

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

APPLICATION NO. A/NE-LT/791

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| <u>Applicant</u> | : Mr. YAU Yung Sang (manager of Tung Hing Tong) |
| <u>Site</u> | : Lot 1204 (Part) in D.D. 10, Ng Tung Chai, Lam Tsuen, New Territories |
| <u>Site Area</u> | : About 1,218.19 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> | : Temporary Private Vehicle Park (Private Cars Only) for a Period of Three Years |

1. The Proposal

- 1.1 The applicant seeks planning permission for a temporary private 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 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). The Site is currently hard-paved and occupied by the applied use without valid planning permission.
- 1.2 The Site is accessible via a local track leading to Lam Kam Road (**Plans A-1 and A-2**). According to the applicant, the temporary PVP provides 33 parking spaces for private cars (2.5m(W) x 5m(L)) serving local villagers. 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. Preventive measures such as erection of boundary fencing and installation of two grease 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-2**.
- 1.3 In support of the application, the applicant has submitted the following documents:
 - (a) Application Form with attachment received on 24.3.2026 **(Appendix I)**
 - (b) Planning Statement (PS) received on 24.3.2026 **(Appendix Ia)**
 - (c) Further Information (FI) received on 13.5.2026 and 14.5.2026[^] **(Appendix Ib)**

(d) FI received on 15.5.2026^

(Appendix Ic)

^ accepted and exempted from publication and recounting requirement

2. **Justifications from the Applicant**

The justifications put forth by the applicant in support of the application are detailed in the Application Form, PS and FI at **Appendices I to Ib**, as summarised below:

- (a) there is no public transit connecting Ng Tung Chai to Tai Po and villagers may have to walk up to 20 minutes to Lam Kam Road for the closest public transport service, thus, local villagers rely on private vehicles for transport;
- (b) there is currently shortage of designated parking spaces for the village; and
- (c) the Site could provide sufficient parking space for emergency vehicles serving hikers and visitors in the vicinity of Ng Tung Chai.

3. **Background**

The Site is part of the subject of a planning enforcement action (No. E/NE-LT/105) against unauthorized development (UD) involving use for place for parking of vehicles (**Plan A-2**). Enforcement Notice (EN) was issued to the landowners on 9.2.2026 requiring discontinuation of the UD by 9.4.2026. If the EN requirement is not complied with, prosecution action would be considered.

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

The applicant is one of “current land owners” of the Site and 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) hard-paved and currently occupied by the applied use without valid planning permission;

(b) situated within the village proper of Ng Tung Chai and the upper indirect WGG;
and

(c) served by a local track connected to Lam Kam Road.

7.2 The surrounding areas are mainly comprising village houses, tree clusters, vacant/unused land and active/fallow agricultural land. To its further east is Lam Tsuen River.

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 Comment Received During Statutory Publication Period

On 31.3.2026, the application was published for public inspection. During the statutory public inspection period, one public comment was received from an individual mainly expressing concern on the absence of electric vehicle charging facilities at the Site (**Appendix IV**).

11. Planning Considerations and Assessments

11.1 The application is for temporary PVP (private cars only) for a period of three years at the Site zoned “V” on the OZP (**Plan A-1**). While the applied use is not in line with the planning intention of “V” zone, the applied use is to serve the local villagers of Ng Tung Chai 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 at 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 applied 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 Ng Tung Chai, is hard-paved and currently occupied by the applied use without valid planning permission. The temporary PVP will provide a total of 33 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**).
- 11.3 The Site is located within the upper indirect WGG and the applicant confirms that preventive measures such as erection of boundary fencing and installation of two grease traps and oil absorbent pads 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 Environmental Protection have no objection to the application. 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.
- 11.4 Regarding the public comment as detailed in paragraph 10 above, it should be noted that the applicant does not propose electric vehicle charging facility 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 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 22.5.2029. 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 22.11.2026;
- (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 22.2.2027;
- (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 22.2.2027;

- (e) the applied 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 applied 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

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| Appendix I | Application Form received on 24.3.2026 |
| Appendix Ia | Planning Statement received on 24.3.2026 |
| Appendix Ib | FI received on 13.5.2026 and 14.5.2026 |
| Appendix Ic | FI received on 15.5.2026 |
| Appendix II | Government Departments' General Comments |
| Appendix III | Recommended Advisory Clauses |
| Appendix IV | Public Comment |
| Drawing A-1 | Location Plan |

Drawing A-2

Layout Plan

Plan A-1

Location Plan

Plan A-2

Site Plan

Plan A-3

Aerial Photo

Plan A-4

Site Photos

**PLANNING DEPARTMENT
MAY 2026**