

APPLICATION FOR PERMISSION
UNDER SECTION 16 OF THE TOWN PLANNING ORDINANCE

APPLICATION NO. A/YL-PS/777

- Applicant** : Mr. TANG Chi Kin represented by Goldrich Planners and Surveyors Limited
- Site** : Various Lots in D.D. 126, Ping Shan, Yuen Long
- Site Area** : About 4,849 m²
- Lease** : Block Government Lease (demised for agricultural use)
- Plan** : Approved Ping Shan Outline Zoning Plan (OZP) No. S/YL-PS/22 (currently in force)
- Draft Ping Shan OZP No. S/YL-PS/21 (at the time of submission)
- [No change to the zoning for the application site (the Site)]
- Zoning** : “Recreation” (“REC”)
- Application** : Proposed Temporary Shop and Services (Motor-vehicle Showroom) and associated Filling of Land for a Period of 5 Years

1. The Proposal

- 1.1 The applicant seeks planning permission for proposed temporary shop and services (motor-vehicle showroom) and associated filling of land for a period of five years at the Site falling within an area zoned “REC” on the OZP (**Plan A-1**). According to the Notes of the OZP for the “REC” zone, ‘Shop and Services’ is a Column 2 use, and filling of land require planning permission from the Town Planning Board (the Board). The Site is currently hard-paved, vacant and partly occupied by temporary structures (**Plans A-2, A-4a and A-4b**).
- 1.2 The Site with the ingress/egress at the western part is accessible from Tin Wah Road via a local track (**Plans A-2 and A-3**). According to the applicant, 15 single-storey temporary structures (with a height of 5m) with a total floor area of about 1,883m² are provided for car showroom, storeroom, guard room, toilet, meeting room, open shed and ancillary office uses. Seven parking spaces, including six for private car and one for light goods vehicle, will be provided (**Drawing A-3**). The current application also seeks planning permission to

regularise the filling of land of the entire Site¹, which is currently hard-paved with concrete, to facilitate erection of structures and site maintenance. According to the applicant, no further filling of land would be undertaken at the Site. No car beauty services, vehicle repairing, dismantling or other workshop activities will be carried out at the Site. The operation hours will be from 9:00 a.m. to 7:00 p.m. daily including Sundays and public holidays. Customers are required to make prior reservation before visiting. The vehicular access plan, proposed layout plan, swept path analysis plan and filling of land extent plan submitted by the applicant are at **Drawings A-1 to A-4** respectively.

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

- (a) Application Form with attachments received on 25.3.2026 (**Appendix I**)
- (b) Further information (FI) received on 4.5.2026* (**Appendix Ia**)
- (c) FI received on 12.5.2026* (**Appendix Ib**)
**accepted and exempted from publication and recounting requirements*

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**. They can be summarised as follows:

- (a) the proposed use and structures are temporary in nature, and would not frustrate the long-term planning intention of the “REC” zone;
- (b) the proposed use is not incompatible with the surrounding land uses;
- (c) the proposed use will not create adverse traffic, drainage, environmental and fire safety impacts to the surroundings; and
- (d) similar applications within the “REC” zone had been approved by the Rural and New Town Planning Committee (the Committee) of the Board.

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 Section 12A and 16 of the Town Planning Ordinance (TPB PG-No. 31B) by publishing newspaper notice and sending notice to the Ping Shan Rural Committee. Detailed information would be deposited at the

¹ Majority of the Site is hard-paved with a depth of about 0.2m (4,121m² or about 85% of the Site) and the remaining two platforms at the southern part of the Site are hard-paved with a depth of about 1.1m (728m² or about 15% of the site) (**Drawing A-4**).

meeting for Members' inspection.

4. Background

The Site is currently not subject to any planning enforcement action.

5. Town Planning Board Guidelines

The Town Planning Board Guidelines for "Application for Developments within Deep Bay Area under Section 16 of the Town Planning Ordinance" (TPB PG-No. 12C) are relevant to this application. According to the said Guidelines, the Site falls within the Wetland Buffer Area (WBA) (**Plan A-1**). Relevant extract of the Guidelines is at **Appendix II**.

6. Previous Applications

6.1 Minor portions of the Site were involved in three previous applications (No. A/DPA/YL-PS/50, A/YL-PS/441 and 730). Details of the previous applications are summarised at **Appendix II** and their boundaries are shown on **Plan A-1**.

Approved Application

6.2 Application No. A/YL-PS/730, covering a minor portion of the Site at the east, for proposed temporary shop and services (fresh provision shop and retail shop for gardening, hardware groceries and construction materials) for a period of five years and associated filling of land was approved by the Committee on 20.9.2024 mainly on the considerations that the proposed use would not frustrate the long-term planning intention of the "REC" zone; the proposed use would not create significant adverse impacts on the surrounding areas; the proposed use was not entirely incompatible with the surrounding areas; and relevant government departments had no objection to/no adverse comment on the application.

Rejected Applications

6.3 Applications No. A/DPA/YL-PS/50² and A/YL-PS/441, covering different extents of the Site, for temporary container vehicle park and open storage of construction machinery and materials with ancillary site office were rejected by the Committee or upon review by the Board in 1996 and 2014 respectively. Their considerations are not relevant to the current application which involves a different use.

² The Site was previously designated as "Unspecified Use" area before the first gazettal of the Ping Shan OZP No. S/YL-PS/1 on 14.6.1996.

7. Similar Applications

There are two similar applications (No. A/YL-PS/675 and 699) for temporary shop and services with/without associated filling of land within the same “REC” zone on the OZP in the past five years. Both applications were approved with conditions by the Committee in 2023 for a period of five years mainly on similar considerations as those mentioned in paragraph 6.2 above. Details of these applications are summarised at **Appendix III** and the locations of the applications are shown on **Plan A-1**.

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

8.1 The Site is:

- (a) hard-paved, vacant and partly occupied by temporary structures; and
- (b) accessible from Tin Wah Road via a local track (**Plans A-2 and A-3**).

8.2 The surrounding areas comprise mainly shop and services, parking of vehicles, warehouse, storage yards, ponds and vacant/unused land. Some of these uses are covered by valid planning permission.

9. Planning Intention

9.1 The planning intention of “REC” zone is primarily for recreational developments for the use of the general public. It encourages the development of active and/or passive recreation and tourism/eco-tourism. Uses in support of the recreational developments may be permitted subject to planning permission.

9.2 According to the Explanatory Statement of the OZP, as filling of land may cause adverse drainage impacts on the adjacent areas and adverse impacts on environment, permission from the Board is required for such activities.

10. Comments from Relevant Government Departments

10.1 Apart from the government department as set out in paragraph 10.2 below, other government departments consulted have no objection to/no adverse comment on the application. Their general comments on the application and advisory comments are provided in **Appendices IV and V** respectively.

10.2 The following government department has adverse comments on the application:

Land Administration

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

- (a) he has adverse comments on the application from land administration point of view;
- (b) the Site comprises Old Schedule Agricultural Lots held under Block Government Lease which contains the restriction that no structures are allowed to be erected without the prior approval of the Government;
- (c) the lots are covered by Short Term Waiver (STWs) listed below:

Lots in D.D. 126	STW No.	Purposes
73	4948	Temporary Place of Recreation (Barbecue Spot)
74	4949	
62 S.C RP	4950	
62 S.A & 62 S.B ss.2 RP	4952	
62 S.B ss.2 RP, 62 S.H RP & 72	4953	

- (d) there are unauthorised structures on Lots 62 S.DRP and 63 in D.D. 126 which are already subject to lease enforcement actions according to case priority. The lot owner(s) should rectify and/apply for regularisation the lease breaches as demanded by LandsD; and
- (e) to note his advisory comments as detailed in **Appendix V**.

11. Public Comment Received During the Statutory Publication Period

On 10.4.2026, the application was published for public inspection. During the statutory public inspection period, no public comment was received.

12. Planning Considerations and Assessments

12.1 The application is for proposed temporary shop and services (motor-vehicle showroom) and associated filling of land for a period of five years at the Site zoned “REC” on the OZP. Although the proposed use is not entirely in line with the planning intention of the “REC” zone, it can meet any such demand for shop and services in the area. Besides, there is no known development proposal for the Site in the “REC” zone. Approval of the application on a temporary basis for a period of five years would not frustrate the long-term planning intention of the “REC” zone.

12.2 The current application also seeks planning permission to regularise the existing filling of land at the Site with concrete with a depth of about 0.2m to 1.1m, which is for erection of structures and site maintenance. Filling of land requires planning permission as it may cause adverse drainage and environmental impacts on the surrounding areas. In this regard, the Chief Engineer/Mainland North of Drainage Services Department and Director of

Environmental Protection have no objection to the application from drainage and environmental points of view respectively.

- 12.3 The surrounding areas comprise mainly shop and services, parking of vehicles, warehouse, storage yards, ponds and vacant/unused land (**Plan A-2**). Some of these uses are covered by valid planning permissions. The proposed use is not incompatible with the surrounding areas.
- 12.4 Although the Site falls within the WBA of the TPB PG-No. 12C, planning applications for local and minor uses (including temporary uses) are exempted from the requirement of ecological impact assessment. In this regard, the Director of Agriculture, Fisheries and Conservation has no comment on the application from nature conservation perspective.
- 12.5 Other relevant government departments consulted including the Commissioner of Transport and Director of Fire Services have no objection to or no adverse comment on the application from traffic and fire safety perspectives respectively. Furthermore, relevant approval conditions are recommended in paragraph 13.2 below to address the technical requirements of concerned government departments. Should the planning permission be approved, the applicant will also be advised to follow the latest “Code of Practice on Handling the Environmental Aspects of Temporary Uses and Open Storage Sites” to minimise possible environmental nuisance on the surrounding areas.
- 12.6 Regarding DLO/YL of LandsD’s concern on the unauthorised structures outside the Site, the applicant will be advised to liaise with LandsD on these land administration matters should the Committee approve the application.
- 12.7 The Committee had approved a previous application covering part of the Site in 2024 and two similar applications for temporary shop and services within the same “REC” zone in the past five years as mentioned in paragraphs 5 and 6 above. Approval of the current application is generally in line with the Committee’s previous decisions.

13. Planning Department’s Views

- 13.1 Based on the assessments made in paragraph 12 above, the Planning Department 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 five years until **22.5.2031**. 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 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 **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 submission of a fire service installations proposal within **6** months from the date of the planning approval to the satisfaction of the Director of Fire Services or of the Town Planning Board by **22.11.2026**;
- (e) in relation to (d) above, the implementation of the fire service installations proposal within **9** months from the date of the planning approval to the satisfaction of the Director of Fire Services or of the Town Planning Board by **22.2.2027**;
- (f) 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; and
- (g) if any of the above planning condition (a), (b), (d) or (e) 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 attached 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 proposed use with associated filling of land is not in line with the planning intention of the "REC" zone which is primarily for recreational developments for the use of general public. No strong planning justification has been provided 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

Appendix I	Application form with attachments received on 25.3.2026
Appendix Ia	FI received on 4.5.2026
Appendix Ib	FI received on 12.5.2026
Appendix II	Extract of the TPB PG-No. 12C
Appendix III	Previous and Similar Applications
Appendix IV	Government Departments' General Comments
Appendix V	Recommended Advisory Clauses
Drawing A-1	Vehicular Access Plan
Drawing A-2	Proposed Layout Plan
Drawing A-3	Swept Path Analysis Plan
Drawing A-4	Filling of Land and Pond Extent Plan
Plan A-1	Location Plan with Similar Applications
Plan A-2	Site Plan
Plan A-3	Aerial Photo
Plans A-4a to A-4b	Site Photos

**PLANNING DEPARTMENT
MAY 2026**