

APPLICATION FOR PERMISSION
UNDER SECTION 16 OF THE TOWN PLANNING ORDINANCE

APPLICATION NO. A/NE-KLH/659

- Applicant** : Wing Lee (Kong Shum) Transportation Ltd. represented by KTA Planning Limited
- Site** : Lots 237 S.E RP, 237 S.F RP, 237 S.G RP, 237 S.H, 237 S.I, 237 S.J RP, 237 S.K RP, 237 S.L RP, 237 S.M, 237 S.O RP and 237 S.P RP in D.D. 7, Kau Lung Hang, Tai Po, New Territories
- Site Area** : About 9,064m²
- Lease** : Block Government Lease (demised for agricultural use)
- Plan** : Approved Kau Lung Hang Outline Zoning Plan (OZP) No. S/NE-KLH/11
- Zoning** : “Agriculture” (“AGR”)
- Application** : Proposed Temporary Public Vehicle Park with Ancillary Electric Vehicle Charging Facilities and Associated Filling of Land for a Period of 3 Years

1. The Proposal

- 1.1 The applicant seeks planning permission for proposed temporary public vehicle park (PVP) with ancillary electric vehicle (EV) charging facilities and associated filling of land for a period of three years at the application site (the Site) falling within area zoned “AGR” on the OZP (**Plan A-1**). According to the Notes of the OZP, temporary use or development of any land or building not exceeding a period of three years requires planning permission from the Town Planning Board (the Board). The Site is currently hard-paved, partly fenced and used as plant nursery with ancillary storage (**Plan A-4**).
- 1.2 The Site is directly accessible via Tai Wo Service Road West (**Plans A-1 and A-2**). According to the applicant, the proposed PVP comprises a total of 211 parking spaces exclusively for EVs, of which 205 are for private cars (5m (L) x 2.5m (W) each) and six are for coaches or heavy goods vehicles (HGV) (12m (L) x 3.5m (W) each) (**Drawing A-1**). All 211 parking spaces will be equipped with ancillary EV charging facilities¹. Specifically, 62 private car parking spaces and all six HGV parking spaces will be served by nine 500kW high-speed chargers (Type 1), each capable of serving up to 14 cars simultaneously, while each of the remaining 143 parking spaces will be equipped with a 7kW to 20kW

¹ According to the applicant, the actual implementation of EV charging facilities will be subject to approval from CLP in view of the overall electric power supply available in the area.

medium-speed charger (Type 2). Also, eight single-storey ancillary structures are proposed at the Site (**Drawing A-1**), which include an entrance control room, a transformer room, a main switch room with another three switch rooms and two toilets, resulting in a total gross floor area (GFA) of about 277m² with building height ranging from 3m to 4.5m. No vehicles without valid licence issue under the Road Traffic (Registration and Licensing of Vehicles) Regulations (Cap. 374E) will be allowed at the Site. The proposed PVP will operate 24 hours daily, including public holidays.

- 1.3 The application also involves regularisation of filling of land with concrete (about 0.2m in depth) for the majority of the Site (i.e. about 8,175m² or about 90% of the Site) (**Drawing A-2**) to form the platform for parking and circulation spaces as well as the ancillary structures. The layout plan and proposed land filling plan submitted by the applicant are shown at **Drawings A-1** and **A-2** respectively.
- 1.4 The Site is the subject of four previous applications (No. A/NE-KLH/201, 206, 249 and 322) (**Plans A-1** and **A-2**) for temporary coach/container trailer and private car parks with/without ancillary vehicle checking, all submitted by the same applicant as the current application, which were rejected by the Rural and New Town Planning Committee (the Committee) of the Board between 1999 and 2003. Details of these applications are set out in paragraph 5.1 below.
- 1.5 In support of the application, the applicant has submitted the following documents:
 - (a) Application Form with Supporting Planning Statement (**Appendix I**) (SPS) and attachments received on 19.9.2025
 - (b) Further information (FI) received on 10.10.2025* (**Appendix Ia**)
 - (c) FI received on 10.11.2025* (**Appendix Ib**)
 - (d) FI received on 11.12.2025 and 16.12.2025* (**Appendix Ic**)
 - (e) FI received on 19.12.2025* (**Appendix Id**)
 - (f) FI received on 24.12.2025 and 30.12.2025* (**Appendix Ie**)

** accepted and exempted from publication and recounting requirements*
- 1.6 On 7.11.2025, 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, SPS and FIs at **Appendices I** to **Ie**, as summarised below:

- (a) the proposed PVP aligns with the Government's policies to increase parking spaces in rural areas. The provision of EV charging facilities also addresses the rising demand from the local residents and transients in the area;
- (b) the Site has been paved and has not been used for farming for a long time. The proposed use is temporary in nature and will not jeopardise the long-term

planning intention of “AGR” zone. Additionally, since the Site is not located in an area with active farming, the proposed PVP is not expected to adversely affect agricultural activities in the vicinity;

- (c) noise and visual mitigation measures are proposed, including erection of a new 2.5m-high solid fence wall and retention of existing greenery along the northwest boundary of the Site (**Drawing A-1**), in order to minimise the environmental nuisance and degradation of the natural environment;
- (d) the submitted traffic impact assessment, drainage proposal, risk assessment report on water gathering grounds (WGG) and tree survey indicate that there will be no adverse impacts on traffic, drainage, water quality and landscape in the surrounding area; and
- (e) while the existing hoarding / gate erected on the adjoining Government land will be demolished prior to the commencement of works, all existing structures within the Site will be removed to effect the proposed PVP.

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

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

4. Background

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

5. Previous Applications

- 5.1 The Site is the subject of four previous applications (No. A/NE-KLH/201, 206, 249 and 322) (**Plans A-1** and **A-2**) for temporary coach/container trailer and private car parks with/without ancillary vehicle checking, all submitted by the same applicant as the current applicant, which were rejected by the Committee between 1999 and 2003. The planning considerations of these applications mainly for port back-up and logistics uses are not relevant to the current application for a different use.
- 5.2 Details of the previous applications are summarised at **Appendix II** and their locations are shown on **Plans A-1** and **A-2**.

6. Similar Application

There is no similar application for PVP use within the same “AGR” zone in the vicinity in the past five years.

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

7.1 The Site is:

- (a) flat, hard-paved, partly fenced and currently used as plant nursery with ancillary storage (**Plan A-4**);
- (b) located at the southeast fringe of Tai Hang Village (**Plans A-2 and A-3**) and traversed by a section of drainage channel at its western boundary (**Plan A-2**); and
- (c) directly accessible via Tai Wo Service Road West (**Plans A-1 and A-2**).

7.2 The surrounding areas are predominantly rural in character mainly with village houses, plant nurseries, storages/open storages and active farmland. To its immediate southeast are Tai Wo Service Road West and Fanling Highway (**Plans A-2 and A-3**). To its immediate northeast, a section of drainage channel is running along the boundary of the Site (**Plans A-2 and A-3**).

8. Planning Intention

- 8.1 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.
- 8.2 According to the Explanatory Statement of the OZP, filling of land within “AGR” zone may cause adverse drainage and environmental impacts on the adjacent areas, permission from the Board is required for such activity.

9. Comments from Relevant Government Bureau/Departments

9.1 Apart from the government departments as set out in paragraphs 9.2 and 9.3 below, other government bureau/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 department supports the application:

Traffic

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

- (a) she supports the application in view of the parking demand in the vicinity; and
- (b) her advisory comments are at **Appendix IV**.

9.3 The following government departments do not support the application:

Land Administration

9.3.1 Comments of the District Lands Officer/Tai Po, Lands Department (DLO/TP, LandsD):

- (a) he objects to the application;
- (b) the Site comprises 11 Old Schedule Agricultural Lots all in D.D.7 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) there are unauthorized structures erected on private land concerned without LandsD's prior approval. Warning Letters against Lots 237 S.H, 237 S.J RP, 237 S.K RP, 237 S.L RP and 237 S.M all in D.D. 7 were registered in Land Registry. The lot owner should immediately rectify the lease breaches and his office reserves the rights to take necessary lease enforcement action against the breaches without further notice;
- (d) a piece of Government land in the western side of Lots 237 S.E RP and 237 S.F RP both in D.D. 7 has been illegally occupied without any permission and is not included in the application. Any occupation of Government land without Government's prior approval is not allowed. The applicant should demolish the hoarding / gate erected on Government land immediately. His office reserves the rights to take appropriate land control action against illegal occupation of Government land without further notice;
- (e) there is no guarantee to the grant of a right of way to the Site or approval of the Emergency Vehicular Access (EVA) thereto; and
- (f) his advisory comments are at **Appendix IV**.

Agriculture

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

the Site falls within the "AGR" zone and is generally vacant with some structures. The agricultural activities are active in the vicinity, 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, plant nurseries, etc. As the Site possesses potential for agricultural rehabilitation, the proposed use is not supported from agricultural perspective.

10. Public Comments Received During Statutory Publication Period

- 10.1 On 26.9.2025, the application was published for public inspection. During the statutory public inspection period, 27 public comments were received (**Appendix V**).
- 10.2 18 comments from local villagers/residents (including four joint letters with 81 signatures) and individuals object to the application mainly for the reasons that the proposed use will cause adverse impacts on traffic, environment, landscape and visual aesthetics, drainage and water supply, electricity safety/supply stability, provision of community/green spaces and fung shui of the village; the nuisance arising from the proposed use will affect the living quality, health and safety of the residents, community harmony and land prices; and significant public resources would be involved for the proposed development resulting in increased tax paid by the public.
- 10.3 The remaining nine comments from individuals express views similar to those as mentioned in paragraph 10.2 above. They also raise concerns that the applicant overestimates the local demand for EV charging facilities; there are lack of enforcement actions regarding the existing suspected unauthorized development; the Site is underutilised; and there is no provision of green energy solutions, e.g. solar panels.

11. Planning Considerations and Assessments

- 11.1 The application is for proposed temporary PVP with ancillary EV charging facilities and associated filling of land 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 the “AGR” zone, and DAFC does not support the application from agricultural perspective. Nevertheless, as the Site is located at the southeastern fringe of Tai Hang Village, it can meet the local parking demand and transients in the area. C for T supports the application in view of the parking demand in the vicinity. Also, the provision of EV charging facilities to support the PVP use within the Site is also in line with the Government’s prevailing environmental policies. Taking into account the above and the planning assessments below, there is no objection to the proposed use on temporary basis of three years.
- 11.2 The Site is currently hard-paved and used as plant nursery (**Plan A-4**). The proposed use comprising 211 parking spaces (including 205 for private cars and six for coaches or HGVs) is considered not incompatible with the surrounding rural setting which mainly comprises village houses, plant nurseries, storages/open storages and active farmland (**Plans A-2 and A-3**). Noting that the existing vegetation along the northwestern boundary of the Site will be retained, the Chief Town Planner/Urban Design and Landscape of Planning Department considers that significant adverse impact on existing landscape resources arising from the proposed use is not anticipated, and thus has no adverse comment on the application from landscape planning perspective.
- 11.3 The proposed use also involves regularisation of filling of land by concrete with

a depth of about 0.2m within the “AGR” zone (**Drawing A-2**). Filling of land within the “AGR” zone requires planning permission from the Board as it may cause adverse drainage and environmental impacts on the adjacent area. In this regard, the Director of Environmental Protection (DEP) and Chief Engineer/Mainland North of Drainage Services Department (CE/MN, DSD) have no objection to or no adverse comment on the proposed filling of land at the Site from environmental planning and drainage perspectives respectively. It should be noted that the Site was mostly paved since 2003 before planning control over filling of land in “AGR” zone was imposed in 2005. 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.

- 11.4 While the Site falls within the upper indirect WGG, the Chief Engineer/Construction of Water Supplies Department (CE/C, WSD) has no objection to the application on the condition that the applicant would implement preventive, control and mitigation measures identified in the accepted risk assessment report on pollution or contamination to the WGG. Noting that the number of coaches / HGV parking spaces has been reduced with their location moved to further southeast of the Site; a 2.5m high solid fence wall along the northwestern site boundary are proposed to avoid causing nuisance to nearby residential dwellings; as well as the proposed PVP will be connected to public sewers along Tai Wo Service Road West, DEP has no objection to the application. The applicant is also advised to follow the relevant mitigation measures and requirements in the “Code of Practice on Handling the Environmental Aspects of Temporary Uses and Open Storage Sites” and to meet the statutory requirements under relevant pollution control ordinances, as well as to follow the requirements of the ProPECC PN 1/23 to properly handle the sewage produced from the development. Other relevant government departments consulted, including the Director of Fire Services and Director of Electrical and Mechanical Services, have no objection to or no adverse comment on the application. To address the technical requirements of concerned departments, appropriate approval conditions are recommended in paragraph 12.2 below. Regarding DLO/TP, LandsD’s concerns on the unauthorized structures erected within the Site and illegal occupation of GL outside the Site, the applicant will be advised to liaise with LandsD on these land administration matters should the Committee approve the application.
- 11.5 Regarding the public comments as detailed in paragraph 10 above, the government departments’ comments and planning assessments above are relevant. For the concern of fung shui and land prices, they are the unrelated planning considerations for the current application.

12. Planning Department's Views

- 12.1 Based on the assessments made in paragraph 11 above and having taken into account the public comments mentioned in paragraph 10 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 **9.1.2029**. The following conditions of approval and advisory clauses are also suggested for Members' reference:

Approval Conditions

- (a) the submission of a revised drainage proposal within 6 months from the date of planning approval to the satisfaction of the Director of Drainage Services or of the Board by 9.7.2026;
- (b) in relation to (a) above, the implementation of the revised 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 9.10.2026;
- (c) in relation to (b), 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 9.7.2026;
- (e) in relation to (d) above, the implementation of the fire service installations proposal within 9 months from the date planning approval to the satisfaction of the Director of Fire Services or of the Town Planning Board by 9.10.2026;
- (f) the implementation of preventive, control and mitigation measures on pollution or contamination to the WGG as identified in the accepted risk assessment report within 9 months from the date of planning approval to the satisfaction of the Director of Water Supplies or of the Town Planning Board by 9.10.2026;
- (g) in relation to (f) above, the proposed use should not cause any water pollution to the upper indirect WGG at any time during the planning approval period;
- (h) if any of the above planning condition (a), (b), (d), (e) or (f) 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;
- (i) if any of the above planning condition (c) or (g) 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

- (j) upon the expiry of the planning permission, the reinstatement of the Site, including the removal of 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 with associated filling of land 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. There is no strong planning justification in the submission for a departure from such 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 with SPS and attachments received on 19.9.2025
Appendix Ia	FI received on 10.10.2025
Appendix Ib	FI received on 10.11.2025
Appendix Ic	FI received on 11.12.2025 and 16.12.2025
Appendix Id	FI received on 19.12.2025
Appendix Ie	FI received on 24.12.2025 and 30.12.2025
Appendix II	Previous applications
Appendix III	Government departments' general comments
Appendix IV	Recommended advisory clauses
Appendix V	Public comments
Drawing A-1	Site layout plan submitted by the applicant
Drawing A-2	Land filling plan submitted by the applicant

Plan A-1	Location plan
Plan A-2	Site plan
Plan A-3	Aerial photo
Plan A-4	Site photo

**PLANNING DEPARTMENT
JANUARY 2026**