

**Application for Renewal of Planning Approval
 for Temporary Use
 Under Section 16 of the Town Planning Ordinance**

Application No. A/NE-TKLN/127

1. <u>Proposal</u>	
Applicant	Mr. HO Lai-fai represented by Man Chi Consultants and Construction Limited
Site (Plan A-1)	Lots 381 S.B ss.1, 381 S.B ss.2, 381 S.B ss.3, 381 S.B ss.4, 381 S.B ss.5, 381 S.B ss.6, 381 S.B ss.7, 381 S.B ss.8, 381 S.B ss.9, 381 S.B ss.10, 381 S.B ss.11, 381 S.B ss.12 and 381 S.B RP in D.D. 78, Lin Ma Hang Road, Ta Kwu Ling North
Site Area	About 2,529.6m ²
Zonings and Outline Zoning Plan (OZP) No.	“Village Type Development” (about 74%) and “Recreation” (about 26%) zones on the approved Ta Kwu Ling North OZP No. S/NE-TKLN/2
Application	Renewal of Planning Approval for Temporary Car Park (Private Cars and Light Goods Vehicles) for a Period of Three Years
Site Context and the Current Proposal	The application site (the Site) is accessible via Lin Ma Hang Road (Plan A-1). According to the applicant, the applied use involves 69 parking spaces (54 for private cars (2.5m (W) x 5m (L) each) and 15 for light goods vehicles (LGVs) (2.5m (W) x 5.5m (L) each) and a single-storey structure with a total floor area of about 14.64m ² and a building height of not more than 2.44m for ancillary site office. Three ancillary electric vehicle (EV) chargers each with an output power of 240kW are proposed at the Site. No vehicle without valid licence issued under the Road Traffic Ordinance will be allowed to be parked at/entered the Site. The operation hours of the applied use are 24 hours daily, including public holidays. The layout plan submitted by the applicant is shown in Drawing A-1 .
Last Previous Relevant Application ¹	Application No. A/NE-TKLN/53 approved with conditions on 23.6.2023 for a period of three years until 23.6.2026, which was submitted by the same applicant for the same use at the same site. While the layout, number of parking spaces and development parameters of the current application are the same as those of the last approved application, three ancillary EV chargers are proposed in the current application. (Please refer to https://www.tpb.gov.hk/uploads/page/meetings/RNTPC/A_NE-TKLN_53/A_NE-TKLN_53_MainPaper.pdf for details of the last previous relevant application)

¹ There are two previous applications No. A/NE-TKLN/33 and 53 submitted by the same applicant for the same use at the same site.

<p>Justifications from the Applicants (Appendices I to Id)</p>	<p>(a) The applied use can meet the parking demands of nearby villages and Heung Yuen Wai Boundary Control Point;</p> <p>(b) All the approval conditions under the previous approval have been complied with;</p> <p>(c) To support the Government’s EV policy, the applicant would install three EV chargers at the Site;</p> <p>(d) There are planning approvals for similar use in nearby area. The applied use is temporary in nature and would not jeopardise the planning intentions of the current zonings; and</p> <p>(e) No adverse infrastructural and environmental impacts from the applied use are anticipated. The applicant has obtained Short Term Waiver from the Lands Department (LandsD) at the Site.</p>
<p>Compliance with the “Owner’s Consent/Notification” requirements²</p>	<p>The applicant is the sole “current land owner”.</p>

2. <u>Planning Considerations and Assessments</u>				
	<u>Criteria</u>	<u>Yes</u>	<u>No</u>	<u>Remarks</u>
(a)	<p>In line with TPB PG No. 34D³, including:</p> <p>i. no material change in planning circumstances since the previous approval was granted (e.g. a change in planning policy/zoning for the area) or land uses of surrounding areas);</p> <p>ii. no adverse planning implications arising from the renewal of the planning approval (e.g. pre-emption of planned permanent development);</p> <p>iii. all the time-limited approval conditions under the previous approval have been complied with; and</p>	<p>✓</p>		<p>While the applied use is not in line with the planning intentions of the “V” and “REC” zones, the District Lands Officer/North (DLO/N) of LandsD advises that there is no Small House application approved or under processing at the Site, and there is no known proposal for recreational development at the Site.</p>

² As set out in TPB Guidelines on Satisfying the ‘Owner’s Consent/Notification’ Requirements under Sections 12A and 16 of the Town Planning Ordinance ([TPB PG-No. 31B](#)). Detailed information would be deposited at the meeting for Members’ inspection.

³ TPB Guidelines No. 34D on Renewal of Planning Approval and Extension of Time for Compliance with Planning Conditions for Temporary Use or Development.

	iv. the 3-year approval period sought does not exceed the duration of the last approval.			
(b)	In line with TPB PG-No.13G ⁴			Not applicable.
(c)	Any other relevant considerations (e.g. minor change in layout/development parameters)?	✓		The current application involves the same number of parking spaces and development parameters with addition of three ancillary EV chargers, which could be regarded as a minor change.
(d)	Any adverse departmental comments?		✓	Relevant government departments consulted have no objection to or no adverse comment on the application (Appendix II). Relevant approval conditions and advisory clauses are recommended at paragraph 4 below. Taking into consideration the location of the Site and the existing traffic conditions on Lin Ma Hang Road, the Commissioner for Transport recommends imposing approval conditions on implementation and maintenance of traffic management measures. Also, in view of the latest circumstance of the area ⁵ , an approval condition restricting the number of parking spaces as proposed by the applicant is recommended to ensure more effective monitoring should the application be approved.
(e)	Public comments received during statutory publication period	✓		Total: 5 - Adverse comments: 4 - Providing view: 1 (indicating no comment on the application) (Appendix III) <u>Major adverse comments</u> <ul style="list-style-type: none"> • The applied use is not in line with the planning intention of “V” zone. The Site should be used for village houses development. • The applied use has caused adverse impacts on traffic, pedestrian safety and environment as well as daily lives of nearby residents.

⁴ TPB Guidelines No. 13G for Application for Open Storage and Port Back-up Uses under Section 16 of the Town Planning Ordinance.

⁵ With respect to the approved applications for the temporary public vehicle parks along Lin Ma Hang Road, there are repeated complaints that the number of vehicles parked at the site far exceeds the number of parking spaces specified in the approved scheme, which may have implication on the traffic condition of Lin Ma Hang Road.

				<ul style="list-style-type: none"> The Site has been used for a carpark illegally and approval conditions under the previous planning approval have not been complied with. There are already many illegal vehicle parks along Lin Ma Hang Road. <p><u>Responses</u></p> <ul style="list-style-type: none"> Planning assessments and departmental comments above are relevant. In respect to the concern on the unauthorized development for vehicle parks along Lin Ma Hang Road, appropriate enforcement action would be taken if any unauthorized development under the Town Planning Ordinance is identified.
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3. <u>Planning Department's View</u>
<ul style="list-style-type: none"> <u>No objection</u> to the application.

4. <u>Decision Sought</u>
<ul style="list-style-type: none"> 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, and be renewed from <u>24.6.2026 to 23.6.2029</u>. The following conditions of approval and advisory clauses are suggested for Members' reference: <p><u>Approval Conditions</u></p> <ol style="list-style-type: none"> no more than 69 vehicles, as proposed by the applicant, shall be parked on the Site at any time during the planning approval period; the existing drainage facilities on the Site shall be maintained at all times during the planning approval period; the implementation of the traffic management measures, as proposed by the applicant, within 9 months from the date of commencement of the renewed planning approval to the satisfaction of the Commissioner for Transport or of the Town Planning Board by <u>24.3.2027</u>; in related to (c) above, the implemented traffic management measures shall be maintained at all times during the planning approval period; if any of the above planning condition (a), (b) or (d) 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 the above planning condition (c) 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 IV**.

- There is no strong reason to recommend rejection of the application.

Attachments

Appendix I	Application Form with Attachments received on 25.3.2026
Appendix Ia	Further Information (FI) received on 4.5.2026 (accepted and exempted from the publication and recounting requirements)
Appendix Ib	FIs received on 14.5.2026 and 15.5.2026 (accepted and exempted from the publication and recounting requirements)
Appendix II	Government Departments with No Objection / No Adverse Comment
Appendix III	Public Comments Received During Statutory Publication Period
Appendix IV	Recommended Advisory Clauses
Drawing A-1	Layout Plan
Plan A-1a	Location Plan with Similar Applications
Plan A-1b	Previous Applications Plan
Plan A-2	Site Plan

**PLANNING DEPARTMENT
MAY 2026**