

APPLICATION FOR PERMISSION
UNDER SECTION 16 OF THE TOWN PLANNING ORDINANCE

APPLICATION NO. A/SK-TLS/72

- Applicant** : Mr. CHU Siu Ming
- Site** : Lots 146 RP (Part) and 147 (Part) in D.D. 401 and adjoining Government Land (GL), Ma Yau Tong, Sai Kung, New Territories
- Site Area** : About 581.6m² (including GL of about 136.4m² (23.5%))
- 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 Public Vehicle Park (Private Cars Only) for a Period of 3 Years

1. The Proposal

- 1.1 The applicant seeks planning permission for temporary public vehicle park (private cars 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 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 used for the applied use without valid planning permission (**Plan A-4**).
- 1.2 The Site is accessible via a local track and Ma Yau Tong Road, which is leading to Po Lam Road to its northeast (**Plans A-1 and A-2**). According to the applicant, the Site will provide 17 private car parking spaces (5m x 2.5m each) to serve the local residents of Ma Yau Tong Village. Vehicles without valid license from the Transport Department (TD) are not permitted for parking at the Site. The public vehicle park would operate 24 hours daily (including public holidays). The 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 attachment received on 8.1.2026 (**Appendix I**)
- (b) Further Information (FI) received on 26.1.2026* (**Appendix Ia**)

(c) FI received on 9.2.2026*

(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 and FIs at **Appendices I to Ib**, which are summarised as follows:

- (a) the applied use aims to address the parking needs of local villagers of Ma Yau Tong Village as there are insufficient parking spaces in the vicinity;
- (b) as demonstrated in past daily operation within the Site, there is no safety concern regarding vehicle manoeuvring;
- (c) vehicles without valid license from TD are not permitted for parking at the Site; and
- (d) liaison with the Lands Department (LandsD) on land matters will be undertaken upon the approval of the application.

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

The applicant is not a “current land owner” 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 publishing notice in local newspapers and sending notice to the Hang Hau Rural Committee. Detailed information would be deposited at the meeting for Members’ inspection. Regarding the GL portion, the “Owner’s Consent/Notification” Requirements are not applicable.

4. **Background**

The Site is subject to planning enforcement action for use for place for parking of vehicles (No. E/SK-TLS/40) (**Plans A-1 and A-2**). Enforcement Notice (EN) was issued on 30.7.2025 requiring discontinuation of the unauthorized development (UD) by 30.10.2025. Recent site inspections revealed that UD had not been discontinued upon expiry of the EN, and prosecution action is being considered.

5. **Previous Application**

There is no previous application at the Site.

6. **Similar Applications**

There are two similar applications (No. A/SK-TLS/67 and 69) for temporary public/private vehicle park (private cars only) for a period of 3 years within the same “V”

zone in the past 5 years, which were approved with conditions by the Committee on 6.2.2026 and 21.11.2025 respectively mainly on the considerations that the approval of the application on a temporary basis would not jeopardise the long-term planning intention of the “V” zone; the applied use was considered not incompatible with the surrounding land uses; and relevant government departments had no objection to/ no adverse comment on the application. Details of the applications are summarised in **Appendix II** and their locations are shown on **Plans A-1** and **A2**.

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

7.1 The Site is:

- (a) hard paved and 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 and Ma Tau Tong Road, which is 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 north and west.

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 recommended advisory clauses are provided in **Appendices III** and **IV** respectively.

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

Land Administration

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

- (a) she has adverse comment on the 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) a portion of the GL in the Site falls within Simplified Temporary Land Allocation (STLA) No. GLA-TSK 4177 which has been allocated to the Drainage Services Department (DSD);
- (d) the GL (including the portion falling within STLA No. GLA-TSK 4177) has been illegally occupied without any permission. Any occupation of GL without Government's prior approval is an offence under the Land (Miscellaneous Provisions) Ordinance (Cap. 28). Her office reserves the rights to take necessary land control action against the illegal occupation of GL without further notice; and
- (e) there is no Small House application received by her office in respect of the Site.

10. Public Comment Received During Statutory Publication Period

On 13.1.2026, the application was published for public inspection. During the statutory publication period, a public comment from an individual was received (**Appendix V**) objecting to the application mainly on the grounds that there is no information on whether electric vehicle charging facilities would be provided; the layout could allow for the installation of solar panels at the western end to provide power; and the parking lots should be taxed so as to contribute to funding new road infrastructure in the New Territories.

11. Planning Considerations and Assessments

- 11.1 The application is for temporary public vehicle park (private cars only) for a period of three years at the Site which is zoned "V" on the OZP (**Plan A-1**). While the applied use is not entirely in line with the planning intention of "V" zone, it can serve the local residents of Ma Yau Tong Village to meet the parking demand. The Commissioner for Transport has no comment on the application. Besides, DLO/SK, LandsD advises that no Small House application has been received at 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 a total of 17 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 (PlanD) considers that no significant adverse landscape impact from the applied use is anticipated and she has no adverse comment on the application from the landscape planning perspective.
- 11.3 Other relevant government departments consulted, including the Director of Environmental Protection and Chief Engineer/Mainland South, DSD 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 IV** respectively.

- 11.4 Regarding DLO/SK, LandsD's comments on the illegal occupation of GL, the applicant has undertaken to liaise with LandsD upon approval of the application (**Appendix Ib**). The applicant will be advised to liaise with LandsD on the land administration matters should the Committee approve the application.
- 11.5 There are two similar applications (i.e. No. A/SK-TLS/67 and 69) for temporary public/private vehicle parks (private cars only) in the same "V" zone (**Plans A-1 and A-2**), which were approved by the Committee on 6.2.2026 and 21.11.2025 respectively as detailed in paragraph 6 above. Approving the current application is generally in line with the Committee's previous decisions.
- 11.6 Regarding the public comment mentioned in paragraph 10 above, the government departments' comments and the planning assessments above are relevant.

12. Planning Department's Views

- 12.1 Based on the assessments made in paragraph 11 and having taken into account the public comment mentioned in paragraph 10 above, 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 27.2.2029. 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 27.8.2026;
- (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 27.11.2026;
- (c) in relation to (b) above, the implemented drainage facilities on the application site shall be maintained at all times during the planning approval period;
- (d) if any of the above planning condition (a) or (b) 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
- (e) 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.

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 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), 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 attachment received on 8.1.2026
Appendix Ia	FI received on 26.1.2026
Appendix Ib	FI received on 9.2.2026
Appendix II	Similar Applications
Appendix III	Government Departments' General Comments
Appendix IV	Recommended Advisory Clauses
Appendix V	Public Comment
Drawing A-1	Layout Plan
Plan A-1	Location Plan
Plan A-2	Site Plan
Plan A-3	Aerial Photo
Plan A-4	Site Photos