer/Mainland North, Drainage Services Department (CE/MN, DSD) and DEP have no objection to or no adverse comment on the filling of land under application from drainage and environmental planning perspectives respectively.
- 12.3 The proposed uses with associated filling of land are considered not incompatible with the surrounding areas which are sub-urban in character and predominated by open storage/storage yards, low-rise residential developments/structures, EV charging services, church, plant nursery, grassland, ponds and vacant land (**Plan A-2**). The Chief Town Planner/Urban Design and Landscape, Planning Department (PlanD) has no adverse comment on the application from landscape planning perspective and considers that the proposed uses are not incompatible with the surrounding landscape setting and significant impact on the existing landscape resources within the Site is not anticipated.
- 12.4 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.
- 12.5 DEP does not support the application as the proposed use involves traffic of heavy vehicles and there are sensitive receivers in the vicinity areas. In this regard, should the Committee decide to approve the application, the applicant will be advised to follow the revised CoP and other relevant environmental guidelines issued by the Environmental Protection Department to minimise any potential environmental nuisance caused by the proposed uses. The operation of the proposed uses will also be subject to relevant pollution control ordinances. Regarding DLO/YL, LandsD’s concerns on the unauthorised structure(s) and/or use(s) at the Site, the applicant will be advised to liaise with LandsD on these land administration matters should the Committee approve the application. The applicant has also committed to applying for STW to rectify the lease breaches upon planning approval given.
- 12.6 Other relevant government departments consulted, including the Commissioner for Transport, CE/MN, DSD and Director of Fire Services, 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.
- 12.7 The Site is the subject of a previous application (No. A/YL-MP/387) for the same use without associated filling of land as detailed in paragraph 6 above. While there is no

similar application for the same uses within the same “REC” zone, one application for similar uses was approved within the “O” zone to the north of the Site on the same OZP in 2024 as detailed in paragraph 7 above. Approving the current application is in line with the Committee’s previous decisions.

- 12.8 Regarding the public comment as stated in paragraph 11 above, the departmental comments and planning assessments above are relevant. Besides, any unauthorized development on the Site would be subject to planning enforcement action.

13. Planning Department’s Views

- 13.1 Based on the assessments made in paragraph 12, and having taken into account the public comment mentioned in paragraph 11 above, 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 5.12.2028. 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 5.6.2026;
- (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 5.9.2026;
- (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 5.6.2026;
- (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 5.9.2026;
- (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 V**.

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

the proposed uses with associated filling of land are not in line with the planning intention of the "Recreation" zone, which is primarily for recreational developments for the use of the general public as well as encouraging the development of active and/or passive recreation and tourism/ecotourism. 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 13.10.2025 and SI received on 20.10.2025
Appendix Ia	FI received on 6.11.2025
Appendix Ib	FI received on 26.11.2025
Appendix II	Relevant Extracts of TPB PG-No. 12C
Appendix III	Previous and Similar Applications
Appendix IV	Government Departments' General Comments
Appendix V	Recommended Advisory Clauses
Appendix VI	Public Comment
Drawing A-1	Site Layout Plan
Drawing A-2	Plan of Filling of Land
Plan A-1	Location Plan with Previous and Similar Applications
Plan A-2	Site Plan
Plan A-3	Aerial Photo
Plan A-4	Site Photos

**PLANNING DEPARTMENT
DECEMBER 2025**