

**APPLICATION FOR PERMISSION**  
**UNDER SECTION 16 OF THE TOWN PLANNING ORDINANCE**

**APPLICATION NO. A/YL-PH/1075**

- Applicant** : 中新科訊集團有限公司
- Site** : Lots 78 S.A (Part), 93 (Part) and 94 (Part) in D.D. 108, Pat Heung, Yuen Long
- Site Area** : About 5,446m<sup>2</sup>
- Lease** : Block Government Lease (demised for agricultural use)
- Plan** : Approved Pat Heung Outline Zoning Plan (OZP) No. S/YL-PH/11
- Zoning** : “Residential (Group D)” (“R(D)”)  
[restricted to a maximum plot ratio of 0.2 and a maximum building height of 2 storeys (6m)]
- Application** : Temporary Activity Venue and Public Utility Installation (Solar Photovoltaic System) and Associated Filling of Land for a Period of Three Years

**1. The Proposal**

- 1.1 The applicant seeks planning permission for temporary activity venue and public utility installation (solar photovoltaic system) and associated filling of land for a period of three years at the application site (the Site), which falls within an area zoned “R(D)” on the OZP (**Plan A-1a**). According to the covering 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). Filling of land in the “R(D)” zone also requires planning permission from the Board. The Site is currently fenced-off, partly hard-paved, partly covered by lawn and used for the applied uses without valid planning permission (**Plan A-4**).
- 1.2 The Site is accessible from Fan Kam Road via a local track and an ingress/egress at the northwestern corner of the Site (**Plan A-2**). According to the applicant, the applied uses include an activity venue for wedding event and a solar photovoltaic (SPV) system in the western and eastern portions of the Site respectively. The activity venue comprises two two-storey structures of about 6m in height with a total floor area of about 2,024m<sup>2</sup> for activity room and an open area of about 770m<sup>2</sup> (14.1% of the Site) for outdoor activity area (**Drawing A-1**). It is operated on a reservation-based mode, with reservations generally made at least six months to one

year in advance. A maximum of one wedding event can be held per day, with a maximum capacity of 200 visitors. A total of five parking spaces, including two for private cars and three for shuttle buses, are provided within the Site. No visitor parking space is provided, and visitors are advised to access the Site by public transport or shuttle bus service. Catering services by external providers are allowed, but no cooking, workshop activities, fire-starting and flammable equipment are allowed at the Site. The operation hours of the wedding event venue are between 8:00 a.m. and 6:00 p.m. daily including Sundays and public holidays, and no activity is allowed at night.

1.3 The SPV system involves a single-storey structure of about 3m in height with a floor area of 4m<sup>2</sup> for electric metre room and 150 solar panels (about 2m (L) x 1m (W) x 0.03m (H) each) mounted on supporting frames of about 1.2m in height (**Drawing A-1**). The applicant has joined the 'Renewable Energy Feed-in Tariff Scheme' (the FiT Scheme) and a Completion Letter has been issued by CLP Power Hong Kong Limited (CLP). The SPV system at the Site has been connected to CLP's existing network since August 2022, with a generation capacity of about 165kW. The applicant also applies for regularisation of associated filling of land for the entire Site with concrete for a depth of 0.2m, raising the site level to +39.1mPD for site formation (**Drawing A-2**). No further filling of land will be undertaken at the Site. The layout plan and land filling plan submitted by the applicant are at **Drawings A-1** and **A-2** respectively.

1.4 In support of the application, the applicant has submitted the following documents:

- (a) Application Form with supporting documents received on 23.6.2025 and 7.7.2025 (**Appendix I**)
- (b) Further Information (FI) received on 10.10.2025\* (**Appendix Ia**)
- (c) FI received on 5.2.2026# (**Appendix Ib**)

\* *accepted and exempted from publication and recounting requirements*

# *accepted and not exempted from publication and recounting requirements*

1.5 On 15.8.2025 and 5.12.2025, the Rural and New Town Planning Committee (the Committee) of the Board agreed to defer making a decision on the application for two months each as requested by the applicant.

## **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**, and can be summarised as follows:

- (a) The temporary nature of the application will not frustrate the long-term planning intention of the "R(D)" zone. The applied uses are not incompatible with the surrounding areas and can better utilise land resources.
- (b) The activity venue will not cause any adverse impacts on traffic, environmental, fire safety, and drainage aspects. No visitor parking space is provided at the Site. Visitors are encouraged to access the Site by public transport or shuttle bus service.

The shuttle bus service is provided with prior booking only when wedding events are held, and there is no fixed schedule. It runs between MTR Kam Sheung Road Station and the Site, accommodating a maximum of 28 passengers per trip. Sufficient space within the Site is reserved for internal vehicular manoeuvring and loading/unloading activities, and no queuing back from the Site onto Fan Kam Road is allowed. Loading/unloading activities are mainly for materials and decorations for the wedding events and are only conducted within the operation hours. Trip generation is therefore expected to be minimal. The ingress/egress is about 14m-wide and is sufficient to serve as an emergency vehicular access.

- (c) The activity venue is managed by the operator and staff members will be deployed on Site for regular maintenance and hygiene services. No activity is allowed at night, and the potential noise and light nuisance to the surrounding villagers is expected to be minimum. The applicant undertakes to strictly comply with the relevant environmental ordinances, guidelines and requirements under the latest 'Code of Practice on Handling the Environmental Aspects of Temporary Uses and Open Storage Sites' ('CoP') to minimise potential environmental nuisance and to comply with all environmental protection/pollution control ordinances. The applicant will also place fire extinguishers at the Site and submit fire service installations proposal to ensure fire safety. A drainage proposal has been submitted in support of the current application. The applicant will apply for Short Term Waiver (STW) for the applied uses and convey to the lot owner on the regularisation of the unauthorised structures not covered by the application should the current application be approved.
- (d) Installation of SPV system at the Site is considered beneficial, and it will not generate emission, radiation, pollution or noise impact on the surrounding areas. The SPV system is operated and maintained at low cost with minimum energy consumption. It has been connected to CLP's existing network and to supply electricity directly to CLP, instead of to the activity venue at the Site.

### **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 Section 12A and 16 of the Town Planning Ordinance (TPB PG-No. 31B) by posting site notices and sending notice to the Pat Heung Rural Committee. Detailed information would be deposited at the meeting for Members' inspection.

### **4. Assessment Criteria for Considering Applications for Solar Photovoltaic System**

The Assessment Criteria for Considering Applications for Solar Photovoltaic System first promulgated on 21.7.2020 is relevant to the application. The latest set of Assessment Criteria which was promulgated on 7.10.2022 are detailed at **Appendix II**.

## 5. **Background**

5.1 The Site is subject to planning enforcement action against unauthorized development (UD) involving use for place of recreation (event venue) and use for place for solar panel installations (No. E/YL-PH/964) (**Plan A-2**). Enforcement Notice (EN) was issued on 3.7.2025 requiring discontinuation of the UD. Latest site inspection revealed that the UD is still continued upon expiry of the EN. Prosecution action is being considered.

### *The FiT Scheme*

5.2 The FiT Scheme is an initiative introduced by the Government under the post-2018 Scheme of Control Agreements with the two power companies for promoting the development of distributed renewable energy (RE). It aims to encourage the private sector to consider investing in RE as the power generated could be sold to the power companies at a rate higher than the normal electricity tariff to help recover the costs of investment in the RE systems and generation.

5.3 Any non-governmental bodies or individuals, who as customers of the relevant power company plan to install distributed RE systems at their premises in the respective power company's supply area, are eligible for prescribed FiT rates from that power company as long as they have been connected to the latter's grid. To join the FiT Scheme, an applicant may make submission to the relevant power company direct with the required documents including the preliminary layout diagram and other information of the proposed RE system. After meeting the requirements specified by the power company on technical assessment, system test and installation works, the power company will proceed to install a smart meter in the applicant's premises to facilitate connecting the proposed RE system to the power grid. The successful applicant would be offered the FiT rate throughout the project life of the renewable energy system until end-2033. The applicant shall ensure that the design, installation, operation and maintenance of the RE system comply with the applicable laws, guidelines and safety and technical guidelines.

## 6. **Previous Applications**

The majority of the Site is the subject of 11 previous applications for various temporary public/private vehicle park or open storage uses which were approved with conditions by the Committee or rejected by the Board upon review between 2001 to 2020. The considerations of these applications are not relevant to the current application due to different uses involved. Details of these applications are summarised in **Appendix II** and their locations are shown on **Plan A-1a**.

## 7. **Similar Application**

There is no similar application for activity venue or SPV within the same "R(D)" zone in the vicinity of the Site in the past five years.

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

8.1 The Site is:

- (a) fenced-off, partly hard-paved, partly covered by lawn and used for the applied uses without valid planning permission; and
- (b) accessible from Fan Kam Road via a local track and an ingress/egress at the northwestern corner of the Site.

8.2 The surrounding areas are rural in character comprising mainly open storage/storage yards (one with valid permission), warehouses, vehicle repair/service workshops, scattered residential structures, a recyclable collection centre (with valid permission), a horse riding school and training ground (with valid permissions) and grassland. Hillside woodland within the “Conservation Area” zone is located to the east.

## **9. Planning Intention**

The planning intention of the “R(D)” zone is primarily for improvement and upgrading of existing temporary structures within the rural areas through redevelopment of existing temporary structures into permanent buildings. It is also intended for low-rise, low-density residential developments subject to planning permission from the Board.

## **10. Comments from Relevant Government Bureau/Departments**

10.1 Apart from the government bureau/departments as set out in paragraphs 10.2 and 10.3 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 supports the application:

### **Policy Aspect**

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

- (a) the Government has set net-zero electricity generation as one of the major decarbonisation strategies in the Hong Kong’s Climate Action Plan 2050 promulgated in October 2021. To achieve the long-term carbon neutrality target before 2050, zero-carbon electricity supply through RE development are need to be increased as far as possible;
- (b) the policy is for the Government to take the lead in developing RE at various buildings and facilities where technically and financially feasible, and to create conditions that are conducive to community participation. For the private sector, the Government and the power

companies have introduced the FiT Scheme, providing financial incentives which can encourage the private sector to invest in distributed RE. The Government has also introduced a series of measures to facilitate and support members of the public in developing RE;

- (c) he supports the development of RE systems, including the proposed system under the application in “R(D)” zone in Yuen Long involving the installation of 150 solar panels, with a capacity of approximately 165kW, which is sufficient to fulfil the annual electricity demand of about 50 households, the application could make good use of the land to coexist with the temporary activity venue while achieving the carbon neutrality target;
- (d) the applicant is further reminded to observe the relevant requirements as set forth in statutory provisions and various design and maintenance guidelines, and conduct regular inspections and check-ups in order to ensure the electrical and structural safety as well as resilience of solar panels amid the impact of extreme weather conditions (such as super typhoons) throughout their lifespan; and
- (e) advisory comments are at **Appendix V**.

10.3 The following government department does not support the application:

**Land Administration**

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

- (a) objects to the application;
- (b) the Site comprises Old Schedule Agricultural Lots 78 S.A, 93 and 94 all in D.D. 108 held under the Block Government Lease which contains restriction that no structures are allowed to be erected without the prior approval of the Government;
- (c) Lots 78 S.A and 93 both in D.D. 108 are covered by STWs No. 3715 and 3716 for the purpose of Ancillary Use to Public Car Park;

*Unauthorised structure(s) within the lots covered by the application*

- (d) there are unauthorised structures and uses on Lot 94 in D.D. 108 covered by the application which 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;

Unauthorised structure(s) within the lots not covered by the application

- (e) there are unauthorised structure(s) within Lot 94 in D.D. 108 not covered by the application. The lot owner(s) should immediately rectify/apply for regularisation on the lease breaches and this office reserves the rights to take necessary lease enforcement again against the breaches without further notice;
- (f) the lot owner(s)/applicant shall either remove the unauthorised structures not covered by the application immediately; or include the unauthorised structures in the application for further consideration by the relevant departments and, subject to the approval of the Board to the application which shall have reflected the rectification or amendment as aforesaid required, apply to this office for modification of the STWs conditions where appropriate and the lot owner(s) shall apply to this office for STW to permit the structure(s) erected within Lot 94 in D.D. 108. The application(s) for STW will be considered by the Government in its capacity as a landlord and there is no guarantee that they will be approved. The STW, if approved, will be subject to such terms and conditions including the payment of waiver fee and administrative fee as considered appropriate to be imposed by LandsD. In addition, LandsD reserves the right to take enforcement action against the lot owner(s)/applicant 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
- (g) advisory comments are at **Appendix V**.

**11. Public Comments Received During Statutory Publication Periods**

On 8.7.2025 and 13.1.2026, the application was published for public inspection. During the statutory public inspection periods, 12 public comments from individuals were received including six objecting to the application and six expressing concerns on the application. The major grounds are that the activity venue is not in line with the planning intention of “R(D)” zone; it is considered not compatible with the surrounding rural and warehouse areas; it would cause adverse traffic, environmental, drainage, noise, fire safety, hygiene impacts and light nuisance to the surrounding areas; the Site has been operating for activity venue without a valid permission; the narrow and congested Fan Kam Road leading to the Site poses pedestrian safety risks to the visitors; the operation hours of the activity venue are likely to extend into late night; there is insufficient information on the arrangement of wedding events; and the Site is considered more suitable for temporary warehouse uses (**Appendix VI**).

**12. Planning Considerations and Assessments**

12.1 The application is for temporary activity venue and public utility installation (solar photovoltaic system) and associated filling of land for a period of three years at the

Site which is zoned “R(D)” on the OZP (**Plan A-1a**). Whilst the applied uses are not in line with the planning intention of the “R(D)” zone, there is currently no known proposal for long-term development at the Site or in its vicinity within the same “R(D)” zone. Besides, the SPV system at the Site has been connected to the CLP existing network via the FiT Scheme, which is jointly introduced by the Government and the two power companies for the private sector to invest in the RE until end of 2033. In this regard, SEE supports the application for RE system and considers that approval of the application could make good use of land to coexist with the temporary activity venue while achieving the carbon neutrality target. Taking into account the above and the planning assessments below, there is no objection to the applied uses with associated filling of land on a temporary basis for a period of three years.

- 12.2 Filling of land within the “R(D)” zone requires planning permission from the Board. In this regard, the Chief Engineer/Mainland North of Drainage Services Department, who also considers the submitted drainage proposal acceptable, and Director of Environmental Protection have no objection to the application from public drainage and environmental planning perspectives respectively.
- 12.3 The applied uses, involving activity venue and installation of 150 solar panels mounted on supporting frames, are considered not incompatible with the surrounding areas which are rural in character comprising mainly open storage/storage yards, warehouses, vehicle repair/service workshops, scattered residential structures, a recyclable collection centre, a horse riding school and training ground, grassland and hillside woodland. According to the applicant, the operation hours are between 8:00 a.m. and 6:00 p.m. daily including Sundays and public holidays, and no activity is held at night. The Chief Town Planner/Urban Design and Landscape of Planning Department (PlanD) has no adverse comment on the application from landscape planning perspective and considers that the applied uses are not entirely incompatible with the surrounding environment and significant adverse landscape impact on the Site from the applied uses is not anticipated.
- 12.4 Other relevant government departments consulted, including the Commissioner for Transport, 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, relevant approval conditions are recommended in paragraph 13.2 below. It is also recommended to advise the applicant to follow the latest ‘CoP’ to minimise any potential environmental nuisances on the surrounding areas. The operation of the applied uses will also be subject to the relevant noise and waste pollution ordinances. Regarding DLO/YL, LandsD’s concerns on the unauthorised structure(s) and uses within the Site, the applicant will be advised to liaise with LandsD on these land administration matters should the Committee approve the application.
- 12.5 The applied use for installation of SPV system is generally in line with the Assessment Criteria (**Appendix II**) for considering applications for SPV system in that the applicant has obtained CLP’s completion letter to demonstrate the technical feasibility of the proposal; height of the applied uses (i.e. not more than 3m for electric meter room) is in keeping with the surrounding areas and commensurate

with the function it performs; relevant departments consulted in general have no adverse comments on the application from various technical perspectives; and the long-term planning intention of the “R(D)” zone would not be frustrated.

12.6 Regarding the public comments mentioned in paragraph 11 above, the departmental comments and planning assessments above are relevant.

### **13. Planning Department’s Views**

13.1 Based on the assessments made in paragraph 12 and having taken into account the public comments 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 27.3.2029. The following conditions of approval and advisory clauses are also 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 27.12.2026;
- (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 27.9.2026;
- (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 27.12.2026;
- (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; and
- (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.

#### 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 applied uses with associated filling of land are not in line with the planning intention of the "R(D)" zone, which is primarily for improvement and upgrading of existing temporary structures within the rural areas through redevelopment of existing temporary structures into permanent buildings, and for low-rise, low-density residential developments subject to planning permission from the Board. 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**

<b>Appendix I</b>	Application Form with supporting documents received on 23.6.2025 and 7.7.2025
<b>Appendix Ia</b>	FI received on 10.10.2025
<b>Appendix Ib</b>	FI received on 5.2.2026
<b>Appendix II</b>	Assessment Criteria for Considering Applications for SPV System made under Section 16 of the Town Planning Ordinance
<b>Appendix III</b>	Previous Applications
<b>Appendix IV</b>	Government Departments' General Comments
<b>Appendix V</b>	Recommended Advisory Clauses
<b>Appendix VI</b>	Public Comments
<b>Drawing A-1</b>	Layout Plan
<b>Drawing A-2</b>	Land Filling Plan
<b>Plan A-1a</b>	Location Plan
<b>Plan A-1b</b>	Previous Application Plan
<b>Plan A-2</b>	Site Plan
<b>Plan A-3</b>	Aerial Photo
<b>Plan A-4</b>	Site Photos