

APPLICATION FOR PERMISSION
UNDER SECTION 16 OF THE TOWN PLANNING ORDINANCE

APPLICATION NO. A/NE-LK/167

- Applicant** : 李揖樹祖 represented by Honest Land Surveys Company
- Site** : Lots 1895 S.A RP (Part), 1897 (Part) and 1910 (Part) in D.D. 39, Shek Kiu Tau, Sha Tau Kok
- Site Area** : About 1,100m²
- Lease** : Block Government Lease (demised for agricultural use)
- Plan** : Approved Luk Keng and Wo Hang Outline Zoning Plan (OZP) No. S/NE-LK/11
- Zoning** : “Agriculture” (“AGR”)
- Application** : Proposed Temporary Private Vehicle Park (Private Cars and Light Goods Vehicles Only) and Associated Filling of Land for a Period of Three Years

1. The Proposal

- 1.1 The applicant seeks planning permission for proposed temporary private vehicle park (private cars and light goods vehicles only) and associated filling of land for a period of three years at the application site (the Site) falling within an area zoned “AGR” on the OZP (**Plan A-1**). According to the Notes of the OZP, temporary use or development of any land or building not exceeding a period of three years and filling of land within the “AGR” zone require planning permission from the Town Planning Board (the Board). The Site is partly fenced-off and vacant.
- 1.2 The Site is accessible via a local track leading to Sha Tau Kok Road – Wo Hang (**Plan A-2**). According to the applicant, the proposed use is intended to serve the residents of Shek Kiu Tau only for meeting the parking demand. A total of 20 parking spaces will be provided at the Site, including 18 for private cars (5m(L) x 2.5m (W)) and two for light goods vehicles (7m(L) x 3.5m (W)). No structure will be erected at the Site. The operation hours of the proposed use at the Site are 24 hours daily (including public holidays). No vehicles without valid license issued under the Road Traffic Ordinance will be allowed to be parked at the Site. No car washing or vehicle repair activities will be allowed within the Site. Warning sign will be erected at prominent location of the Site to ensure pedestrian safety. The applicant also applies for filling of land at part of the Site (about 965.32m² or 87.8% of the Site) with asphalt/ concrete of about 0.1m in depth. The layout plan and land filling plan submitted by the applicant are shown in **Drawings A-1** and **A-2** respectively.

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

- (a) Application Form with Attachments received on 16.4.2026 (Appendix I)
- (b) Supplementary Information (SI) received on 23.4.2026 (Appendix Ia)
- (c) Further Information (FI) received on 20.5.2026* (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, SI and FI at **Appendices I to Ib**, as summarised below:

- (a) the proposed use is small in scale. It is intended to serve the residents of Shek Kiu Tau for meeting the growing demand for parking spaces and will not be open to the public;
- (b) the proposed use at the Site is compatible with the village houses to its west and north, as well as Sha Tau Kok Road to its south;
- (c) the Site is currently vacant and has not been used for any agricultural activities for decades. The temporary application will not frustrate the long-term planning intention of the “AGR” zone; and
- (d) the proposed use does not involve felling of trees, and no adverse environmental, traffic and drainage impacts are anticipated.

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

The applicant is the sole “current land owner” of the Site. Detailed information would be deposited at the meeting for Members’ inspection.

4. **Background**

The Site was the subject of a planning enforcement case against an unauthorized development (UD) involving land filling. An Enforcement Notice (EN) was issued on 20.10.2020, followed by a Reinstatement Notice (RN) issued on 9.11.2020. Subsequent site inspection revealed that the UD has been discontinued and reinstated. Compliance Notices for EN and for RN were issued on 9.11.2021 and 10.11.2021 respectively.

5. **Previous Application**

The Site is not the subject of any previous application.

6. Similar Application

- 6.1 There is a similar application (No. A/NE-LK/145) for proposed temporary private vehicle park (private car) within the same “AGR” zone in the vicinity of the Site in the past five years. The application site was located about 150m from Sha Tau Kok Road – Wo Hang, and was surrounded by fallow agricultural lands to its south, east and west. The application was rejected by the Board on review on 16.12.2022 mainly on the grounds that there was no strong planning justification in the submission for a departure from the planning intention.
- 6.2 Details of the similar application is summarised at **Appendix II** and its location is shown on **Plan A-1**.

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

- 7.1 The Site is:
- (a) partly fenced-off, covered with soil and vacant; and
 - (b) accessible via a local access road leading to Sha Tau Kok Road – Wo Hang.
- 7.2 The surrounding area is of rural character mainly comprising village houses, parking of vehicles and vacant land. The village cluster of Shek Kiu Tau is located to the immediate north and west of the Site, and to the immediate south of the Site is Sha Tau Kok Road – Wo Hang.

8. Planning Intention

- 8.1 The planning intention of the “AGR” zone is primarily to retain and safeguard good quality agricultural land/farm/fish ponds for agricultural purposes. It is also intended to retain fallow arable land with good potential for rehabilitation for cultivation and other agricultural purposes.
- 8.2 According to the Explanatory Statement of the OZP, as filling of land within the “AGR” zone may cause adverse drainage and environmental impacts on the adjacent areas, permission from the Board is required for such activities.

9. Comments from Relevant Government Departments

- 9.1 Apart from the government department as set out in paragraph 9.2 below, other government departments consulted have no objection to or no adverse comment on the application. Their general comments on the application and advisory comments in the Recommended Advisory Clauses are provided at **Appendices III** and **IV** respectively.

9.2 The following government department does not support the application:

9.2.1 Comments of the Director of Agriculture, Fisheries and Conservation (DAFC):

Agriculture

- (a) the Site falls within the “AGR” zone and is generally vacant. Agricultural infrastructures such as road access and water source are available in the area. The Site can be used for agricultural activities such as open-field cultivation, greenhouses, plant nurseries, etc. As the Site possesses potential for agricultural rehabilitation, the proposed development is not supported from agricultural perspective; and

Nature Conservation

- (b) he has no comment on the application from nature conservation perspective. Regarding the public comment on birds found at the Site (paragraph 10 below), there is no record of the concerned bird species at the Site and its vicinity.

10. Public Comments Received During Statutory Publication Period

On 24.4.2026, the application was published for public inspection. During the statutory public inspection period, five comments were received (**Appendix V**). Two comments from individuals object to the application mainly on the grounds that the Site has been filled; there is no mention of electric vehicle charging facilities; and the Site is a resting place for certain bird species. A comment from another individual provides views that the Site could be used as sitting-out area with ancillary facilities and free parking spaces. The remaining two comments from the Chairman of Lung Shan Area Committee and an individual indicate no comment on the application.

11. Planning Considerations and Assessments

- 11.1 The application is for proposed temporary private vehicle park (private cars and light goods vehicles only) and associated filling of land for a period of three years at the Site falling within an area zoned “AGR” on the OZP. The proposed use is not in line with the planning intention of the “AGR” zone and DAFC does not support the application from agricultural perspective as the Site possesses potential for agricultural rehabilitation. According to the applicant, the proposed use is intended to serve the residents of Shek Kiu Tau only for meeting the parking demand. C for T has no comment on the application. In view of the above and taking into account the planning assessments below, there is no objection to the proposed use with associated filling of land on a temporary basis of three years.
- 11.2 The application involves filling of land at part of the Site (about 965.32m² or 87.8% of the Site) with asphalt/concrete of about 0.1m in depth. Filling of land within the “AGR” zone requires planning permission from the Board as it may cause adverse drainage and environmental impacts on the adjacent areas. In this regard, the Chief Engineer/Mainland North of Drainage Services Department and Director of Environmental Protection have

no objection to the application. As the Site is zoned “AGR”, an approval condition requiring the reinstatement of the Site upon expiry of the planning permission so as to uphold the planning intention of the “AGR” zone and restore the greenery of the area is recommended should the Committee decide to approve the application.

- 11.3 The surrounding area of the Site is rural in character mainly comprising village houses, parking of vehicles and vacant land. The village cluster of Shek Kiu Tau is located to the immediate north and west of the Site, and to the immediate south of the Site is Sha Tau Kok Road – Wo Hang. The proposed use is considered not incompatible with the surrounding area.
- 11.4 Other relevant government departments consulted have no objection to or no adverse comment on the application. To address the technical requirements of the concerned government departments, relevant approval conditions are recommended in paragraph 12.2 below. Should the application be approved, the applicant will be advised to follow the requirements of the ‘Code of Practice on Handling the Environmental Aspects of Temporary Uses and Open Storage Sites’ to minimise any possible environmental impact on the surrounding area.
- 11.5 There is a similar application (A/NE-LK/145) for temporary private vehicle park (private car) within the same “AGR” zone in the vicinity of the Site, which was rejected on review by the Board in 2022 as detailed in paragraph 6.1 above. The application site of the rejected application was located further away from Sha Tau Kok Road – Wo Hang and was surrounded by fallow agricultural land to its south, east and west. Compared with the similar application, the current application is abutting Sha Tau Kok Road – Wo Hang to the immediate south, the village cluster of Shek Kiu Tau is located to the immediate north and west, and there is no agricultural land in the vicinity of the Site. The planning circumstances of the current application are different from those of the rejected similar application.
- 11.6 Regarding the public comments as detailed in paragraph 10, the government departments’ comments and planning assessments above are relevant. Regarding the public comments on birds found at the Site, DAFC advises that there is no known record of the concerned bird species at the Site and its vicinity. Also, no electric vehicle charging facilities are proposed in the submission.

12. Planning Department’s Views

- 12.1 Based on the assessments made in paragraph 11 and having taken into account the public comments 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 5.6.2029. The following conditions of approval and advisory clauses are 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 5.12.2026;
- (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 5.3.2027;
- (c) in relation to (b) above, the implemented drainage facilities shall be maintained at all times during the planning approval period;
- (d) 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;
- (e) 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
- (f) upon the expiry of the planning permission, the reinstatement of the Site, including the removal of fill materials and hard paving, and grassing of the Site to the satisfaction of the Director of Planning or of the Town Planning Board.

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 proposed use with associated filling of land is not in line with the planning intention of the "AGR" zone which is primarily to retain and safeguard good quality agricultural land/farm/fish ponds for agricultural purposes, and to retain fallow arable land with good potential for rehabilitation for cultivation and other agricultural purposes. 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 16.4.2026
Appendix Ia	SI received on 23.4.2026
Appendix Ib	FI received on 20.5.2026
Appendix II	Similar Application
Appendix III	Government Departments' General Comments
Appendix IV	Recommended Advisory Clauses
Appendix V	Public Comments
Drawing A-1	Layout Plan
Drawing A-2	Land Filling Plan
Plan A-1	Location Plan
Plan A-2	Site Plan
Plan A-3	Aerial Photo
Plan A-4	Site Photos

**PLANNING DEPARTMENT
JUNE 2026**