

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

**APPLICATION NO. A/SK-TLS/73**

- Applicant** : Ms. LAW Oi Ning
- Site** : Lots 305 S.A (Part), 305 S.B (Part), 305 RP, 326 S.C and 326 RP in D.D. 401, Ma Yau Tong, Sai Kung
- Site Area** : About 353.2m<sup>2</sup>
- 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 (**Plans A-4a** and **4b**).
- 1.2 The Site is accessible via a local track leading to Ma Yau Tong Road and Po Lam Road to its northeast (**Plans A-1** and **A-2**). According to the applicant, 12 private car parking spaces (5m x 2.5m each) to serve the applicant’s family members and the local villagers will be provided at the Site. No vehicles without valid licence issued by the Transport Department (TD) are allowed at the Site. The public vehicle park would operate 24 hours daily (including public holidays). No land filling and/or excavation works will be carried out. The layout plan and site plan submitted by the applicant are shown at **Drawings A-1** and **A-2**.
- 1.3 In support of the application, the applicant has submitted an Application Form with attachments received on 16.3.2026 (**Appendix I**).

**2. Justifications from the Applicant**

The justifications put forth by the applicant in support of the application are detailed in the Application Form at **Appendix I**, which are summarised as follows:

- (a) no adverse environmental, drainage and traffic impacts are anticipated for the applied use;
- (b) the applied use does not involve any filling/excavation of land; and
- (c) as demonstrated in the past daily operation within the Site, there is no safety concern regarding vehicle manoeuvring.

**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 posting site notice and sending notice to the Hang Hau Rural Committee. Detailed information would be deposited at the meeting for Members’ inspection.

**4. Background**

The Site is subject to planning enforcement action for use for place for parking of vehicles (No. E/SK-TLS/41) (**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 three similar applications (No. A/SK-TLS/67, 69 and 72) 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 Rural and New Town Planning Committee (the Committee) on 6.2.2026, 21.11.2025 and 27.2.2026 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 or no adverse comment on the application. Details of the applications are summarised at **Appendix II** and their locations are shown on **Plans A-1 and A-2**.

7. **The Site and Its Surrounding Areas** (Plans A-1 and A-2, aerial photo on Plan A-3, and site photos on Plans A-4a and A-4b)

7.1 The Site is:

- (a) flat, 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 leading to Ma Yau Tong Road and Po Lam Road.

7.2 The surrounding areas are predominantly rural in character with village houses, parking of vehicles, and vegetated slopes and tree clusters to its further east.

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. Selected commercial and community uses serving the needs of the villagers and in support of the village development are always permitted on the ground floor of a New Territories Exempted House. Other commercial, community and recreational uses may be permitted on application to the Board.

9. **Comments from Relevant Government Departments**

All 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 III** and **IV** respectively.

10. **Public Comment Received During Statutory Publication Period**

On 24.3.2026, 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 measures should be implemented to prevent abuse of government land, invoices should be issued to recoup the lost revenue over the years for the previously unapproved parking operations, and EV charging facilities should be provided in newly approved parking lots.

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 which is primarily for development of Small Houses by indigenous villagers, the applicant states that the applied use can serve the applicant’s family members and the local villagers to meet the parking demand. In this regard, the Commissioner for Transport has no comment on the application. Besides, the District Lands Officer/Sai Kung, Lands Department has no objection to the application and advises that no Small House application was received at the Site. Taking into account the above and the planning assessment below, there is no objection to the applied use on a temporary basis of three years.

- 11.2 The Site is flat, hard-paved and currently used for the applied use without valid planning permission. It is situated in an area of rural character mainly comprising village houses, parking of vehicles, vegetated slopes and tree clusters (**Plans A-2 and A-3**). The applied use is not incompatible with the surrounding environment and significant adverse landscape impact arising from the application is not anticipated.
- 11.3 Other relevant government departments consulted, including the Director of Environmental Protection and Chief Engineer/Mainland South, Drainage Services Department 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 There are three similar applications (i.e. No. A/SK-TLS/67, 69 and 72) for temporary public/private vehicle parks (private cars only) in the same “V” zone (**Plans A-1 and A-2**) approved with conditions by the Committee as detailed in paragraph 6 above. Approving the current application is in line with the Committee’s previous decisions.
- 11.5 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, 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 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 8.2.2027;
- (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**

<b>Appendix I</b>	Application Form with attachments received on 16.3.2026
<b>Appendix II</b>	Similar Applications
<b>Appendix III</b>	Government Departments' General Comments
<b>Appendix IV</b>	Recommended Advisory Clauses
<b>Appendix V</b>	Public Comment
<b>Drawing A-1</b>	Layout Plan

<b>Drawing A-2</b>	Site Plan
<b>Plan A-1</b>	Location Plan
<b>Plan A-2</b>	Site Plan
<b>Plan A-3</b>	Aerial Photo
<b>Plans A-4a to A-4b</b>	Site Photos

**PLANNING DEPARTMENT  
MAY 2026**