

APPLICATION FOR PERMISSION
UNDER SECTION 16 OF THE TOWN PLANNING ORDINANCE

APPLICATION NO. A/NE-LT/787

<u>Applicant</u>	: Mr. CHUNG Fuk Wing represented by Mr. LAU Chee Sing
<u>Site</u>	: Lot 1841 RP in D.D. 19, Tin Liu Ha, Tai Po, New Territories
<u>Site Area</u>	: About 390 m ²
<u>Lease</u>	: Block Government Lease (demised for agricultural use)
<u>Plan</u>	: Approved Lam Tsuen Outline Zoning Plan (OZP) No. S/NE-LT/11
<u>Zoning</u>	: “Village Type Development” (“V”)
<u>Application</u>	: Proposed Temporary Public Vehicle Park (Private Cars Only) for a Period of Three Years

1. The Proposal

1.1 The applicant seeks planning permission for a temporary public vehicle park (PVP) (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 vacant.

1.2 The Site is accessible via a local track leading to She Shan Road (**Plans A-1 and A-2**). According to the applicant, the proposed temporary PVP will provide 12 parking spaces for private cars serving local villagers. The operating hours of the temporary car park would be 24 hours daily (including public holidays). No vehicle without valid licence issued under the Road Traffic (Registration and Licensing of Vehicles) Regulations (Cap. 374E) will be allowed to park at the Site. No toilet facilities will be erected on the Site and preventive measures such as erection of boundary fencing and installation of drainage traps and oil absorbent pads will be adopted to prevent water pollution in the upper indirect water gathering grounds (WGG). A plan showing the layout and vehicular ingress/egress of the car park submitted by the applicant is shown in **Drawing A-1**.

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

- (a) Application Form with attachment received on 5.1.2026 **(Appendix I)**
- (b) Supplementary Information (SI) received on 6.1.2026 **(Appendix Ia)**
- (c) Further Information (FI) received on 12.3.2026[^] **(Appendix Ib)**
^ accepted and exempted from publication and recounting requirement

1.4 On 27.2.2026, the Rural and New Town Planning Committee (the Committee) of the Board agreed to defer making a decision on the application for two months 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, SI and FI at **Appendices I to Ib**, as summarised below:

- (a) there is a genuine parking need of local villagers since the nearest bus or public light bus stop is about 1km away from Tin Lin Ha; and
- (b) no vehicle without valid licence issued under the Road Traffic (Registration and Licensing of Vehicles) Regulations (Cap. 374E) will be allowed at the Site.

3. Background

The Site is part of the subject of a planning enforcement action (No. E/NE-LT/101) against unauthorized development (UD) involving use for place for parking of vehicles (**Plan A-2**). Enforcement Notice (EN) was issued on 23.7.2025 requiring discontinuation of the UD by 23.10.2025. As revealed in site inspections after the compliance period of the EN, the site was vacant.

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

The applicant is one of the “current land owners”. He 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 giving notification to the other “current land owners”. Detailed information would be deposited at the meeting for Members’ inspection.

5. Previous Application

There is no previous application at the Site.

6. Similar Application

There is no similar application for the same use within the same “V” zone.

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

7.1 The Site is:

- (a) mainly hard-paved and vacant;
- (b) situated within the village proper of Sheung Tin Liu Ha and the upper indirect WGG; and

(c) served by a local track connected to She Shan Road.

7.2 The surrounding areas mainly comprise village houses, tree clusters and vacant/unused land.

8. Planning Intention

The planning intention of the “V” zone is to reflect existing recognized and other villages, and to provide land considered suitable for village expansion and reprovisioning of village houses affected by Government projects. 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, other government 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 at **Appendices II and III** respectively.

9.2 The following government department supports the application:

Transport

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 set out at **Appendix III**.

10. Public Comments Received During Statutory Publication Period

On 13.1.2026, the application was published for public inspection. During the statutory public inspection period, two public comments were received from individuals mainly expressing concerns on pedestrian safety, improper run-in/out and access road, and absence of electric vehicle charging facilities at the Site (**Appendix IV**).

11. Planning Considerations and Assessments

11.1 The application is for a temporary PVP (private cars only) for a period of three years at the Site zoned “V” on the OZP (**Plan A-1**). While the proposed use is not entirely in line with the planning intention of “V” zone, the proposed use is to serve the local villagers of Tin Liu Ha and C for T supports the application in view of the parking demand in the vicinity. Also, there is no Small House application under processing for the Site as advised by the District Lands Officer/Tai Po of Lands Department (DLO/TP, LandsD). In view of the above and taking into account the planning assessments below, there is no objection to the proposed use on a temporary basis for a period of three years.

- 11.2 The Site, being located within the village proper of the “V” zone of Sheung Tin Liu Ha, is mainly hard-paved and vacant. The proposed temporary PVP will provide a total of 12 parking spaces for private cars and is considered not incompatible with the surrounding village setting which comprises predominantly village houses, tree cluster and vacant land (**Plans A-3 and A-4 site**).
- 11.3 The Site is located within the upper indirect WGG and the applicant confirms that no toilet facility will be erected and preventive measures such as erection of boundary fencing will be adopted to prevent water pollution in the upper indirect WGG (**Appendix Ib**). In this connection, the Chief Engineer/Construction of Water Supplies Department has no objection to the application on condition that the applicant should follow and implement the preventive, control and mitigation measures identified in the submission and the use should not cause any water pollution to the upper indirect WGG. Other relevant government departments consulted including the Chief Engineer/Mainland North of Drainage Services Department and Director of Fire Services have no objection to 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 III** respectively.
- 11.4 To address the concerns on the possible environmental nuisances or the technical requirements of concerned departments, relevant approval conditions are recommended in paragraph 12.2 below, and the applicant will also be advised to follow the latest “Code of Practice on Handling Environmental Aspects of Temporary Uses and Open Storage Sites” to minimise the potential environmental nuisance on the surrounding areas.
- 11.5 Regarding the public comments as detailed in paragraph 10 above, the government departments’ comments and planning assessments above are relevant. It is noted from the applicant’s submission that no electric vehicle charging facility is proposed at the Site.

12. Planning Department’s Views

- 12.1 Based on the assessments made in paragraph 11 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 8.5.2029. 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 8.11.2026;
- (b) in relation to (a) above, the provision of drainage facilities 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 8.2.2027;
- (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 implementation of preventive, control and mitigation measures identified in the accepted risk assessment report on pollution or contamination to the Water Gathering Grounds 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 8.2.2027;
- (e) the proposed use should not cause any water pollution to the upper indirect Water Gathering Grounds at any time during the planning approval period;
- (f) if any of the above planning condition (c) or (e) 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) 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 III**.

- 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 "V" zone, which is to provide land 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 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 Attachments received on 5.1.2026
Appendix Ia	SI received on 6.1.2026
Appendix Ib	FI received on 12.3.2026
Appendix II	Government Departments' General Comments
Appendix III	Recommended Advisory Clauses
Appendix IV	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 Photo

**PLANNING DEPARTMENT
MAY 2026**