

APPLICATION FOR PERMISSION
UNDER SECTION 16 OF THE TOWN PLANNING ORDINANCE

APPLICATION NO. A/NE-LYT/860

<u>Applicant</u>	:	Wealth Generation International Limited represented by Lawson David & Sung Surveyors Limited
<u>Site</u>	:	Taxlord Lot 464 S.A RP (Part) in D.D. 83 and Adjoining Government Land (GL), Sha Tau Kok Road–Lung Yeuk Tau, Fanling, New Territories
<u>Site Area</u>	:	About 954m ² (including GL of about 381m ² or about 40% of the Site)
<u>Lease</u>	:	Block Government Lease (demised for agricultural use)
<u>Plan</u>	:	Approved Lung Yeuk Tau and Kwan Tei South Outline Zoning Plan (OZP) No. S/NE-LYT/19
<u>Zoning</u>	:	“Agriculture” (“AGR”)
<u>Application</u>	:	Proposed Temporary Green Fuel Station (Electric Vehicle Charging Station for Electric Taxi) for a Period of Three Years

1. The Proposal

- 1.1 The applicant seeks planning permission for proposed temporary green fuel station (electric vehicle (EV) charging station for electric taxi) for a period of three years at the application site (the Site) falling within an area zoned “AGR” on the OZP (**Plan A-1**). According to the Notes of the OZP, temporary use or development of any land not exceeding a period of three years requires planning permission from the Town Planning Board (the Board). The Site is generally hard-paved¹, partly fenced-off, occupied by some temporary structures and trees, and currently being used as a vehicle repair workshop without valid planning permission (**Plans A-4a to A-4c**).
- 1.2 The Site is accessible from Sha Tau Kok Road – Lung Yeuk Tau via the proposed ingress/egress to the north (**Plan A-2**). According to the applicant, it is in partnership with one of the five taxi fleet operators selected by the Government, Sino Development (International) Company Limited. The proposed use will provide EV charging facilities exclusively for electric taxis of the concerned

¹ According to the record, the Site zoned “AGR” has been largely hard-paved before the date of imposing a land filling clause pertaining to the zone under the draft Lung Yeuk Tau and Kwan Tei South OZP No. S/NE-LYT/10 gazetted on 29.4.2005.

partnered taxi fleet. The proposal involves 12 EV charging spaces² and five waiting spaces for electric taxis (5m (L) × 2.5m (W) each) on-site (**Drawing A-1**). Three single-storey structures with building heights ranging from about 3m to 3.5m and a total floor area of about 111m², including two containers for the storage of EV chargers and one transformer/switch room, will be erected at the southern part of the Site. Only pre-booked electric taxis with valid licenses issued under the Road Traffic (Registration and Licensing of Vehicles) Regulations (Cap. 374E) are allowed to enter the Site. The operation hours of the proposed use are 24 hours daily (including Sundays and public holidays). No dismantling, maintenance, repairing, cleansing, paint spraying or other workshop activities will be conducted on-site. The layout plan submitted by the applicant is shown in **Drawing A-1**.

- 1.3 The applicant proposes a mobile application for real-time availability of EV charging space at the Site to facilitate electric taxi drivers to locate the available EV chargers. Drivers will be directed to the nearest alternative sites if all the EV chargers at the Site are in use. Together with the mobile application and ultra-fast chargers, other traffic management measures, including (i) compulsory appointment system; (ii) prohibition of pick-up, drop-off or loading/unloading activities within the Site; and (iii) provision of sufficient manoeuvring and waiting spaces within the Site, will be imposed for the proposed use to ensure that no vehicles queue back onto the public road. To ensure pedestrian safety in the area, the proposed ingress/egress will be designed and constructed in accordance with the Highways Department's standards, and flashing warning lights will be installed near the proposed ingress/egress of the Site (**Drawing A-2**). To minimise the possible environmental nuisance, a boundary fencing of 2.5m in height will be erected on-site.
- 1.4 In support of the application, the applicant has submitted the following documents:
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|-----|---|---------------|
| (a) | Application Form received on 25.8.2025 | (Appendix I) |
| (b) | Planning Statement received on 25.8.2025 | (Appendix Ia) |
| (c) | Further Information (FI) received on 7.11.2025 [^] | (Appendix Ib) |
| (d) | FI received on 3.12.2025 [^] | (Appendix Ic) |
| (e) | FI received on 16.12.2025 [^] | (Appendix Id) |
- [^]*accepted and exempted from the publication and recounting requirements*
- 1.5 On 24.10.2025, the Rural and New Town Planning Committee (the Committee) of the Board agreed to the applicant's request to defer making a decision on the application for two months.

2. Justifications from the Applicant

The justifications put forth by the applicant in support of the application are detailed in the Application Form, Planning Statement and FIs at **Appendices I to Id** as summarised below:

- (a) the applicant will provide various quick EV charging facilities in various locations

² Each charger will be a direct current ultra-fast charger with an output power of 120 kW, providing about 600 km of driving range for an electric taxi in about 30 minutes of charging time.

in Hong Kong. The proposed use is in line with the Government's initiative to expand the charging network for EVs in Hong Kong. Support on the collaboration has been received from TD (**Appendix Ia**);

- (b) the proposed use can meet the demand for EV charging in the locality and quick charging EV facilities for electric taxis in Hong Kong;
- (c) the Site is flat, hard-paved and accessible from Sha Tau Kok Road – Lung Yeuk Tau, which is considered suitable for the proposed use. In addition, as the Site is located near densely populated areas, the proposed use will be able to accommodate the growing demand for EV charging facilities in these areas. The proposed use will also utilise the adjoining GL;
- (d) the proposed use is not incompatible with the surrounding land uses. Besides, it is temporary in nature and approval of the application would not frustrate the long-term planning intention of the “AGR” zone;
- (e) a traffic impact assessment and drainage proposal are submitted in support of the current application. No old and valuable trees are found within the Site, and all existing trees are of common species that are proposed to be felled. In general, the proposed use will not induce adverse traffic, environmental, drainage and landscape impacts and fire safety issue on the surrounding areas;
- (f) the applicant undertakes to remove all the existing unauthorised structures on-site within the private lots and GL, and apply for Short Term Waiver (STW) and Short Term Tenancy (STT) from the Lands Department (LandsD) for erection of the proposed structures and occupation of GL; and
- (g) noting that there are shrines located within the Site, the applicant has committed to consult the local villagers and making appropriate arrangements for relocating the shrines. The 1st Vice-chairman of Fanling District Rural Committee and Indigenous Inhabitant Representative of Kwai Tei fully support the application provided that the traditional worship activities will not be affected.

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

The applicant is not the “current land owner” but have 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 Fanling District Rural Committee. Detailed information would be deposited at the meeting for Members’ inspection. For the GL portion, TPB PG-No. 31B is not applicable.

4. Background

The Site is currently not subject to any active planning enforcement action.

5. Previous Application

- 5.1 The eastern portion of the Site is the subject of a previous application (No. A/NE-LYT/161) for vehicle and construction machinery repair workshop with covered structures, which was approved with conditions by the Committee in 1998. The planning considerations of the previous application are not applicable to the current application as it involves a different use.
- 5.2 Details of the previous application are summarised at **Appendix II** and its location is shown on **Plan A-1**.

6. Similar Application

There is no similar application within the same “AGR” zone in the vicinity of the Site in the past five years.

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

- 7.1 The Site is:
- (a) generally hard-paved, partly fenced-off, occupied by some temporary structures and trees, and currently being used as a vehicle repair workshop without valid planning permission; and
 - (b) accessible from Sha Tau Kok Road – Lung Yeuk Tau via the proposed ingress/egress to the north.
- 7.2 The surrounding areas are of rural landscape character comprising fallow farmlands, vacant land or unused land covered by tree groups or vegetation area and a few village houses/domestic structures. To the immediate east and southwest across a local road are a football field with children playground and a sewage pumping station respectively. To the further southwest is an existing soy sauce factory (i.e. Tung Chun Soy Sauce and Canned Food Company Limited) within the “Comprehensive Development Area” zone. To the further east is the village proper of Kwan Tei zoned “Village Type Development”. To the north across Sha Tau Kok Road – Lung Yeuk Tau is the “Open Storage” (“OS”) zone on the approved Ping Che and Ta Kwu Ling OZP No. S/NE-TKL/14, where logistic centers and vehicle repairing workshops could be found. An application (No. A/NE-TKL/813) for proposed temporary green fuel station (EV charging station for electric taxi), vehicle repair workshop, shop and services (motor vehicle showroom) and eating place with ancillary office within the subject “OS” zone, submitted by the same applicant of the current application, will be considered by the Committee in the same meeting.

8. Planning Intention

The planning intention of the “AGR” zone is primarily to retain and safeguard good quality agricultural land/farm/fish ponds for agricultural purposes. It is also intended to retain fallow arable land with good potential for rehabilitation for cultivation and other agricultural purposes.

9. Comments from Relevant Government Bureau/Departments

9.1 Apart from the government departments as set out in paragraph 9.2 below, other government bureau and 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 at **Appendices III and IV** respectively.

9.2 The following government departments object to the application:

Land Administration

9.2.1 Comments of the District Lands Officer/North, Lands Department (DLO/N, LandsD):

- (a) he objects to the application;
- (b) the Site comprises GL and 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. The proposed ingress/egress of the Site is required to pass through GL but no right of access via GL is granted to the Site at the proposed ingress/egress point;
- (c) part of the application lot and the adjoining GL, not covered by the planning application, is covered by STW No. 1226 and STT No. 1108 for the purpose of storage of rattan furniture;
- (d) the following irregularities covered by the planning application have been detected:

Unauthorised structure within the said private lot covered by the planning application

LandsD has reservation on the planning application since there are unauthorised structures on the private lot which is already subject to lease enforcement actions according to case priority. The lot owner/applicant should rectify the lease breaches as demanded by LandsD;

Unlawful occupation of GL with unauthorised structures covered by the planning application

the GL within the Site has been fenced off/illegally occupied with unauthorised structures without any permission. Any occupation of GL without Government's prior approval is an offence under the Land (Miscellaneous Provisions) Ordinance (Cap. 28). His office reserves the rights to take necessary land control action against the illegal occupation of GL without further notice;

- (e) the following irregularities not covered by the planning application have been detected:

Unauthorised structures within the said private lot not covered by the planning application

there are unauthorised structures within the said private lot and part of the structure extended to adjoining Lot 453 RP in D.D. 83 not covered by the planning application. The lot owners/applicant should immediately rectify the lease breaches and this office reserves the rights to take necessary lease enforcement action against the breaches without further notice;

Unlawful occupation of GL with unauthorised structures not covered by the planning application

the GL adjoining the said private lot has been fenced off/illegally occupied with unauthorised structures without permission. The GL being illegally occupied is not included in the application. Any occupation of GL without Government's prior approval is an offence under the Land (Miscellaneous Provisions) Ordinance (Cap. 28). His office reserves the rights to take necessary land control action against the illegal occupation of GL without further notice;

- (f) the lot owners/applicant shall either (i) remove the unauthorised structures and cease the illegal occupation of the GL not covered by the planning application immediately; or (ii) include the unauthorised structures and the adjoining GL being illegal occupied in the planning application for further consideration by the relevant departments and, subject to the approval of the Board to the planning application which shall have reflected the rectification or amendment as aforesaid required, apply to this office for modification/new STW and STT to permit the structures erected/to be erected and the occupation of GL. The applications for modification/new STW and STT will be considered by the Government in its capacity as a landlord and there is no guarantee that they will be approved. Besides, the STW would be processed on whole lot basis. The STW and the STT, if approved, will be subject to such terms and conditions including the payment of back-dated waiver fee/rent from the first date when the unauthorised structures were erected and the occupation of GL as well as administrative fee as considered appropriate to be imposed by LandsD. In addition, LandsD reserves the right to take enforcement action against the lot owners 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 land control action for any unlawful occupation of GL. Besides, given the proposed use is temporary in nature, only erection of temporary structure(s) will be considered;
- (g) unless and until the unauthorised structures and the unlawful occupation of GL are duly rectified by the lot owners/applicant or entirely included in the subject planning application, his office objects to the application which must be brought to the attention of the Board when they consider the application; and
- (h) his advisory comments are at **Appendix IV**.

Agriculture and Nature Conservation

9.2.2 Comments of the Director of Agriculture, Fisheries and Conservation (DAFC):

Agriculture

- (a) he does not support the application from agricultural perspective as the Site zoned “AGR” possesses potential for agricultural rehabilitation. There are active agricultural activities in the vicinity of the Site, and agricultural infrastructures such as road access and water source are also available. The Site can be used for agricultural activities such as open-field cultivation, greenhouses, and plant nurseries etc.; and

Nature Conservation

- (b) he has no comment on the application from nature conservation perspective.

10. Public Comments Received During Statutory Publication Period

On 2.9.2025, the application was published for public inspection. During the statutory public inspection period, four public comments were received (**Appendix V**). One comment from an Indigenous Inhabitant of Kwai Tei objects to the application on the ground that the proposed use might displace two shrines which have been in existence at the Site for a long period of time (**Plan A-4b**), resulting in negative Feng Shui impact on the villagers/residents of Kwai Tei. Another comment from an individual objects to the application mainly on the grounds that the current application is for regularisation of a long-standing unauthorized vehicle repair workshop at the Site; and there is no need for designated locations for EV charging facilities. The two remaining comments from a member of North District Council and the Chairman of Lung Shan Area Committee both indicate no comment on the application.

11. Planning Considerations and Assessments

- 11.1 The application is for proposed temporary green fuel station (EV charging station for electric taxi) for a period of three years at the Site zoned “AGR” on the OZP (**Plan A-1**). The proposed use is not in line with the planning intention of “AGR” and DAFC does not support the application from agricultural perspective. Nevertheless, according to the applicant, the proposed use aims to provide quick EV charging facilities in collaboration with one of the taxi fleet operators selected by the Government to serve only the partnered taxi fleet, and is not open to the public. The proposed use can meet the demand for EV charging in the locality and quick charging EV facilities for electric taxis in Hong Kong. Taking into account above and the planning assessments below, there is no objection to the proposed use on a temporary basis of three years.
- 11.2 The Site, which is generally hard-paved, partly fenced-off and currently occupied by some temporary structures and trees, is situated in an area of rural character comprising fallow farmlands, vacant land or unused land covered by tree groups

or vegetation area and a few village houses/domestic structures (**Plans A-2 to A-4c**). The proposed use is considered not entirely incompatible with the surrounding land uses. The Chief Town Planner/Urban Design & Landscape of Planning Department (PlanD) has no adverse comment on the application from landscape planning perspective as significant adverse impact on the landscape character and existing landscape resources within the Site arising from the proposed use is not anticipated. As the Site is zoned “AGR”, an approval condition requiring the reinstatement of the Site upon expiry of the planning permission so as to uphold the planning intention of the “AGR” zone and restore the greenery of the area is recommended should the Committee decide to approve the application.

- 11.3 Other concerned government departments consulted, including the Commissioner for Transport, Director of Environmental Protection, Director of Electrical and Mechanical Services, Chief Engineer/Mainland North of Drainage Services Department and Director of Fire Services, have no objection to or no adverse comment on the application. To address the technical requirements of concerned government departments, appropriate approval conditions are recommended in paragraph 12.2 below. Should the planning application be approved, the applicant will also be advised to follow the requirements of the revised “Code of Practice on Handling the Environmental Aspects of Temporary Uses and Open Storage Sites” in order to minimise possible environmental nuisance on the surroundings. Regarding DLO/N, LandsD’s concerns on the unauthorised structures erected and unlawful occupation of GL within and outside the Site, the applicant will be advised to liaise with LandsD on these land administration matters should the Committee approve the application.
- 11.4 Regarding public comments as detailed in paragraph 10 above, comments from the government bureau/departments and the planning assessments above are relevant. For the concern on the displacement of the existing shrines within the Site (**Plans A-2 and A-4b**), the applicant undertakes to further liaise with the local villagers, and will make appropriate arrangement for relocation of the shrines.

12. Planning Department’s Views

- 12.1 Based on the assessments made in paragraph 11 and having taken into account the public comments in paragraph 10, PlanD 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 19.12.2028. The following conditions of approval and advisory clauses are suggested for Members’ reference:

Approval Conditions

- (a) the implementation of the accepted 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 19.9.2026;
- (b) in relation to (a) above, the implemented drainage facilities on the site shall be maintained at all times during the planning approval period;

- (c) 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 19.6.2026;
- (d) in relation to (c) 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 19.9.2026;
- (e) if the above planning condition (b) 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;
- (f) if any of the above planning condition (a), (c) or (d) 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; and
- (g) upon expiry of the planning permission, the reinstatement of the Site, including the removal of fill materials and hard-paving, and grassing of the Site to the satisfaction of the Director of Planning or of the Town Planning Board.

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 proposed use is not in line with the planning intention of the "AGR" zone which is primarily to retain and safeguard good quality agricultural land/farm/fish ponds for agricultural purposes, and to retain fallow arable land with good potential for rehabilitation for cultivation and other agricultural purposes. 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 the 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 25.8.2025
Appendix Ia	Planning Statement received on 25.8.2025
Appendix Ib	FI received on 7.11.2025
Appendix Ic	FI received on 3.12.2025
Appendix Id	FI received on 16.12.2025
Appendix II	Previous Application
Appendix III	Government Departments' General Comments
Appendix IV	Recommended Advisory Clauses
Appendix V	Public Comments
Drawing A-1	Site Layout Plan
Drawing A-2	Traffic Management Plan
Plan A-1	Location Plan
Plan A-2	Site Plan
Plan A-3	Aerial Photo
Plans A-4a to A-4c	Site Photos

**PLANNING DEPARTMENT
DECEMBER 2025**